

PUBLIC SERVICE COMMISSION

Reclamation Division

Memorandum

TO: Commissioners Fedorchak, Christmann and Kalk
Darrell Nitschke, Executive Secretary
Illona Jeffcoat-Sacco, General Counsel

FROM: Jim *JJ* Deutsch, Dean *DKM* Moos and Randy *RK* Kowalski

DATE: November 23, 2016

SUBJECT: Application for Revision No. 1 to Surface Coal Mining Permit No. NACC-1301,
Case No. RC-16-659

On October 5, 2016, Coyote Creek Mining Company, L.L.C. filed the application for Revision No. 1 to Permit NACC-1301. This revision proposes to delete all 84.24 acres from the permit and transfer all reclamation liabilities on this acreage to Permit NACC-1302 for the Coyote Creek Mine. The Reclamation Division has completed its review of this application and recommends approval.

Permit NACC-1301 was approved on March 12, 2014, for the 84.24 acres located in portions of Sections 30 and 31, T143N, R88W in Mercer County. This permit was obtained to begin construction on the mine office and support facilities while the application for Permit NACC-1302 was being completed. In addition to permitting the larger mine area, Permit NACC-1302 also re-permitted and consolidated all of the acreage included in Permit NACC-1301.

Coyote Creek Mining Company filed Revision No. 1 to delete the acres from NACC-1301 and to transfer all reclamation liabilities on these acres to Permit NACC-1302. Approval of Revision No. 1 will reduce the total acreage in Permit NACC-1301 to zero, effectively terminating the permit.

A surety bond that covers the entire 8443.616 acres contained in Permit NACC-1302 was approved on March 16, 2016 along with the approval of Revision No. 3 to Permit NACC-1302. This bond provides continuous bond coverage for the 82.24 acres affected by Revision No. 1 to NACC-1301.

Attached are a motion and an award form for your consideration at the November 30, 2016 Commission meeting.

Minedata/CoyoteCreek/Permits/NACC-1301/Revisions/No.1/Rev1_memo_11-23-16

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Public Service Commission Staff

Jim Deutsch, Dean Moos, Randy Kowalski