



# Public Service Commission

## State of North Dakota

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October 25, 2017

Ms. Cherie Harms  
President  
Leonardite Products, LLC  
PO Box 548  
Williston, ND 58801

Dear Ms. Harms:

The Reclamation Division has conducted an initial review of the application for Bond Release No. 1 to Permit GRGR-0501 at the Stony Creek Mine. The follow-up items listed below pertain to the public notice and agency notification letters. These items must be addressed before publishing the public notice and sending the agency notification letters. Please respond in a timely manner so that newspaper notice publication can begin.

### **Application For Final Bond Release (SFN 19813)**

1. Please correct the zip code for Williston on page 1 of the bond release application and indicate you have made changes to the document by adding a revision date (in red text) in the upper right corner of the application. (ZAB)
2. The amount listed for final release of bond for the completion of all reclamation requirements is listed as **zero** on the bond release application. Please revise the application to request the release of \$181,359.00 and provide a reason for the monetary request. We suggest adding a sentence to the end of the existing narrative similar to, "*All surface mining operations on 15.49 acres of Industrial land in Permit GRGR-0501 have been completed and ECO Park Landfill, LLC is utilizing the bond release area for construction of an inert waste landfill*". (ZAB)

### **Attachment III - Newspaper Publication Map**

3. Please remove the second sentence in the second paragraph of the public notice that states, "*Due to continued mining and reclamation operations within this permit, the bond amount will not be reduced*" and insert a statement similar to, "*As part of this final bond release application, Leonardite Products, LLC. is requesting a bond reduction of \$181,359.00.*". (ZAB)
4. Please correct the zip code in Leonardite Products address at the bottom of the public notice narrative. (ZAB)

Ms. Cherie Harms

October 24, 2017

Page 2 of 2

5. The newspaper notice map is very detailed and portions of it will be illegible in the newspaper. Please use the publication map from Revision No. 7 and Renewal No. 2 because this map is legible at print scale. Revise the map by moving the *Permit GRGR-0501* label to the upper right of the permit. Depict and label the bond release tract and change the last line of the title to *Final Bond Release No. 1*. (WTG/ZAB)

#### **Attachments IVa and IVb Surface Owner and Government Agency Letters**

6. The letters to surface owners, adjoining surface owners and government agencies must include the same information as the public notice. (Policy Memorandum No. 9 to Mine Operators) You may use the publication map (Revision No. 7 and Renewal No. 2 map revised as indicated in the above item) to send with the surface owner and agency letters or you may use the map currently included with the land owner letters if the following changes are made to the map.
  - a. Increase the font size of the township and range labels.
  - b. Revise the label *Leonardite Products LLC Public Service Commission Permit No. GRGR-0501 Boundary* to Permit GRGR-0501.
  - c. Remove the dashed line within the permit that appears to be the outline of all the pits.
  - d. Depict and label Stony Creek in Sections 16, 17, and 20.
  - e. Depicting the railroad on the map is optional and it could be removed or, if you prefer, change the label for the railroad to BNSF Railroad because the Great Northern Railroad is now the Burlington Northern and Santa Fe Railway (BNSF). (BEB/ZAB)
7. Please remove the second sentence in the second paragraph of the surface owner and government agency letters that states, "*Due to continued mining and reclamation operations within this permit, the bond amount will not be reduced*" and insert a statement similar to, "*As part of this final bond release application, Leonardite Products, LLC. is requesting a bond reduction of \$181,359.00.*" (ZAB)

As we discussed, you will need to add a surface owner map, an overburden agreement with Eco Park, and a new bond calculation to the bond release application with the technical review. We also noted the map identification labels located in the bottom right-hand corner of Bond Release Tract Maps No. 1 and No. 5 list the Stony Creek Mine and these labels should be corrected to Stony Creek Mine and a bookmark should be provided for the Final Bond Release Tract map w/aerial photo that is labeled as Attachment No. 5 (there is no Attachment No. 5 listing in the bookmarks). These and any additional technical follow-up items will be sent to you after the field inspection of the bond release tract. If you have any questions, please contact this office.

Sincerely,



Dean K. Moos  
Director  
Reclamation Division