



# Public Service Commission

## State of North Dakota

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December 7, 2018

Cherie Harms, President  
Leonardite Products, LLC  
PO Box 548  
Williston, ND 58802-0548

Dear Ms. Harms:

The Reclamation Division has reviewed the Leonardite Products, LLC October 26, 2018 responses to our October 16, 2018 technical review letter for Bond Release No. 1 (final) to Permit GRGR-0501 at the Stony Creek Mine. The following items must be satisfactorily addressed before the Reclamation Division will recommend Commission action on the bond release application. Please note that follow-up items reference the items as numbered in our October 16, 2018 technical review letter. Although you submitted draft corrections to the bond release application form, Attachment VII, and Attachment IX by electronic mail correspondence on November 20, 21, and 25, 2018 in advance of this letter, the items related to those corrections are included below as a record of our response review. Please submit all bond release application pages being corrected during this technical review with your response. One new item regarding the fall 2018 excavation of the north half of Pit B-3 and a portion of Pit C-1 relates to Attachment IX revisions necessary to correspond with the excavation.

### **Application for Final Release of Bond for Surface Coal Mining and Reclamation Operations (SFN 19813 revised 1-2004)**

1. Follow-up to item No. 2: Please correct the application date year to read 2017. (ZAB/JSP)

### **Attachment VII - General Information**

2. Follow-up to item No. 6: Your updated topsoil volume located within the bond release area is listed as 44,433 cubic yards and not 45,433 as was requested. Please change the topsoil volume amount to 45,433 cubic yards. (BEB/WTG/JSP)

### **Attachment IX - Bond Calculations**

3. Follow-up to item No. 6: Please revise the subsoil and topsoil volumes listed in the third paragraph of Attachment IX to be consistent with the subsoil and topsoil volumes requested for correction in the third paragraph of Attachment VII (45,433 cubic yards of topsoil and 23,297 cubic yards of subsoil). (ZAB/BEB/WTG)

4. Follow-up to item No. 10c: Please revise the worst case bond amount of \$170,203 listed in the sixth paragraph of Attachment IX to \$170,102. (ZAB/JSP/BEB)
5. Please revise Attachment IX as follows to correspond with the fall 2018 excavation of the north half of Pit B-3 and a portion of Pit C-1: (All)
  - a. Revise the fifth and sixth paragraphs of Attachment IX - Bond Calculations to add the C Pits to the list of pits that will be mined in 2019, and to the list of pits that are the basis of the reclamation worst case cost calculations.
  - b. Revise the mining and reclamation Qtr/Yr column entries on Table O-1 for Pit C-1 to correspond with the fall 2018 excavation. The Begin Mining Qtr/Yr for Pit C-1 should be 4/2018, and the subsequent mining and reclamation dates should be revised accordingly.
  - c. Revise the mining and reclamation Qtr/Yr column entries on Table O-1 for Pit E-1 to correspond with the fall 2018 excavation. The Begin Mining Qtr/Yr for Pit E-1 should be 1/2021 or later, and the subsequent mining and reclamation dates should be revised accordingly.
  - d. Revise the introductory sentence of Reclamation Costs (page R-7) to add C-1 and delete E-1 from the pit listing; revise the first bullet point to replace Pit E-1, 1.84 acres with Pit C-1, 1.82 acres; and, revise the last bullet point to describe only the subsoil stockpile that was placed on a former parking lot (the topsoil stockpile was placed on undisturbed land).

Please contact us for assistance with any questions.

Sincerely,



Dean K. Moos  
Director  
Reclamation Division

cc: Lonni Fleck - Interstate Engineering, Inc. ([Lonni.Fleck@interstateeng.com](mailto:Lonni.Fleck@interstateeng.com))