

PUBLIC SERVICE COMMISSION
Reclamation Division

Memorandum

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

FROM: ^{BAT} Bruce Johnson, ^{ZAB} Zanna Brinkman and ^{DKM} Dean Moos

DATE: April 6, 2018

SUBJECT: Application for Renewal No. 4 to Permit No. ACPG-9701 held by American Colloid Company, Case No RC-17-488

On December 26, 2017, American Colloid Company filed the application for Renewal No. 4 to Permit No. ACPG-9701 to continue mining and reclamation operations within the existing permit area for another five years, until April 22, 2023. Permit No. ACPG-9701 covers 656.72 acres in portions of Sections 2, 3, and 12, T130N, R99W, and portions of Section 35, T131N, R99W, all in Bowman County. The Reclamation Division has completed its review of this renewal application and respectfully recommends that it be approved.

American Colloid Company applied for this renewal to continue coal removal and reclamation operations in Permit ACPG-9701. Coal (leonardite) removal from this permit area is expected to continue for several years. Updates to the permit for the next five-year permit term were made with Revision No. 10 that accompanied this renewal.

American Colloid Company submitted affidavits of publication of the newspaper notice. The notice was published once a week for four consecutive weeks in February and early March in the Bowman County Pioneer and Dickinson Press. We also notified the appropriate agencies, affected landowners and the advisory committee members. We received no objections to this renewal application. Evidence of liability insurance is currently on file. No changes to the worst case reclamation cost estimate or the total surety bond amount were required at this time.

Attached for your consideration at the April 11th meeting are the proposed motion and renewal award form.

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