

PUBLIC SERVICE COMMISSION
Reclamation Division

MEMORANDUM

TO: Commissioners Kroshus, Fedorchak and Christmann
Steve Kahl, Interim Executive Secretary
Illona Jeffcoat-Sacco, John Schuh

FROM: *DKM* *ZAB* *BB*
Dean Moos, Zanna Brinkman and Bruce Beechie

DATE: May 22, 2019

SUBJECT: Application for Renewal No. 7 to Permit No. Permit NACT-8401 held by the Coteau Properties Company, Case No. RC-19-47

On February 8, 2019, Coteau Properties Company filed the application for Renewal No. 7 to Permit No. NACT-8401 to continue mining operations within the existing permit area until July 3, 2024. Permit No. NACT-8401 contains 159.488 acres and covers portions of Sections 8 and 17, T145N, R87W, Mercer County. The Reclamation Division has completed its review of this five-year permit renewal and respectfully recommends that it be approved.

Coteau applied for this renewal because haul roads, stockpiles, and ponds in this permit area are still being used to support current mining activities occurring in other permit areas. Coal removal is complete within the permit area. Only a small amount of coal was removed from the northwest corner of the permit area many years ago where it adjoins Permit No. NACT-8203. Coteau filed the application for Revision No. 23 to Permit NACT-8401 on February 8, 2019 to update legal information, identification of interests and rights of entry, business entity/compliance information, environmental resource information and operation plans for the next renewal of the permit. This insignificant revision application will be approved on May 29, 2019.

Coteau Properties Company has submitted the affidavits of publication for the newspaper notice. We notified the appropriate agencies and advisory committee members. We received no objections to this renewal application. Evidence of adequate performance bond and liability insurance are currently on file. This and other permits at the Freedom Mine are covered by collateral and self-bonds totaling \$146,000,000.

Attached for your consideration are the proposed motion and the renewal approval form.

Minedata/Freedom/Permits/NACT-8401/Revisions/No7/Ren7_apprvl_memo_5-22-19

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Public Service Commission Staff
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