



Public Service Commission

State of North Dakota

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June 29, 2020

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

Dear Ms. Harms:

The Reclamation Division has conducted a completeness review of the applications for Revision No. 9 and Renewal No. 3 to Permit GRGR-0501 at the Stony Creek Mine. The following items must be adequately addressed before the applications can be deemed complete and approval is granted to begin publication of the permit revision and renewal newspaper notice. Please respond to these items in a timely manner to secure publication approval at the earliest opportunity.

Revision No. 9 Application (SFN 10562)

1. Please revise the revision application as follows, and add a revised application date in red font in the upper right corner of the page to indicate that the application has been revised: (WTG)
 - a. As required by NDAC 69-05.2-11-02(1)(c), please revise the revision description to state that the revision identifies the five-year commercial leonardite removal subarea that will be mined during the next five year permit term. Please also revise the revision description to state that the revision application updates the permit for Renewal No. 3. Please use an attachment if additional space is necessary.
 - b. Please remove the acreage and legal description listed on the revision application because the permit acreage and legal description is listed on the permit renewal application. Acreage and legal descriptions are only listed on revision applications when permit acreage is being added or deleted.
 - c. Please print names and provide signatures for the official authorized to represent the applicant at each of the four entries on the application where a name or signature is required.
2. Standard Condition No. 7 to Permit GRGR-0501 requires that revision applications include a revision summary with a list of changes describing proposed modifications and indicating the pages, maps, or other sections of the permit that are revised or added. Revision applicants typically attach a separate document as a revision summary with list of changes that is updated with changes for each successive revision review. Your revision application cover letter serves the same purpose provided that changes with the revision application are described in the cover letter for each successive revision review response. At your discretion, please attach a separate document as a revision summary with list of changes that is updated with cumulative changes for

each successive revision review response, or list cumulative revision application changes in future cover letters for each successive revision review response. (WTG)

Renewal No. 3 Application (SFN 10566)

3. As required by NDAC 69-05.2-11-03(5)(a), please revise the renewal application to specify the permit renewal term (November 2, 2020 to November 2, 2025). Please also correct the Renewal Number (3), and add a revised application date in red font in the upper right corner of the page to indicate that the application has been revised. (WTG/BEB)
4. As required by NDAC 69-05.2-11-03(5)(b), (d), and (e), please provide an application attachment stating the reasons for requesting the renewal, evidencing that adequate liability insurance will be provided for the proposed renewal period, and evidencing that bond is sufficient and will continue in full force for the proposed renewal period. These validations may be added as separate headings to the *Legal Description of Permit Area* attached to the application. (WTG/BEB)

Newspaper Notice

5. The newspaper notice states that the revision updates the surface and subsurface ownerships; however, your June 2, 2020 response to our March 31, 2020 pre-renewal review states that there are no changes to the permit area surface and subsurface ownership information. Please remove the change in ownership narrative from the newspaper notice. (BEB)

Please contact us with any questions.

Sincerely,



Dean K. Moos
Director
Reclamation Division