



Public Service Commission

State of North Dakota

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May 7, 2021

Sarah J. Flath
Environmental Manager
Coteau Properties Company
204 County Road 15
Beulah, ND 58523-9475
sarah.flath@nacoal.com

Dear Ms. Flath:

The Reclamation Division has conducted an initial review of the application submitted March 3, 2021 for Revision No. 34 to Permit NACT-8503 at the Freedom Mine. Revision No. 34 proposes to delete the entire NACT-8503 permit acreage and transfer the reclamation liability to Permit NACT-1801. Permit NACT-1801 was approved on February 17, 2021 and consolidates Permit NACT-8503 and four other permits used to support mining activities in coal producing permits at the Freedom Mine. This revision has been determined to be an insignificant modification of the mining and reclamation plans in the permit. The following items must be adequately addressed before the Reclamation Division will recommend Commission action on the Revision No. 34 application.

Application for Revision of Permit to Engage in Surface Coal Mining and Reclamation Operations SFN 10562 and Attachment 1

1. Please revise page 1 of the application form to list the permit acreage being deleted with Revision No. 34 and add a revised application date header on page 1. Coteau's permit acreage calculation is not in question but the permit acreage remaining in the Commission's records (1,831.9715) must be entered on the application form to delete the permit acreage. Please also revise Attachment 1 to describe deleting 1,831.9715 acres. (JAR/WTG)
2. Please revise Attachment 1 to add the metes and bounds description for the deletion area listed on Section 1.1.3a (Metes and Bounds Description Area to be Deleted from Permit NACT-8503 Map). A metes and bounds description for the deletion area is required for our revision approval award form. (JAR/WTG)

Section 1.1.1 - Application Form

3. Please revise the Description of Revision numbered as page 166 of 1.1.1 submitted with the revision application to list the permit acreage being deleted with Revision No. 34 as 1,831.9715 acres. Coteau's permit acreage calculation is not in question but the permit acreage remaining in

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the Commission's records (1,831.9715) must be listed in the Description of Revision to delete the permit acreage. (JAR/WTG)

4. Please add the Application for Revision of Permit to Engage in Surface Coal Mining and Reclamation Operations SFN 10562 to Section 1.1.1 (Application Form) in keeping with Section 1.1.1 convention. The two page application form should be numbered as pages 166 and 167 of 1.1.1. The pages numbered as 166 of 1.1.1 (Description of Revision) and 167 of 1.1.1 (Table of Revised Documents) submitted with the revision application should be renumbered in the same sequence as pages 168 and 169 of 1.1.1. (WTG)
5. Please revise item number 2 of the Table of Revised Documents numbered as page 167 of 1.1.1 submitted with the revision application to state "*Insert new pages 166-169 of Section 1.1.1.*" to recognize that SFN 10562 was added to the section. (WTG)

Please contact us with any questions.

Sincerely,



Dean K. Moos
Director
Reclamation Division

cc via email only: Amanda Hoffer (amanda.hoffer@nacoal.com)
Kayla Torgerson (Kayla.Torgerson@nacoal.com)