



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Sent via email only

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. 33 to Permit NACT-8601 at the Freedom Mine. Revision No. 33 proposes to delete the entire NACT-8601 permit acreage and transfer the reclamation liability to Permit NACT-1801. Permit NACT-1801 was approved on February 17, 2021 and consolidates Permit NACT-8601 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. 33 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. 33 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 (772.4630) must be entered on the application form to delete the permit acreage. Please also revise Attachment 1 to describe deleting 772.4630 acres. (JAR/WTG)
2. Please revise Attachment 1 to add the metes and bounds description for the deletion area listed on Section 1.1.2a (Metes and Bounds Map Area to be Deleted from Permit NACT-8601). 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 page 155 of Section 1.1.1 to list the permit acreage being deleted with Revision No. 33 and add a revised application date header on page 155. Coteau's permit acreage calculation is not in question but the permit acreage remaining in the Commission's records

Ms. Sarah Flath
May 7, 2021
Page 2 of 2

(772.4630) must be entered on the application form to delete the permit acreage. Please also revise page 157 (Attachment 1) to describe deleting 772.4630 acres. (WTG)

4. Please revise page 157 (Attachment 1) of Section 1.1.1 to add the metes and bounds description for the deletion area listed on Section 1.1.2a (Metes and Bounds Map Area to be Deleted from Permit NACT-8601). A metes and bounds description for the deletion area is required for our revision approval award form. (JAR/WTG)
5. A Revision 33 February 2021 footer has been applied to each page (158 pages) of Section 1.1.1 (Application Form) with the Revision No. 33 application. Please revise Section 1.1.1 to retain the footers presented with approved Revision No. 32 through page 154 and apply the Revision 33 February 2021 footer only to pages 155 through 158 added with Revision No. 33. (JAR/WTG)

Section 1.1.2 – Metes and Bounds Description and Map

6. Please add Section 1.1.2a (Metes and Bounds Map Area to be Deleted from Permit NACT-8601) to Section 1.1.2 (Metes and Bounds Description and Map) with the Revision No. 33 application. (JAR/JWE/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)