

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

The Coteau Properties Company
Variance, Permit NACT-9501
Application

Case No. RC-21-417

VARIANCE TO THE PERFORMANCE BOND LIABILITY
PERIOD OF A SURFACE COAL MINING PERMIT

December 29, 2021

Based on the application received October 15, 2021, a variance to the Ten-Year Performance Bond Liability Period for a portion of Permit Number NACT-9501 is hereby granted to The Coteau Properties Company. This variance combines the performance bond responsibility period of areas affected by a sedimentation pond, stockpiles and three conservation tree plantings with that of surrounding reclamation tract on lands described below:

Approximately 19.7 acres of reclaimed native grassland within a tract of reclaimed lands in Section 22 of T146N, R88W, Mercer County.

Based on the application for the variance to Permit Number NACT-9501 and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The Coteau Properties Company has affirmatively demonstrated that reclamation of areas revegetated in 2014 will provide equal or greater protection to the environment and to public health and safety;
2. The Commission has determined that all areas are reclaimed and that vegetation is established as required by the approved reclamation plan; and
3. The Coteau Properties Company must satisfy all reclamation success standards described in NDAC Chapter 69-05.2-22 when final bond release is requested.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

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