

**PUBLIC SERVICE COMMISSION  
Reclamation Division**

\*\*\*\*\*

**Memorandum**

**TO:** Commissioners Fedorchak, Christmann and Sheri Haugen-Hoffart  
Steve Kahl, Executive Director  
John Schuh

**FROM:** <sup>ZAB</sup> Zanna Brinkman, <sup>JE</sup> Jonathan Emmer, and <sup>GW</sup> Guy Welch

**DATE:** June 22, 2022

**SUBJECT:** Application for Revision No. 37 to Permit No. NACT-9101 held by The Coteau Properties Company, Case No. RC-21-447

On November 29, 2021, The Coteau Properties Company filed the application for Revision No. 37 to Surface Coal Mining Permit NACT-9101. This revision identifies the next five-year coal removal areas and addresses several items requested by the Reclamation Division during the pre-renewal review of the permit. It updates the legal information, business entity/compliance information, identification of interests and rights of entry, and the operations and reclamation plans for the next permit term. This revision also updates the meets and bounds description of the permit boundary to reflect changes because of final bond release No. 8, includes details regarding a new farmer access road corridor around an existing cessation pit, and adds plans for retaining a sediment pond to benefit wildlife in accordance with a private landowner's request. The Reclamation Division has completed its review of this revision application and respectfully recommends it be approved.

Coteau applied for this revision and Renewal No. 6 to the permit since mining will continue in this permit area for many years. The Pit Layout and Facilities Map indicates that coal removal operations will continue within this permit until the year 2045.

This revision application was considered a significant revision application and was subject to the public notice requirements. Coteau submitted the affidavits of publication for the required newspaper notices. We notified the appropriate agencies, affected landowners, and the advisory committee members. We received no objections to this revision application.

Evidence of adequate performance bond and liability insurance are currently on file. Self and collateral bonds that total \$186,000,000 cover this and other permits at the Freedom Mine.

Attached for your consideration are the proposed motion, revision award form, and the revision approval notice that we will publish in the appropriate newspapers.

Attachments

Freedom Mine\Permits\NACT - 9101\Revisions\No. 37 & Renewal 6\Rev37\_apprvl\_memo\_6-22-22