

Hamre, John G.

From: Brinkman, Zanna A.
Sent: Tuesday, October 4, 2022 2:53 PM
To: Hamre, John G.
Subject: FW: NACC-1302 Revision 12: Pond Construction Approval Request

Importance: High

File this email in the following two locations (only corelog the first one)

Coyote Creek Mine\Permits\NACC - 1302\Revisions & Renewals\No. 12\Pond_P25-03_construction_rqst_9-15-22

Coyote Creek Mine\Permits\NACC - 1302\Admin Correspondence\2022\Pond_P25-03_construction_rqst_9-15-22

Zanna Brinkman

*Director Reclamation & AML Divisions
ND Public Service Commission
600 E Blvd. Ave Dept. 408
Bismarck, ND 58505-0408*

(701) 328-3403

zbrinkman@nd.gov

From: Emmer, Jonathan W. <jemmer@nd.gov>
Sent: Tuesday, October 4, 2022 2:11 PM
To: Brinkman, Zanna A. <zbrinkman@nd.gov>
Subject: FW: NACC-1302 Revision 12: Pond Construction Approval Request

Jonathan Emmer

Assistant Director

Reclamation Division
North Dakota Public Service Commission
600 E Boulevard Ave Dept 408
Bismarck, ND 58505

jemmer@nd.gov 701.328.4094

From: Eckroth, Jeremy J <jeremy.eckroth@nacoal.com>
Sent: Thursday, September 15, 2022 3:35 PM
To: Brinkman, Zanna A. <zbrinkman@nd.gov>; Emmer, Jonathan W. <jemmer@nd.gov>; Welch, Guy A. <gwelch@nd.gov>
Cc: Barth, Tyler L <Tyler.Barth@nacoal.com>; Steffen, Donn R <donn.steffen@nacoal.com>
Subject: NACC-1302 Revision 12: Pond Construction Approval Request

***** **CAUTION:** This email originated from an outside source. Do not click links or open attachments unless you know they are safe. *****

Zanna,

In regards to item #6 in the technical review of Revision 12 as listed below, Coyote Creek (CCMC) will not be building P24-05 and P24-06 this fall. P24-05 may be necessary to facilitate adjacent mining in the future. If federal mine plan approval is not received by next spring CCMC will reevaluate the construction plans at that time and consult water management plans for the area with the NDPSC. However, CCMC is planning to construct pond P25-03 this fall and is requesting conditional approval to begin construction on that pond. Please advise if conditional approval is granted for the construction of P25-03. Please let us know if you have any questions or require additional information. Thank you

Section 3.3 - Surface Water Management

- 6. The Reclamation Division believes the construction of sediment ponds P24-05 and P24-06 and the removal of additional SPGM in the SW¼ of Section 24 other than that necessary to mine private coal should be delayed until federal mine plan approval has been granted to remove federal coal in the SW¼ of Section 24. Please consider revising the pond construction narratives, Sections 3.3.27 and 3.3.28, to mention that construction of the ponds may be delayed until federal mine plan approval. (GAW)*

Jeremy Eckroth

Environmental Manager
Coyote Creek Mining Company, LLC

Coyote Creek Mine | North American Coal

6502 17th Street SW
Zap, ND 58580
P. 701.873.7826 | M. 701.400.5843
nacoal.com



NOTICE: If you have received this communication in error, please advise the sender by reply e-mail and immediately delete the message and any attachments without copying or disclosing the contents.

This transmission, email and any files transmitted with it, may be: (1) subject to the Attorney-Client Privilege, (2) an attorney work product, or (3) strictly confidential under federal or state law. If you are not the intended recipient of this message, you may not use, disclose, print, copy or disseminate this information. If you have received this transmission in error, notify the sender (only) and delete the message. This message may also be subject to disclosure under the North Dakota Open Records Laws.