



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Julie Fedorchak  
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*sent via email only*

August 26, 2022

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Ms. Sarah Flath  
Environmental Manager  
Coteau Properties Company  
204 County Rd. 15  
Beulah, ND 58523  
[Sarah.Flath@nacoal.com](mailto:Sarah.Flath@nacoal.com)

Dear Ms. Flath:

The Reclamation Division has reviewed Coteau's August 17, 2022 response to our initial review of Final Bond Release No. 3 to Surface Coal Mining Permit NACT-9501. The Coteau Properties Company may publish the newspaper notice and mail the surface owners and governmental agency letters. Once the letters are mailed and publication of the public notice has begun, we will schedule a field inspection of the bond release tract with Coteau, and the surface owner(s) as required by NDCC 38-14.1-17(3). OSM Casper Field Office will be invited to participate in the inspection because federal coal was mined from portions of the tract.

Reclamation Division staff have determined that an area associated with sediment pond P-H-22-06 is short of SPGM respread. The corresponding pond removal request indicates that 48 inches of SPGM was to be respread on this area and Reclamation Division staff probing indicates that only approximately 36 inches of SPGM was respread. The attached figure depicts the area where SPGM respread is non-compliant. This issue will need to be resolved during our technical review of the final bond release application.

If you have any questions, please contact this office.

Sincerely,

Zanna A. Brinkman  
Director  
Reclamation Division

cc via email only: [Amanda Hoffer \(amanda.hoffer@nacoal.com\)](mailto:amanda.hoffer@nacoal.com)  
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Freedom Mine\Permits\NACT - 9501\Bond Release\Bond Release 3\FBR3\_Publication\_AL\_8-26-22

