



**NORTH DAKOTA**  
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION  
Gold Seal Center, 918 E. Divide Ave.  
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www.ndhealth.gov

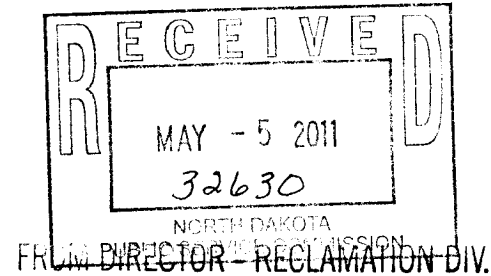


May 4, 2011

William Kirk  
Staff Mining Engineer  
Coteau Properties Company  
204 County Road 15  
Beulah ND 58523

RE: NDPDES Permit ND0025038  
Pond Overflow Discharges

Dear Mr. Kirk:



Date: \_\_\_\_\_

Action: \_\_\_\_\_

We have reviewed your May 2, 2011 email describing the spring runoff event which resulted in pond overflow discharges at the mine. As indicated in your letter and our previous discussions alternate limitations were considered for the following overflow samples. Info & File: \_\_\_\_\_

Outfall	Pond ID	Sample Date	Total Iron (mg/L)	Total Suspend Solids (mg/L)	Settleable Solids (mL/L)	Alternate Limits Applied
081	P-H15-01	4/1/2011	23.4	386	0.1	Yes
084	P-H26-05	4/4/2011	--	50	<0.1	Yes
061	P-H34-04	4/5/2011	--	37	0.1	Yes
080	P-D16-02	4/7/2011	--	72	<0.1	Yes
121	P-D13-05	4/7/2011	--	43	<0.1	Yes
100	P-H22-06	4/11/2011	3.71	63	<0.1	Yes

Based on the information you provided the alternate limitations for precipitation related overflows would apply to the overflow discharges as indicated above. The determination made regarding the alternate limitations is supported by the information you provided on pond operation and the amount of snowfall/precipitation received at the mine leading up to the overflows.

Should you have any questions, please contact me at 701-328-5227 or Randy Kowalski at 701-328-5239.

Sincerely,

Gary Bracht  
Environmental Engineer  
Division of Water Quality

cc: James Deutsch, PSC  
EPA

## Hibl, Sheila

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**From:** Deutsch, James R.  
**Sent:** Monday, May 02, 2011 3:52 PM  
**To:** Gunnerson, Bill T.; Berg, Mike D.  
**Cc:** Hibl, Sheila; Moos, Dean K.; Welch, Guy A.; Beechie, Bruce E.  
**Subject:** FW: April Sedimentation Pond Overflows Exceeding Monthly Average Limits

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**From:** Kirk, Bill [<mailto:Bill.Kirk@coteau.com>]  
**Sent:** Monday, May 02, 2011 3:46 PM  
**To:** Kowalski, Randy L.  
**Cc:** Deutsch, James R.; Moos, Dean K.; Steffen, Donn  
**Subject:** April Sedimentation Pond Overflows Exceeding Monthly Average Limits

Randy:

In accordance with the Freedom Mine NDPDES permit (ND-0025038), please be informed of the following April overflow sample results that exceed monthly average effluent limits. All overflows were the result of runoff occurring from snowmelt. This listing also incorporates those sample results that were previously reported as having exceeded daily maximum effluent limitations.

Pond P-H15-01	Discharge point: 081	Sample date: Apr. 01, 2011	TSS: 386 mg/l	Fe: 23.4 mg/l
Pond P-H26-05	Discharge point: 084	Sample date: Apr. 04, 2011	TSS: 50 mg/l	
Pond P-H34-04	Discharge point: 061	Sample date: Apr. 05, 2011	TSS: 37 mg/l	
Pond P-D16-02	Discharge point: 080	Sample date: Apr. 07, 2011	TSS: 72 mg/l	
Pond P-D13-05	Discharge point: 121	Sample date: Apr. 07, 2011	TSS: 43 mg/l	
Pond P-H22-06	Discharge point: 100	Sample date: Apr. 11, 2011	TSS: 63 mg/l	Fe: 3.71 mg/l

All of the above ponds collect runoff from active mining areas. Also, please be informed that Coteau has documentation that demonstrates that all of these impoundments were at or below permanent pool elevations at the onset of winter weather.

If you have any questions, please contact me.

**William R. Kirk, PE**  
**Staff Mining Engineer**

The Coteau Properties Company  
204 County Road 15  
Beulah, ND 58523  
Phone: 701-873-7215  
Fax: 701-873-7226  
[bill.kirk@coteau.com](mailto:bill.kirk@coteau.com)

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## Hibl, Sheila

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**From:** Deutsch, James R.  
**Sent:** Tuesday, May 03, 2011 1:04 PM  
**To:** Gunnerson, Bill T.  
**Cc:** Hibl, Sheila  
**Subject:** FW: April Sedimentation Pond Overflows Exceeding Monthly Average Limits - SS Results

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**From:** Kirk, Bill [<mailto:Bill.Kirk@coteau.com>]  
**Sent:** Tuesday, May 03, 2011 12:50 PM  
**To:** Kowalski, Randy L.  
**Cc:** Steffen, Donn; Deutsch, James R.; Moos, Dean K.  
**Subject:** RE: April Sedimentation Pond Overflows Exceeding Monthly Average Limits - SS Results

Randy:

I apologize for neglecting to include the settleable solids results in the first e-mail. They are as follows:

Pond P-H15-01	SS: 0.1 ml/l
Pond P-H26-05	SS: 0.0 ml/l
Pond P-H34-04	SS: 0.1 ml/l
Pond P-D16-02	SS: 0.0 ml/l
Pond P-D13-05	SS: 0.0 ml/l
Pond P-H22-06	SS: 0.0 ml/l

If you have any other questions, please call or e-mail me.

### **William R. Kirk, PE** **Staff Mining Engineer**

The Coteau Properties Company  
204 County Road 15  
Beulah, ND 58523  
*Phone: 701-873-7215*  
*Fax: 701-873-7226*  
[bill.kirk@coteau.com](mailto:bill.kirk@coteau.com)

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**From:** Kowalski, Randy L. [<mailto:rkowalsk@nd.gov>]  
**Sent:** Tuesday, May 03, 2011 9:04 AM  
**To:** Kirk, Bill  
**Subject:** RE: April Sedimentation Pond Overflows Exceeding Monthly Average Limits

Bill,

Could you confirm for us that the settleable solids was tested for each of the overflows that you are seeking alternate limitations. Also indicate the settleable solids results (summarizing the results would be acceptable; such as all <0.4mL/L ).

Thank you,

Randy Kowalski  
Environmental Scientist  
Division of Water Quality

(701) 328-5239

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