

December 8, 2022

Zanna Brinkman
Reclamation Director
Public Service Commission
600 East Boulevard
Bismarck, ND 58505-0480



PERMITTING & RECLAMATION DEPARTMENT
P.O. Box 2010 • Belle Fourche, South Dakota 57717
PH. (605) 892-6950 • FAX (605) 892-6979

RE: Reclamation Schedule Temporary Variance Request for American Colloid Company's Permit ACPG-9701 near Gascoyne, ND.

Dear Ms. Brinkman:

American Colloid Company (ACC) is submitting a temporary reclamation variance request for Pit N5 in the Tompkins area of Permit ACPG-9701 per NDAC 69-05.2-21-01: Performance Standards-Backfilling and Grading – Timing requirements.

- Mining - completed August 2022
- Current status - partially backfilled
- Backfill completion - anticipated October 2023
- Area - 3.9 acres
- Reason for request: backfill completion is delayed due to the configuration of pits and associated backfill movement. Overburden from newly opened pits fills the farthest area that is not up to grade, which currently includes portions of N3 and N4, creating a lag in N4 completion. Borrow area will be used to complete the last pits in the series.

ACC is in the process of addressing a Renewal and Update (Revision 12) to Permit ACPG-9701, in which the reclamation schedule and associated variance information will be evaluated and updated as appropriate.

These documents are being submitted via email to pscrecfilings@nd.gov and carbon copied to you and Jonathan Emmer. Please contact me at (307)-696-3543 (cell) or melody.smith@mineralstech.com with any questions.

Sincerely,

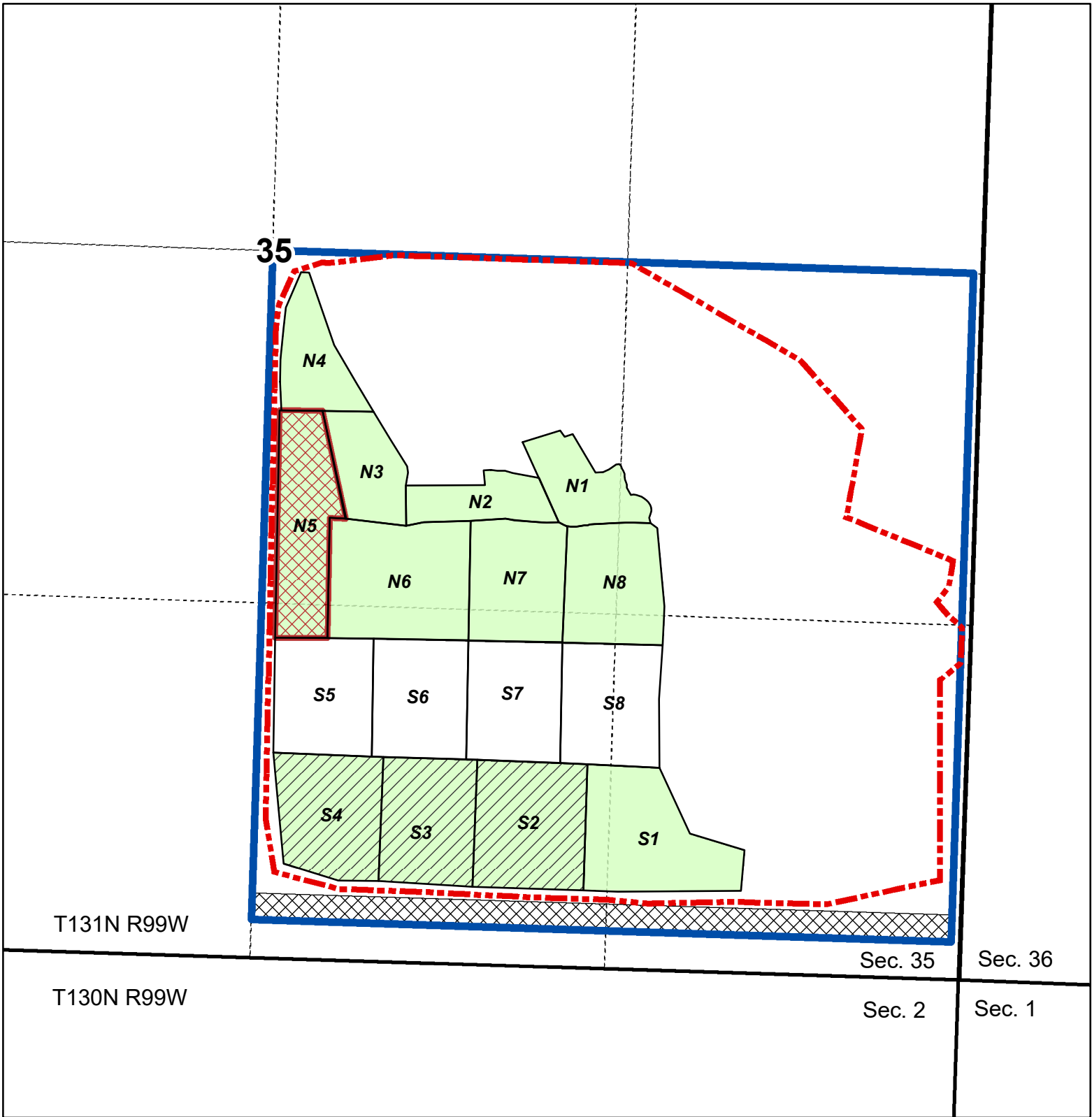
A handwritten signature in blue ink that reads 'Melody Smith'.

Melody Smith
Environmental Specialist
Performance Materials
American Colloid Company
Division of Minerals Technologies Company












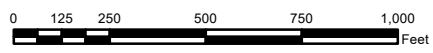
Attachments: Variance Request Map

- 3 RC-22-414 Filed 12/08/2022 Pages: 2
Variance Request
American Colloid Co.
Melody Smith
- 3 RC-22-413 Filed 12/08/2022 Pages: 2
Variance Request
American Colloid Co.
Melody Smith



Legend

-  Tompkins Area of Permit
-  Disturbance Boundary
-  180-day Approved Variance
-  180-day Temporary Variance Request (3.9 Acres)
-  3-year Approved Variance
-  Permitted Pits and Numbers
-  No Disturbance: Powerline Right-of-Way
-  Quarter-Quarter
-  Section



Variance Request Map	
AMERICAN COLLOID COMPANY P.O. Box 2010, Belle Fourche, SD 57717 (605) 892 - 6950	Permit ACPG-9701 Revision 11 (approved 12/2/2021) Part of SE1/4 Sec. 35, T131N R99W Bowman County, North Dakota
Author: MS	Approved by: ACC
Date: 12/8/2022	Contour Interval:
Date Revised:	Quad: Gascoyne and Scranton NE
Scale: 1 inch = 500 feet	Sheet of
Print Scale: 8.5 x 11	Tompkins Area: 131-99-35