



Public Service Commission

State of North Dakota

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March 17, 2023

Ms. Melody Smith
Environmental Specialist
American Colloid Company
P.O. Box 2010
Belle Fourche, SD 57717
melody.smith@mineralstech.com

Dear Ms. Smith:

The Reclamation Division has reviewed American Colloid's March 8, 2023 response to our February 21st technical review of the application for Revision No. 12 to Permit ACPG-9701. The revision was submitted to update the permit for the next 5-year permit term. The permit expires on April 22, 2023. **It is imperative that ACC respond with complete and accurate information by March 27, 2023 so the permit can be renewed before it expires.** The following items must be adequately addressed before the revision and renewal can be approved.

Section 1.2 – Legal Information

1. Please incorporate the Affidavit of Publication from The Bowman County Pioneer and The Dickinson Press into Section 1.2.4. Also, update the hyperlink for the Renewal 5 Newspaper Notice. (MJF)

Section 3.1.3 – Pit Layout and Facility Maps

2. As previously requested in our August 8, 2022 pre-renewal letter, our December 20, 2022 completeness letter, our February 21st technical review letter, and in recent correspondence, please update the Pit Layout and Facilities Map 3.1.3(c) at the Tomkins Mine to depict all mining that will be conducted during the next 5-year permit term (2023 – 2028) as required by NDAC 69-05.2-09-02. NDAC 69-05.2-09-02 also requires ACC to update operation plans in other sections of the permit such as the grading sequence map, backfilling calculations, worst-case bond estimate, and post-mine topographic map. Changes in operations plans may also require updates to the reclamation plan for the next 5-year permit term. (MJF/ZAB)
3. Please revise the title block of the Tomkins Pit Layout and Facility map to state the map was updated with Revision 12 and remove (approved 12/2/2021) from the title block. (SMN)

Section 3.1.4 – Extended Mine Plan

4. Please add the proposed Reeder addition area to the Extended Mine Plan. (MJF)

Section 4.2.4 – Reclamation Costs

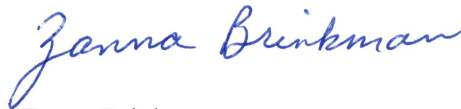
5. Pages 1, 2 and 4, of Section 4.2.4, include reclamation costs associated with the haul road in Sections 2 and 3 within the Page Mine Area. This 4-acre corridor is in Section 2 in the Perkins Mine Area. Please correct Section 4.2.4 by moving the haul road corridor reclamation costs from the Page area to the Perkins area. (SMN)

Section 4.2.3(c) - Grading Sequence Map

6. The pit dates depicted on the Grading Sequence map for Tompkins do not match the pit layout shown in Section 3.1.3(c) - Pit Layout and Facilities Map. (SMN)

If you have any questions, please contact this office.

Sincerely,



Zanna Brinkman
Director
Reclamation Division

cc via email only: Lyndon Bucher lyndon.bucher@mineralstech.com