

**PUBLIC SERVICE COMMISSION
Reclamation Division**

MEMORANDUM

TO: Commissioners Christmann, Haugen-Hoffart, and Fedorchak
Steve Kahl, Executive Director
John Schuh, General Counsel

FROM: MF JE ZB
Matt Fischer, Jonathan Emmer, Zanna Brinkman

DATE: April 12, 2023

SUBJECT: Application for Revision No. 12 to Permit ACPG-9701, held by the American Colloid Company, Case No. RC-22-413

On November 25, 2022, American Colloid Company submitted the application for Revision No. 12 to Surface Coal Mining Permit ACPG-9701 for the Page, Perkins, and Tompkins Mine located near Gascoyne in Bowman County North Dakota. American Colloid Company concurrently filed the application for Renewal No. 5 to extend the permit another 5 years. Revision 12 identifies the next five-year coal (commercial leonardite) removal subareas and updates the legal information, operation plans, mining and reclamation plans, and the worst-case bond estimate in the permit. Commercial leonardite removal is expected to continue in this permit area for several years. The Reclamation Division has finished its review of this revision and respectfully recommends that it be approved.

Revision No. 12 was deemed a significant revision to Permit No. ACPG-9701 and was subject to the public notice requirements. American Colloid Company submitted affidavits of publication indicating the newspaper notice was published once a week for four consecutive weeks in January and February in the Bowman County Pioneer and Dickinson Press. We notified the appropriate agencies, affected landowners, and advisory committee members. No objections to this revision application were received.

Surety Bond SU1130344 issued by Arch Insurance Company currently covers the bond area that includes Permit ACPG-9701. The bond currently totals \$1,092,445.00 and is adequate at this time.

Attached are the motion and revision approval form for your consideration at the April 12th Commission meeting. Also attached is the public notice of revision approval that requires the Commissioners signatures.

Page-Perkins-Tompkins-Mine\Permits\ACPG-9701\Revisions\Rev12_Renewal 5\ Rev12_apprvl_memo_4-12-23