

PUBLIC SERVICE COMMISSION
Reclamation Division

Memorandum

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

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

DATE: April 12, 2023

SUBJECT: Application for Renewal No. 5 to Permit No. ACPG-9701 held by American Colloid Company, Case No RC-22-414

On November 25, 2022, American Colloid Company filed the application for Renewal No. 5 to Permit No. ACPG-9701 to continue mining and reclamation operations within the existing permit area for another five years, until April 21, 2028. The permit area contains 656.72 acres in portions of Sections 2, 3, and 12, T130N, R99W, and portions of Section 35, T131N, R99W, all in Bowman County. The Reclamation Division has completed its review of this renewal application and respectfully recommends that it be approved.

American Colloid Company applied for this renewal to continue commercial leonardite removal and reclamation operations in Permit ACPG-9701. Leonardite removal from this permit area is expected to continue for several years. Updates to the permit for the next five-year permit term were made with Revision No. 12 that was filed concurrently with this renewal.

American Colloid Company submitted affidavits of publication of the newspaper notice. The notice was published once a week for four consecutive weeks in January and February in the Bowman County Pioneer and Dickinson Press. We also notified the appropriate agencies, affected landowners, and the advisory committee members. We received no objections to this renewal application. Evidence of liability insurance is currently on file. The worst-case reclamation cost estimate was updated but no changes to the total bond amount were required.

Attached for your consideration at the April 12th meeting is the proposed motion and renewal award form.

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