



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto:ndpsc@nd.gov)  
Phone: 701-328-2400  
ND Toll Free: 1-877-245-6685  
Fax: 701-328-2410  
TDD: 800-366-6888 or 711

*Sent via email only*

March 18, 2024

Mr. Miroslav Zvyagelskiy  
Operations Manager  
Leonardite Products, LLC  
PO Box 548  
Williston, ND 58801  
[miroslav@leonarditeproducts.com](mailto:miroslav@leonarditeproducts.com)

Dear Mr. Zvyagelskiy:

The Reclamation Division has conducted an initial review of the application for Bond Release No. 2 to Permit GRGR-0501 at the Stony Creek Mine. These items must be addressed before publishing the public notice and sending the agency notification letters. An inspection of the bond release as required by NDCC 38-14.1-17 will be delayed until the public advertisement has been published and the notification letters have been mailed.

### **Application SFN 19813**

1. Please update the description block of the Application form (SFN 19813) to change the reference from the North Dakota Department of Health to the North Dakota Department of Environmental Quality. (PJR)

### **Attachment V – Aerial Photograph Final Bond Release Map**

2. Please adjust the bond release tract boundaries and/or the permit boundaries in Attachment V (Aerial Photograph Final Bond Release Map). It appears that a small portion of the Bond Release #2B tract is shown outside of the permit boundary on the south side. It also appears the south and west boundaries of the bond release tracts should be extended all the way to the permit boundaries so that small gaps between the permit boundary and the bond release tracts are not shown. (PJR)

### **Attachment VI – General Information**

3. Please adjust the bond release tract boundaries and/or the permit boundaries in Attachment VI (Inert Waste Landfill Area & Cell Boundaries). It appears a small portion of the Bond Release #2B tract is shown outside of the permit boundary on the south side. It also appears the south and west boundaries of the bond release tracts should be extended all the way to the permit boundaries so that small gaps between the permit boundary and the bond release tracts are not shown. (PJR)

4. Please revise the map in Attachment VI (Inert Waste Landfill Area & Cell Boundaries) to include a current topographic map, since page 3 of the Application form (SFN 19813) includes a checkbox that states a topographic map is to be included. (JWE, PJR, BSM)
5. Please revise the title for Attachment VI (Inert Waste Landfill Area & Cell Boundaries) and the map to say "Inert Waste Landfill Topography & Cell Boundaries". (JWE)

#### **Attachment VII – General Information**

6. Attachment VII (General Information) does not contain approximate dates of SPGM removal, coal removal, and grading. Page 3 of the Application form (SFN 19813) includes a checkbox that states this information is included. Please revise Attachment VII to include these dates. (JWE, PJR, BSM)
7. Please add a surface owner map in Attachment VII (General Information). Refer to Attachment VII(i) from Bond Release No. 1 as an example. (JWE)
8. Please provide a narrative discussing current water management of affected areas in the bond release tract to document that suspended solids from the bond release tract are not being contributed to stream flow outside of the permit area. (GAW)

#### **Attachment VIII – Other Approvals**

9. The first sentence of the narrative for Attachment VIII (Other Approvals) incorrectly states that Revision No. 9 and Renewal No. 3 were approved by the ND Public Service Commission on August 5, 2020. Please revise Attachment VIII changing the approval date from August 5, 2020, to the correct date of October 21, 2020. (BSM)


#### **Attachment IX – Reduced Reclamation Cost Calculations**

10. Please add a statement in Attachment IX (Reduced Reclamation Cost Calculations) to explain how the amount requested for the bond release was calculated as required by NDAC 69-05.2-12-11(10). Also, please include the following information in Attachment IX so the reclamation cost estimate can be determined. (JWE, BSM)
  - 9a. The mining and reclamation sequence table (Table 0-1)
  - 9b. The Mine Plan Map (Map D)
11. Please revise Attachment IX (Reduced Reclamation Cost Calculations) with the 2023 variable costs. The revised bond reduction amount will need to be updated in the public notice, landowner notification letters, and the general information section. (JWE, BSM)

If you have any questions, please contact this office.

Mr. Miroslav Zvyagelskiy  
March 18, 2024  
Page 3 of 3

Sincerely,



Jonathan Emmer  
Director  
Reclamation Division

cc via email only: Cherie Harms (cherie@leonarditeproducts.com)

Leonardite Products\Permits\0501\Bond Release\Bond Release 1\BR2\_initial\_rvw\_3-18-24