



Public Service Commission

State of North Dakota

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April 23, 2024

Mr. Miroslav Zvyagelskiy
Operations Manager
Leonardite Products, LLC
PO Box 548
Williston, ND 58801
miroslav@leonarditeproducts.com

Dear Mr. Zvyagelskiy:

The Reclamation Division has Leonardite Products, LLC's March 28, 2024 response to our initial review of Bond Release No. 2 to Permit GRGR-0501 at the Stony Creek Mine. The following items must be addressed before publishing the public notice and sending the notification letters. An inspection of the bond release as required by NDCC 38-14.1-17 will be delayed until the public notice advertisement has been published and the notification letters have been mailed. Please note that the follow-up items below reference the item number in our March 18, 2024 initial review letter.

Attachment VIII – Other Approvals

1. Please update the Copy of the Permit for the Solid Waste Management facility in Attachment VIII (Other Approvals) starting on page 85 for the Eco Park Landfill – Permit 0384. The current copy of this permit shows it expired on June 28, 2021. An approved current permit is necessary for Bond Release. (PJR, ACC)

Attachment IX – Reduced Reclamation Cost Calculations

2. Follow-up to Item No. 11: On page 132 in Attachment IX (Reduced Reclamation Cost Calculations), the mining disturbance for topsoil replacement in the "Volume Assumptions" subsection states 14.92 acres were disturbed, but the "Revegetation Costs" subsection states 14.95 acres for mining disturbance. Please revise accordingly so there is not a discrepancy within the mining disturbance acreage. (BSM)
3. Follow-up to Item No. 11: On page 132 in Attachment IX (Reduced Reclamation Cost Calculations), the assumption narrative for Drainage Tapering and Grading beneath the "Volume Assumptions" subsection depicts a topsoil volume of 36,179 cubic yards and a subsoil volume of 21,732 cubic yards, but these volumes do not match the quantities within the topsoil and subsoil replacement sections above for "Mined Area/Opened Pits". The quantities reported in the "Drainage Tapering and Grading Calculation" table on the right side of the page and the narrative


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above this table are also inconsistent. Please revise page 132 to ensure that all reported quantities are consistent. (BSM)

4. Please ensure that any adjustments made to the calculations on page 132 in Attachment IX (Reduced Reclamation Cost Calculations) based on Items No. 2 and No. 3 above are reflected in the revised bond reduction amount that is currently shown as \$142,954.79. If the bond reduction amount is changed, it will then need to be updated in the public notice, notification letters, and the general information section. (BSM)

If you have any questions, please contact this office.

Sincerely,



Jonathan Emmer
Director
Reclamation Division

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

Leonardite Products\Permits\0501\Bond Release\Bond Release 2\BR2_pretech_rvw_ltr_4-23-24