

**FREEDOM MINE**  
THE COTEAU PROPERTIES COMPANY

March 24, 2025

Freedom Mine\Permits\NACT - 0401\Revisions & Renewal\Rev52\_Ren4  
Rev52\_complete\_rsp\_ltr\_3-24-25 (40234)

Mr. Jonathan Emmer  
Director Reclamation  
Division Public Service  
Commission 600 East  
Boulevard Avenue  
Department 408  
Bismarck, ND 58505-0480

Dear Mr. Emmer:

Revision 52 to Permit NACT-0401 has been uploaded to Permit Services. Deficiencies listed in your March 12, 2025, letter have been addressed, with responses listed below. All changes have been tracked in track changes and highlighted in yellow.

**Section 1.1.2 – Revision Summary Changes**

1. *Section 1.2.9 (Mercer County Section Line Right-of-Way Closure and Setback Waiver Documents) appears to be incorrectly identified as Section 1.2.7.9 in Section 1.1.2 (Revision Summary Pages). (AAC/PJR)*

Section 1.1.2 has been updated to correctly list Section 1.2.9 (Mercer County Section Line Right-of-Way Closure and Setback Waiver Documents).

2. *Updates were made to Section 3.2 (Transportation Facilities) and Section 4.4 (Post-Mining Wetlands); however, it appears that the narrative in the first paragraph of subsection Revision 52 in Section 1.1.2 (Revision Summary Pages) does not mention the changes to these sections. Please revise the narrative in Section 1.1.2 to include updates for transportation facilities and post-mining wetlands. (WWS/AAC/PJR)*

Section 1.1.2 has been updated as requested.

**Section 1.2.5.10 – Newspaper Publication Notice – Revision 52/Renewal #4**

3. *Please remove the narrative regarding changes to the post-mining probable hydrologic consequences, cultural resources, and post-mining stockponds from the second paragraph of Section 1.2.5.10 (Newspaper Publication Notice – Revision 52/Renewal #4) since changes to these sections of the permit due not appear to have made with Revision 52 and Renewal 4. (WWS/PJR)*

**Freedom Mine – Coteau Properties Company**

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Coteau Properties Company, a subsidiary company of The North American Coal Corporation

3 RC-25-78 Filed 03/24/2025 Pages: 3  
Revision 52 Renewal 4 Completeness Response Letter  
Coteau Properties Company  
Mark A Wallen

3 RC-25-79 Filed 03/24/2025 Pages: 3  
Revision 52 Renewal 4 Completeness Response Letter  
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Section 1.2.5.10 has been updated as requested.

4. *Tract 29 in Section 1.2.5.10 (Newspaper Publication Notice – Revision 52/Renewal #4) identifies Judy Jean Willman under coal ownership. However, Justine J. Willman is identified under coal ownership for Tract 29 in Section 1.5.1 (Permit Area Surface and Coal Ownership). Please review the coal ownership discrepancy for Tract 29 and make any necessary changes to Section 1.2.5.10 and/or Section 1.5.1. (JAR)*

Section 1.2.5.10 has been updated to list Justine J. Willman as part coal ownership in Tract 29.

### **Section 1.3.5 – Other Licenses and Permits**

5. *The footer for Section 1.3.5 (Other Licenses and Permits) incorrectly references Revision 38, February 2025. Please update the footer in Section 1.3.5 to reference the correct revision number and date. (AAC)*

Section 1.3.5 has been updated as requested. Section 1.3.5 was originally updated with an outdated version, but is now current and accurate.

6. *Item #7 in Section 1.3.5 (Other Licenses and Permits) lists an outdated address for the North Dakota Department of Environmental Quality – Division of Waste Management for the Permit for Solid Waste Management Facility – 0343. Please update the address to 4201 Normandy Street, Bismarck, North Dakota 58503-1324. (AAC/JAR)*

Item #7 has been removed from Section 1.3.5 (Other License and Permits) as it has expired and is no longer valid.

### **Section 1.5.2 – Adjacent Surface and Coal Ownership and Leasehold Information**

7. *Section 4: Lot 3 of Township 145 North, Range 87 West in Section 1.5.2 (Adjacent Surface and Coal Ownership and Leasehold Information) appears to have an incorrect location reference. Please revise the location reference of this tract to the “E½NW¼” to accurately reflect its location depicted in Section 1.5.3 (Surface and Coal Ownership Map). (WWS)*

Section 1.5.2 has been updated as requested.

**Section 3.1.1.2 – Mining Methods Narrative**

8. *The Final Highwall Reclamation subsection on page 3 of Section 3.1.1.2 (Mining Methods Narrative) was removed. This narrative should be retained, although it is understood that edits may need to be made to reflect current mining plans. (PJR/SMN)*

Narrative was retained as requested.

**Section 3.1.1.3 – Reclamation Procedures and Schedule**

9. *Please update the Projected Reclamation Time Schedule table on page two of Section 3.1.1.3 (Reclamation Procedures and Schedule) to include all the years of the next permit term. (AAC)*

Schedule was updated as requested.

If you have any questions, please contact this office.

Sincerely,

THE COTEAU PROPERTIES COMPANY

/s/

Mark A. Wallen  
Environmental Specialist

MAW:mdb  
Enc.

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