



Public Service Commission

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sent via email only

May 14, 2025

Mr. Miroslav Zvyagelskiy
Operations Manager
Leonardite Products, LLC
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Williston, ND 58802-0548
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Dear Mr. Zvyagelskiy:

The Reclamation Division has conducted a completeness review of the applications for Revision No. 12 and Renewal No. 4 to Permit GRGR-0501 at the Stony Creek Mine. The following items must be adequately addressed before the applications can be deemed complete and approval is granted to begin publication of the permit revision and renewal newspaper notice. Please respond to these items in a timely manner to secure publication approval at the earliest opportunity.

I – North Dakota Public Service Commission Form 1

1. Both the renewal and revision application forms list Permit GRGR-0501 as having a total of 66.3 acres. However, following the Commission’s September 11, 2024 approval of Bond Release No. 2 for approximately 28.9 acres, the total acreage for Permit GRGR-0501 should be 67.1 acres (96 acres minus 28.9 acres). Please update and resubmit both applications to reflect the corrected acreage of 67.1 acres. (BSM/AAC/JAR)

IX – Maps

2. The last paragraph on Page E-1 references Map D (Mine Plan Map) to correlate with the mining sub-areas listed in Table E-1. However, Map D does not delineate the mining sub-areas listed in Table E-1 that were included with prior bond releases. Since Table E-1 lists the mining sub-areas that were included with prior bond releases, the Reclamation Division would also like this information retained on Map D. Please revise Map D to clearly delineate all mining sub-areas listed in Table E-1. (BSM)
3. The last paragraph on Page E-10 references Map D (Mine Plan Map) regarding a cultural site, but Map D does not delineate this site. Please revise Map D to delineate the cultural site, located adjacent to the permit in the northwest portion (Revision 6 deletion area). (BSM)
4. An updated version of the Map H (Surface Water Management Map) was not provided. Please submit an updated Map H that reflects approved Bond Release No. 2 and incorporates any modifications to surface water management features relevant to the mine pit progression. For example, the current version of Map H, dated 07-08-15, does not depict temporary barriers or berms

along the east side of the pit areas and surrounding the stockpiles in the east portion of the permit. (BSM)

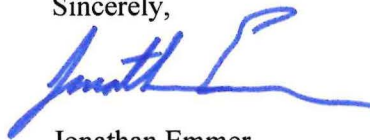
5. An updated version of Map I (Post-Mining Land Use Map) was not included. Please provide an updated Map I that depicts approved Bond Release No. 2 and include any revisions to post-mining land uses, if applicable. (BSM)

Notice of Application

6. The fourth sentence in the second paragraph of the Notice of Application does not mention that Section II (Legal Requirements) was updated. Please insert “legal requirements” into the fourth sentence in the second paragraph of the Notice of Application to reflect all updates. (BSM/JAR)
7. The fifth sentence in the second paragraph of the Notice of Application uses the term “exact” when referring to the location and boundaries of the permit area. Since no survey measurement is perfectly precise, the term “exact” is not standard practice in surveying. Please revise “exact” to “precise”, as it is more appropriate and widely accepted in professional surveying contexts. (BSM)
8. The sixth sentence in the second paragraph of the Notice of Application states there are “66.3 acres within Permit GRGR-0501.” However, following approval of Bond Release No. 2, which released approximately 28.9 acres, Permit GRGR-0501 now covers approximately 67.1 acres. Please revise the acreage in this sentence from “66.3” to “67.1” acres. (BSM/AAC/JAR)
9. The last sentence in the second paragraph of the Notice of Application incorrectly lists the permit term dates as November 3, 2025, through November 3, 2023, instead of November 2, 2025 through November 2, 2030. Please revise this sentence in the Notice of Application to list the correct permit term dates of November 2, 2025, through November 2, 2030. (BSM)
10. Please revise the third paragraph of the Notice of Application to state that the permit will be available for review in Williams County per NDAC 69-05.2-10-01(4). (PJR/JAR)
11. Please update the Public Service Commission’s phone number in the third paragraph of the Notice of Application to 701-328-2400. (JAR)

Please contact this office if you have any questions.

Sincerely,



Jonathan Emmer
Director
Reclamation Division

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