

PUBLIC SERVICE COMMISSION
Reclamation Division

MEMORANDUM

TO: Commissioners Christmann, Haugen-Hoffart, and Kringstad
Steven Kahl, Executive Director
Christopher Martens, General Counsel

FROM: ^{JE} Jonathan Emmer, ^{MS} Monty Johnson, and ^{ALC} Alexis Craig

DATE: October 10, 2025

SUBJECT: Approval for Revision No. 12 to Permit No. GRGR-0501 held by Leonardite Products LLC for the Stony Creek Mine, Case No. RC-25-169

On April 17, 2025, the Reclamation Division received Leonardite Products LLC’s application for Revision No. 12 to Surface Coal Mining Permit No. GRGR-0501 at the Stony Creek Mine. This revision identifies the next five-year coal removal areas and updates the legal, environmental resources, operation, and reclamation permit sections. The Reclamation Division has completed its review of this revision application and respectfully recommends it be conditionally approved.

Permit GRGR-0501 covers portions of the S½NW¼ and the N½SW¼ of Section 8, T154N, R100W, Williams County, North Dakota, comprising 67.1 acres. Commercial leonardite mining operations are expected to continue at the Stony Creek Mine through 2031.

Revision No. 12 included changes to the worst-case reclamation cost estimate for determining the minimum bond amount for Permit No. GRGR-0501 during the next five year permit term. These changes resulted in an increase in the required bond amount from \$427,029.00 to \$648,439.16. On October 3, 2025, the Reclamation Division determined that the minimum bond amount of \$648,439.16, which would occur during the 2nd quarter of 2027, to be adequate. Since mining is nearly complete for the year at the Stony Creek Mine and the current bond amount of \$427,029.00 is adequate to cover the current reclamation condition, the Reclamation Division is proposing to add Special Condition No. 2 to the approval of Revision No. 12.

Special Condition No. 2 is being added to Permit GRGR-0501, which states: “Leonardite Products LLC shall submit the necessary bonding instruments to increase the bonding amount for Permit GRGR-0501 to at least \$648,439.16 by the end of the first quarter of 2026.”

Revision No. 12 was considered a significant revision application and was subject to the public notice requirements. Leonardite Products LLC submitted the affidavit of publication for the revision application newspaper notice to verify that it was published in the Williston Herald for four consecutive weeks. Surface owners within the permit area, appropriate governmental agencies, and the state’s advisory committee members were notified of the revision application

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and the opportunity to submit comments or objections, or to request an informal conference, on the revision application. No objections or requests for an informal conference were received on the revision application.

Attached for your consideration at the October 23, 2025 Commission meeting are the proposed motion, revision approval form, special condition, and the revision approval notice that we must publish following revision approval.

Attachments

Leonardite Products\Permits\0501\Revisions & Renewals\Rev12_Ren4\Rev12_apprvl_memo_10-10-25