



APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS

PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
SFN 10562 (1-2004)

Date	June 19, 2025
Revision Number	3
State	ND
Zip Code	58523

Name of Company, Corporation, Partnership, or Individual The Coteau Properties Company	Permit Number NACT-1801
Address 204 County Road 15	City Beulah

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised.)
See Attachment I.

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):

NAME OF MINE	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Freedom Mine	N/A				
ADDRESS					
204 County Road 15					
Beulah, ND 58523					
TOTAL ACRES	N/A				

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ -0-, is included with the revision application.

Name of Official Authorized to Represent the Applicant
Mark A. Wallen

I, the above named, certify that:

1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application;
2. Information and documentation contained in the permit application affirmatively demonstrate that:
 - a. The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with;
 - b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;

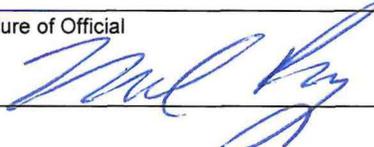
1 RC-25-211 Filed 06/19/2025 Pages: 7
Revision application filed to update mining and reclamation plans for the next five-year permit term.

- c. An assessment of the probable cumulative impact of all anticipated mining in the general area on the hydrologic balance as specified in subdivision o of subsection 1 of Section 38-14.1-14 has been made and the proposed operation has been designed to prevent material damage to the hydrologic balance both on and off the mine site;
 - d. The area proposed to be affected is not included within an area designated unsuitable for all or certain types of surface coal mining and is not within an area under study for such designation in an administrative proceeding;
 - e. The proposed surface coal mining operation will not interrupt, discontinue or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated and will not materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors; and
 - f. The permit revision applicant has the legal right to surface mine the land for which this permit revision application is made and all of the requirements of Chapter 38-18 of the North Dakota Century Code have been complied with.
3. The area proposed to be affected is not included within an area where mining is prohibited pursuant to Section 38-14.1-07 of the North Dakota Century Code; unless specifically allowed in accordance with the provisions of Section 69-05.2-04-01 of the North Dakota Administrative Code; and
4. The surface coal mining and reclamation operations contained in this permit revision application will be carried out at all times in a manner which ensures that all of the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and any permit conditions attached thereto are complied with.

Signature of Official 	Title Environmental Specialist
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VERIFICATION

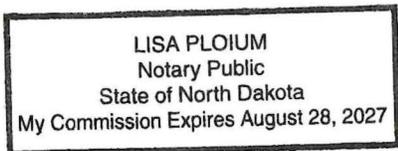
I, Michael D. Berg P.E., being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

Signature of Official 	Title Environmental Manager
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STATE OF North Dakota)
)ss.
 COUNTY OF Mercer)

Subscribed and Sworn before me, this 19 day of June, 2025.

(SEAL)





 Notary Public
 My Commission Expires: _____

Revision 3 updates the following information for the next five-year permit term; legal information, the certificate of liability insurance, business entity/compliance information, identification of interests and rights of entry, updated equipment list, and updated permit boundary to account for bond released acres in the Pit Layout and Facilities Map, Extended Mining Plan Map, Surface Water Management Plan Map, Post-Mining Topography and Land Use Map, and the Pre- and Post-Mining Land Use Comparison Table for renewal #1 of the permit.

June 19, 2025

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

Dear Mr. Emmer:

Revision 3 to Permit NACT-1801 has been mailed via the United States Postal Service and uploaded to Permit Services. Deficiencies listed in your May 15, 2025 letter have been addressed, with responses listed below. Enclosed is an original signed application form for the revision, and 3 copies of this permit. All changes have been tracked in track changes.

General

1. *Due to the pending approval of Bond Release No. 2 to Permit NACT-1801 and the timeline for submitting the renewal application, please consider updating all appropriate maps and narratives regarding the bond release. (PJR/WWS)*

Sections 3.1.3, 3.1.4, 3.3.2 and 4.1.2 maps and 4.1.3 table have all been updated to reflect the pending bond release FBR #2 to Permit NACT-1801 and past approved bond release FBR #1 to NACT-1801.

Section 1.2.6 – Certificate of Liability Insurance

2. *Please update Section 1.2.6 (Certificate of Liability Insurance) with the current certificate and its endorsement as required by NDCC 38-14.1-14(3) and NDAC 69-05.2-12-20. (PJR/AAC/JAR)*

Section 1.2.6 (Certificate of Liability Insurance) has been updated as requested.

Section 1.3 – Business Entity/Compliance Information

3. *Please provide an updated Consolidated Legal Information Report covering Section 1.3.1 (Ownership and Control Information), Section 1.3.2 (Current Permits and Permit*

Freedom Mine – Coteau Properties Company

204 County Road 15
Beulah, ND 58523
P: 701.873.2281

NACoal.com

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

Applications), and Section 1.3.3 (Schedule of Violations) referenced in Permit NACT-1801 if there are any changes to ownership and control information, the list of current or previous coal mining permits held during the past five years, or the schedule of violation notices in the past three years since the most recent consolidated report. (PJR/AAC/JAR)

Sections 1.3.1, 1.3.2 and 1.3.3 have been updated as requested and uploaded to Permit Services by the NACCO corporate office.

4. *Please update Section 1.3.5 (Other Licenses and Permits) as required by NDAC 69-05.2-06-04 with any necessary changes. (PJR)*

Section 1.3.5 (Other Licenses and Permits) has been updated as requested.

Section 1.5 - Identification of Interests and Rights of Entry

5. *Please update Section 1.5.1 (Permit Area Surface and Coal Interests) as required by NDCC 38-14.1-14(1)(c)(2) and make the corresponding updates to Section 1.5.3 (Surface and Coal Ownership Map) if any ownership changes have occurred since the most recent updates. (PJR/AAC/WWS/JAR)*

Section 1.5.1 has been updated as requested.

6. *Please update Section 1.5.2 (Adjacent Surface and Coal Ownership and Leasehold Information) as required by NDAC 69-05.2-06-01(1)(a) and make the corresponding updates to Section 1.5.3 (Surface and Coal Ownership Map) if any ownership changes have occurred since the most recent updates. (PJR/AAC/WWS/JAR)*

Section 1.5.2 and 1.5.3 have been updated as requested.

Section 3.1 - Operations - General

7. *If necessary, please update Section 3.1.1.5 (List of Equipment) as required by NDAC 69-05.2-09-01(1). (PJR/AAC/JAR)*

Section 3.1.1.5 (List of Equipment) has been updated as requested.

8. *Please update Section 3.1.3 (Pit Layout and Facilities Map) to reflect any changes with the pit layout and sequence, status or presence of SPGM stockpiles, overburden stockpiles, water management structures, haul roads, buildings, facilities, utilities, and*

structures that may have occurred since the map was last updated as required in part by NDAC 69-05.2-09-02. (PJR/AAC/JAR)

The permit boundary to NACT-1801 was updated to account for the pending bond release of FBR #2 to NACT-1801 and was also updated to depict the boundary change for FBR #1 to NACT-1801. No other changes were made.

9. *Please replace Section 3.1.4 (Extended Mining Plan Map) with the most recent Freedom Mine Extended Mining Plan Map as required by NDAC 69-05.2-07-03. (AAC/JAR)*

Section 3.1.4 was updated as requested.

Section 3.3 – Surface Water Management

10. *Please update Section 3.3.2 (Surface Water Management Plan Map) to reflect any changes with the status or presence of water management structures, SPGM stockpiles, overburden stockpiles, and haul roads that may have occurred since the map was last updated as required in part by NDAC 69-05.2-09-02 and NDAC 69-05.2-09-09. (PJR/JAR)*

The permit boundary to NACT-1801 was updated to account for the pending bond release of FBR #2 to NACT-1801 and was also updated to depict the boundary change for FBR #1 to NACT-1801. No other changes were made.

Mr. Jonathan Emmer
June 19, 2025
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If you have any questions, please contact this office.

Sincerely,

THE COTEAU PROPERTIES COMPANY

A handwritten signature in blue ink, appearing to read "Michael D. Berg".

Michael D. Berg P.E.
Environmental Manager

MAW:mdb
Enc.

Uploaded via Permit Services

cc. Carmen Reed, Mercer County Auditor (w/enc)