



# Public Service Commission

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*sent via email only*

July 17, 2025

Mr. Michael Berg  
Environmental Manager  
Coteau Properties Company  
204 County Rd. 15  
Beulah, ND 58523  
michael.berg@nacoal.com

Dear Mr. Berg:

The Reclamation Division has conducted a completeness review of the applications for Revision 3 and Renewal 1 to Surface Coal Mining Permit NACT-1801 for the Freedom Mine. This revision is in response to the Reclamation Division’s May 15, 2025 pre-renewal review letter for Permit NACT-1801. Revision 3 has been determined to be a significant revision to the permit and is therefore subject to the public notice, hearing, and procedural requirements. The following items must be adequately addressed before the application can be deemed complete and approval is granted to begin publication of the newspaper notice for the permit revision and renewal.

**Section 1.1.1 – Application Forms**

1. The Application for Renewal of Permit to Engage in Surface Coal Mining and Reclamation Operations form (SFN 10566) for Renewal 1 was not included in Section 1.1.1 (Application Forms). Even though it is not required, please consider updating Section 1.1.1 by including the application form for Renewal 1. (AAC)

**Section 1.1.2 – Revision Summary Pages**

2. Please update Section 1.1.2 (Revision Summary Pages) to include Section 1.2.5.2 (Newspaper Publication Notice – Revision 3/Renewal #1) and Section 1.2.5.3 (Newspaper Publication Notice Map – Revision 3/Renewal #1). (JAR)

**Section 1.2 – Legal Information**

3. Section 1.2.5.2 (Newspaper Publication Notice – Revision 3/Renewal #1) states the total acreage in the permit area is 4,696.58, but Final Bond Release No. 1 and No. 2 appear to be included in the list of surface and coal owners as Tracts 10, 11, 26 and 27. Section 1.2.5.3 (Newspaper Publication Notice Map – Revision 3/Renewal #1) does not include areas associated with Final Bond Release No. 1 and 2 in the permit renewal area. Final Bond Release No. 1 became effective on October 28, 2024 and Final Bond Release No. 2 is scheduled to become effective on July 18, 2025. Please review and revise Section 1.2.5.2 as necessary. (WWS/GAW)

4. It does not appear that Section 1.2.2 (Metes and Bounds Description for Entire Permit Area) was updated to account for Final Bond Release No. 1 and No. 2. Please update Section 1.2.3 accordingly. (JWE, WWS, SMN)
5. In addition to Item No. 3 and 4 above, please review Section 1.2.3 (Metes and Bounds Map for Entire Permit Area) to ensure the permit area acreage is consistent with the acreage listed in Section 1.2.5.2 (Newspaper Publication Notice – Revision 3/Renewal #1). (GAW)
6. Please remove “proposed” from the third sentence of the first paragraph in Section 1.2.5.2 (Newspaper Publication Notice – Revision 3/Renewal #1). (JAR)
7. For clarity, please remove “for renewal #1 of the permit” from the second sentence of the second paragraph in Section 1.2.5.2 (Newspaper Publication Notice – Revision 3/Renewal #1). (JAR)
8. Please revise the first sentence of the third paragraph on the last page of Section 1.2.5.2 (Newspaper Publication Notice – Revision 3/Renewal #1) to “Written comments, objections, or requests for an informal conference on the revision or renewal may be submitted by any person...” (WWS)

**Section 1.2.5.3 – Newspaper Publication Notice Map – Revision 3/Renewal #1**

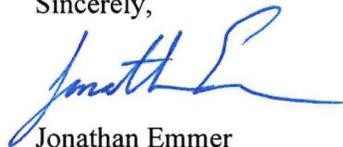
9. Please revise Section 1.2.5.3 (Newspaper Publication Notice Map – Revision 3/Renewal #1) by moving the County Road 21 label away from the shaded area to make the label more legible. (WWS/PJR)

**Section 1.5.3 – Surface and Coal Ownership Map**

10. Please update the permit boundary on Section 1.5.3 (Surface and Coal Ownership Map) to ensure consistency with the permit area metes and bounds description. (GAW)

If you have any questions, please contact this office.

Sincerely,



Jonathan Emmer  
Director  
Reclamation Division

cc via email only: Mark Wallen (mark.wall@nacoal.com)