



# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email only*

October 3, 2025

Mr. Michael Berg  
Environmental Manager  
Coteau Properties Company  
204 County Rd. 15  
Beulah, ND 58523-9475  
michael.berg@nacoal.com

Dear Mr. Berg:

The Reclamation Division has conducted a technical review of the application for Revision No. 3 to Permit NACT-1801 at the Freedom Mine. The following items must be adequately addressed prior to our office recommending Commission approval of Revision No. 3 and corresponding Renewal No. 1.

## **Section 2.2 – Surface Water Hydrology**

1. Section 2.2.6 (Post-Mining Probable Hydrologic Consequences Map) incorrectly shows a portion of Sections 17 and 18 in the WAC-19 watershed that flows southward. Surface water runoff from Sections 17 and 18 flows eastward, as has been established in Final Bond Release No. 1 to Permit NACT-1801. Please update the watershed boundary between the WAC-19 and WAC-21 watersheds in Section 2.2.6 and update the size of the WAC-19 and WAC-21 post-mining drainage areas in the tables in Section 2.2.4.1 (2-Year/24-Hour Design Storm), Section 2.2.4.2 (10-Year/24-Hour Design Storm), and Section 2.2.4.3 (25-Year/24-Hour Design Storm). The expected peak discharge and runoff volume for the storm events in the tables in Sections 2.2.4.1, 2.2.4.2 and 2.2.4.3 will need to be recalculated accordingly. This issue was not raised during our pre-renewal; however, it is appropriate to be addressed at this time. Please ensure that all changes made in Section 2.2 are reflected in Section 1.1.2 (Revision Summary Pages). (GAW)

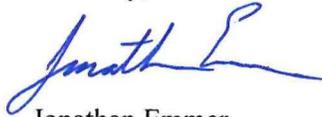
## **Section 4.1 – Post-Mining Land Use Plans**

2. The NACT-8601 and NACT-1801 permit labels are overlapping and difficult to read in Section 4.1.2 (Post-Mining Topography and Land Use Map), specifically in the SE¼ of Section 8. Please update Section 4.1.2 to separate these labels (NACT-8601 and NACT-1801) so that they are legible. (JAR)
3. In Section 4.1.3 (Pre- and Post-Mining Land Use Comparison Table), changes were made to acreage in the cropland, native grassland, tame pastureland, shelterbelt, developed water, fish and wildlife, and roads columns; however, the totals for each land use were not updated to account for these changes. Please update Section 4.1.3 so the land use acreages and total acreages are accurate. (AAC/WWS)

Mr. Michael Berg  
October 3, 2025  
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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)  
Dillon Belisle (dillon.belisle@nacoal.com)

Freedom Mine\Permits\NACT - 1801\Revisions & Renewals\Rev3\_Ren1\Rev3\_Tech1\_rvw\_itr\_10-3-25