

Via e-mail DEQCoal@mt.gov

October 1, 2020

Mr. Matt Dorrington
Coal and Opencut Mining Bureau
Montana Department of Environmental Quality
PO Box 200901
1218 East 6th Avenue
Helena, MT 59620-0901

Permit ID: C1979012
Revision Type: Minor Revision
Permitting Action: Application
Subject: MR262 Permit Transfer from Spring Creek Coal LLC to
Navajo Transitional Energy Company, LLC

Dear Matt:

The purpose of this letter is to respond and address Round 2 of deficiency comments on MR262, Responses to September 25, 2020 comments are as follows:

ARM 17.24.302(1): *Signing authority was not submitted with the cover letter. Please upload under the bonding section.* – (Also Comment #2 made in the 01/02/2020 Transfer Response Letter)
The signing authority has been uploaded to the confidential storage area in ePermit (Cultural).
The file name is [20200102_MDEQComment2_\(HeathHillSigningAuthority\)_MR262_20201001.pdf](#)

Also referencing comments made by the 01/02/2020 Transfer letter:

Comment #3 - Please submit the complete assignment form and provide proof of agency.
The second page was inadvertently left off in the first submittal. Attached to this letter is the complete document. The complete assignment form and provide proof of agency has been uploaded to the confidential storage area in ePermit (Cultural). The file name is [20200102_MDEQComment3_\(AssignMinePermitC1979012\)_MR262_20201001.pdf](#)

Comment #4 - Under attachment 06_AssignmentAssumptions Page 3 of 5 has Prospecting Permit N2012009 listed. This is incorrect, please remove. Also, keep in mind that the Prospecting Permit must be transferred as a separate application.
N2012009 and X2011336 have been removed from this listing. The corrected Assignment Assumptions has been uploaded to the confidential storage area in ePermit (Cultural). The file name is [20200102_MDEQComment4_\(N2012009-X2011336\)_MR262_20201001.pdf](#)

ARM 17.24.303(1)(c): *The review for this section will be finalized once the executed transfers/lease assignments for NTEC have been provided.*

SCM thanks you for the review of items that [can](#) be resolved prior to transfers and lease assignments. This information will be provided as soon as it is available in the next round of acceptability deficiencies.

ARM 17.24.303(1)(d): *The review for this section will be finalized once the executed transfers/lease assignments for NTEC have been provided.*

This information will be provided as soon as it is available in the next round of acceptability deficiencies.

ARM 17.24.303(1)(l): *Please update MDEQ-IEMB to MDEQ-COMB in document 303.1.u_OtherPermits_MR262_20200218. Additionally the NPDES Permit MT-0024619 is not under COMB, but under WPB and will need to be updated accordingly. Please provide the addresses for each Regulatory Agency listed.*

303.1.u_OtherPermits_MR262_20200218 has been updated with a new date tag of _20201001. All requested edits have been made in the updated file.

ARM 17.24.303(1)(o): *Please provide the fully executed leases/assignments needed once that information has been finalized. DEQ will finish its review when the information is provided in full.*

This information will be provided as soon as it is available in the next round of acceptability deficiencies.

ARM 17.24.303(1)(t): *Please provide the updated insurance document in this section.*

SCM thanks you for the review of items that can be resolved prior to transfers and lease assignments. The Certificate of Insurance will be submitted at the time of actual transfer.

ARM 17.24.303(1)(x): *Please provide the proposed notice to newspaper for this revision.*

The proposed notice to the newspaper is located at the "Admin/Proof of Publication" section of ePermit.

This cover letter is saved in the "Reports/Correspondence" section. There is no change to the TOC or Drawing Index with this revision.

Spring Creek looks forward to working with the Department on this request. I now have a Montana number (406) 757-4234, please feel free to call if you have any questions.

Thank you,



LAURA ACKERMANN
Manager, Environmental
Spring Creek Mine

cc: CF 5.02.4 (SCM-2020)
