



May 2, 2019

Sent via ePermit system

Bill Pruitt
Decker Coal Company
East Decker Coal Mine
12 Lakeshore Drive
Decker, MT 59025

Permit ID: C1983007
Revision Type: Amendment
Permitting Action: Deficiency
Subject: AM2; Northeast Extension-Round 2 Completeness Deficiency

Dear Bill:

The Department of Environmental Quality (DEQ) has reviewed your application for Amendment AM2. The following deficiencies must be addressed before the application can be ruled complete:

ARM 17.24.303(1)(x): Please modify the bottom portion of the notice to read as follows:

A complete copy of the Major Revision Application is available for inspection at the following locations:

Decker Coal Company, P.O. Box 12, 12 Lakeshore Drive, Decker, MT 59025
Big Horn County Library, 419 North Custer Avenue, Hardin, MT 59034
Montana Dept. of Environmental Quality, 1218 E 6th Avenue, Helena, MT 59601
Electronic copies of the application is available on the following website:
<http://svc.mt.gov/deq/myCOALPublic/>.

Written comments, objections and/or requests for informal conference on this application may be submitted to the Department of Environmental Quality, Coal Section, P.O. Box 200901, Helena, MT 59620-0901 or by going to <http://svc.mt.gov/deq/comment/> within 30 days of the final publication of this notice.

ARM 17.24.304(1)(b): Review of what has been submitted so far lacks sufficient detail to meet the data needs. The 2002 Peterson and Deaver overview is not present within the submitted documents, and though it would be useful, does not address the proposed area directly and is now outdated. Also not included are the Northern Cheyenne Tribe 2002 and Crow Tribe of Indians 2002 reports (See the Corral Creek Report section on TCP's). The Penson 2010 report has identified that sites of concern to the Northern Cheyenne exist in

May 2, 2019

Page 2 of 2

the project area. An ethnographic study, or land use study, done in coordination with the Northern Cheyenne, the Sioux, and the Crow, regarding the project area and any areas they identify as a tribal concern, is needed to meet the ethnographic data requirements.

ARM 17.24.314(3): The determination of probable hydrologic consequences, as required by MCA 82-4-222 and ARM 17.24.314(3), is not complete. References to the probable hydrologic consequences of the proposed mining operation make up a relatively small proportion of the probable hydrologic consequences (PHC) document that was submitted with the AM2 application. It is evident that the PHC was not written for the proposed mining operation. Please submit a revised PHC that includes the proposed mining operation, on the proposed mine area and adjacent areas, with respect to the hydrologic balance, including all requirements stated in ARM 17.24.314 (a) and (b).

Upon receipt of satisfactory response to these deficiencies, DEQ will determine the application to be complete. Acceptability review of the application continues.

Please feel free to contact Robert D. Smith at 406-444-7444 with questions regarding this letter.

Sincerely,



Chris Yde, Supervisor
Coal Section
Coal and Opencut Mining Bureau
Phone: 406-444-4967
Fax: 406-444-4988
Email: CYde@mt.gov

Cc: Jeff Fleischman, Office of Surface Mining
Erica Trent, Office of Surface Mining

FC: 620.2103 (AM2)