



December 18, 2018

*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 1 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 17.24.302(1)**: Please include a signed application form for this amendment.

**ARM 17.24.303(1)(b)**: Please update the Location.pdf to match the legal description of access.

**ARM 17.24.303(1)(m)**: Please correct the notary block for the certified statement to include the year.

**ARM 17.24.303(1)(p)(i)**: If private mineral estate has been severed from the private surface estate, identify and submit the materials as required in the subsections of this rule.

**ARM 17.24.303(1)(x)**: Please provide the proposed public notice as required.

**ARM 17.24.304(1)(b)**: Please provide an ethnographic overview. An ethnographic study provides an examination of the study area from an "insiders" point of view. Primarily, that of interested Native American Tribes. This may include land use, sacred areas, plant use, animal use, and ancestral use of an area.

Please consult the following articles for information of what constitutes an ethnographic study:

[https://www.nps.gov/archeology/cg/spr\\_2001/Inclusiv.htm](https://www.nps.gov/archeology/cg/spr_2001/Inclusiv.htm)

[https://www.nps.gov/archeology/cg/spr\\_2001/Puzzle.htm](https://www.nps.gov/archeology/cg/spr_2001/Puzzle.htm)

**ARM 17.24.304(1)(c)**: "Significant or unique scenic and/or geological formations or sites" must be addressed.

**ARM 17.24.304(1)(d)**: Any "special, exceptional, critical, or unique characteristics" must be addressed.

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**ARM 17.24.304(1)(e):** The monitoring well maps in Section 304 are from 2014 and do not show all monitoring wells. Please update appropriately.

**ARM 17.24.304(1)(g):** This rule requires a detailed description of all overburden and mineral materials (all materials other than soil) that will be handled during the mining or back filling operations. While this information is included in the currently approved permit it is required to be updated for this amendment.

**ARM 17.24.304(1)(l)(ii)(C), (i), (ii), (iv):** A statement and description (if applicable) of past mining activities must be included in the application.

**ARM 17.24.305(1)(a):** Maps Ex\_AF\_1\_surf\_am2.pdf and Ex\_AF\_2\_coal\_am2.pdf need matching CAD files included in the maps section of the e-permit.

Please establish a consistent naming convention for all AM2 maps so they will sort better in the e-permit and the map content can be more easily understood. The map name should include the exhibit number, rule number and the map title.

Third, all maps must be updated to include the proposed AM2 permit boundary.

Please verify that all DWG files are within the 305 maps section and not scattered throughout the e-permit.

**ARM 17.24.305(2)(a):** Please verify that all applicable maps have the appropriate certification as required by ARM 17.24.305(2)(a).

**ARM 17.24.308(1)(b)(all):** This rule must be addressed or applicable section referenced.

**ARM 17.24.313(1):** A previous deficiency for TR3 concerned the elimination of Appendix 12-3 from permit documents. The response to the deficiency stated that the reference had been added back into the section. The Appendix 12-3 and the reference are not included. Please incorporate Appendix 12-3 in the proposed submittal.

**ARM 17.24.314(1):** The PHC submitted with the application does not address the proposed amendment. The PHC must be written to address the proposed mining and the relevant adjacent areas as defined in this rule. West Decker data and mining are not relevant to the proposed action. Maps must be current, legible, and cover the proposed amendment area and all relevant adjacent land.

**ARM 17.24.314(2):** The plan for control of surface and ground water drainage is mainly focused on West Decker. West Decker is hydrologically isolated from AM2 activities and as such is not relevant. Please rewrite the appropriate sections to address the amendment being submitted. Appendix C is titled "West Decker Sediment Control Plan" and has no information on East Decker at all.

**ARM 17.24.314(2)(d):** Please provide a Monitoring and Quality Assurance Plan (MQAP) incorporating the AM2 application area.

**ARM 17.24.314(3):** The determination of hydrologic consequences relies heavily on the baseline

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study completed for the initial mine application. While this is useful data, the initial application did not include the AM2 area. Because AM2 proposes to excavate an alluvial valley floor, and most of the proposed disturbance is on the north side of Deer Creek, the initial baseline study does not adequately address potential hydrologic consequences of the proposed action.

**ARM 17.24.314(3)(a):** The PHC references 26 tables and 9 figures, which do not appear to be present. Please provide the referenced materials.

**ARM 17.24.317(1):** The currently permitted diversion narrative document is missing and must be included.

**ARM 17.24.321(1):** This rule must be addressed in this section, or applicable references must be provided.

**ARM 17.24.321(2):** This rule must be addressed in this section, or applicable references must be provided.

**ARM 17.24.322(2)(a)(all), (b), (c):** These rules must be addressed in full in this section. An example can be found in the West Decker permit.

**ARM 17.24.325(1):** The referenced document, "AVF 325 Exhibit 5-3" (PHC Pages 10, 30, 38) is missing.

**ARM 17.24.724(all):** Please include necessary materials to adequately address ARM 17.24.724 in the permit.

**ARM 17.24.726(1):** Please include necessary materials to adequately address ARM 17.24.726 in the permit.

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,



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