

NOTICE OF ACCEPTABILITY

Pursuant to ARM 17.24.404(3)(a), notice is hereby given that the Department of Environmental Quality (DEQ) has determined that Navajo Transitional Energy Company, LLC's Amendment Application AM6 for Spring Creek Coal Mine, Surface Mining Permit Permit No. C1979012, is acceptable.

The Spring Creek Coal Mine is located near Decker, Montana. The general legal description of the amendment area is as follows:

T8S, R39E, Sections 27 and 35

T9S, R39E, Sections 1 and 2

All M.P.M., Big Horn County, Montana and containing 520 acres, more or less.

The current bond for Spring Creek Coal Mine is \$181,816,800 and has been determined to be adequate. Annual bond calculations with associated projected disturbances must be submitted and approved by the department before any future mining can occur. Therefore, additional bond is not required with the approval of AM6.

An electronic copy of the application is available for inspection on the Montana Department of Environmental Quality Coal Section's website, which can be accessed from any computer including publically available computers at the local public library, or can be requested by emailing DEQCoal@mt.gov.

The Department of Environmental Quality prepared a Draft Environmental Assessment (EA) for the application which was made available for public comment when the application was ruled acceptable. A Final Environmental Assessment will be published alongside DEQ's written findings.

Any person with an interest that is or may be adversely affected may, within 10 days of the second published notice of acceptability file written objections and/or a request for an informal conference. Written objections and/or a request for an informal conference on the acceptability determination may be submitted to the Department of Environmental Quality, Coal Section, P.O. Box 200901, Helena, MT 59620-0901 or emailing DEQCoal@mt.gov.