

**Montana Environmental Policy Act (MEPA)
Assessment for Revision
Coal Section**

COMPANY NAME: Navajo Transitional Energy Company, LLC DATE: April 9, 2024

PERMIT#: C1979012 REVISION NO: RN9

LOCATION: Spring Creek Coal Mine

Activities Proposed: Renewal of Permit #C1979012

Type and Purpose of Action:

On August 15, 2023, Navajo Transitional Energy Company, LLC (NTEC) submitted an application for renewal of the Spring Creek Coal Mine Permit #C1979012. The application is requesting that Spring Creek Coal LLC's permit be renewed for five years as required by ARM 17.24.416. The application includes: (a) a statement of the name and address of the permittee, the term of the renewal request, and the permit number, (b) a proposed newspaper notice, (c) evidence that a liability insurance policy or adequate self-insurance will be provided by the applicant for the proposed period of renewal, and (d) an update of ownership and control information and violation history in accordance with ARM 17.24.303.

MEPA Assessment

The application for renewal does not propose any additional mining, disturbance, or change to mining and reclamation plans. Rather the application is administrative in nature and no additional environmental impacts beyond the impacts analyzed in prior environmental reviews are anticipated. The requirements for permit renewal are defined in Section 82-4-221, Montana Code Annotated (MCA), and DEQ does not exercise discretion when approving a permit renewal. Rather, DEQ acts upon a given state of facts in a prescribed manner. Thus, DEQ is not required to prepare an Environmental Assessment or Environmental Impact Statement for permit renewals pursuant to ARM 17.4.607(5).

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Title: Acting Supervisor, Coal Section