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SEP 29 2017
MINERALS & MINING PROGRAM



PERMITTING & RECLAMATION DEPARTMENT
P.O. Box 2010 • Belle Fourche, South Dakota 57717
PH. (605) 892-6950 • FAX (605) 892-6979

September 25, 2017

Mr. Eric Holm
Minerals and Mining Program
Department of Environment and Natural Resources
Joe Foss Building, 523 E. Capitol
Pierre, SD 57501

RE: Stateline Mine Permit Application Round 2 Completeness Comment Response

Dear Mr. Holm:

Enclosed is American Colloid Company's comment response for Round 2 Completeness comments (dated September 22, 2017) on the Stateline Mine large scale mine permit application.

The document on file at the Butte County Register of Deeds has been updated to reflect the information in this submittal.

This submittal includes the comments with ACC's responses (below), a copy of documents for insertion (addition/replacement) in the most recent document on file with the DENR, a change index indicating how to incorporate the information into the permit binder, and a signed letter from Butte County Register of Deeds saying the revised document (including the information included with this submittal) has been placed on file in that office.

1. Application Form: Please submit a revised application form with the correct "Estimated Tonnage Mined Per Year". The tonnage needs to be changed from 35, 000 to **335,000** because this number includes overburden as well as bentonite mined. Also, please include the surface and mineral revisions as described in the September 18, 2017 response.

The application form has been updated as requested.

2. SDCL 45-6B-44 and ARSD 74:29:07:06(1): Although Robert Shear and Todd Larson of L&S Cattle Company are both surface and mineral owners, and the consultation requirements of SDCL 45-6B-12 do not apply, American Colloid is still required under SDCL 45-6B-44 and ARSD 74:29:07:06((1)) to consult with the two surface owners on the postmine land use and the seed mix for the proposed affected area. Therefore, please submit signed surface owner consent forms from Robert Shear and Todd Larson stating that they approve the proposed postmine land uses of rangeland and hayland and the proposed seed mix for each land use.

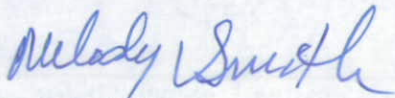
Surface and mineral ownership changed since the original submittal from L&S Cattle Company to Todd and Cindy Larsen and Robert Shear, respectively. Ownership information has been updated as appropriate.

Finally, please submit proof that the information requested in this letter has been filed with the Butte County Register of Deeds office.

A signed document stating that the updated material has been placed on file at the courthouse is included.

If you have any questions, please contact me at 605-892-7178 or melody.smith@mineralstech.com.

Sincerely,



Melody Smith
Environmental Specialist
Performance Materials
American Colloid Company
Division of Minerals Technologies Company



cc: Register of Deeds: Butte County

Attachments: Remove/replace/add index and sheets
Register of Deeds Letter

Stateline Mine Round 1 completeness Comment Change Index

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MINERAL RESOURCES & MINING PROGRAM

<u>Tab</u>	<u>Description of Change</u>
DENR Forms	Remove and replace Large Scale Mining Permit application form
Ownership and Consent	Remove and replace Pages 1-3 Remove and replace Ownership Map Remove and replace "Correction to Short Form Amendment to Easement and Surface Lease Agreement (L&S)" and replace with "Short Form Surface and Right of Way Agreement (Larsen)" and "Quit Claim Deed (L&S to Larsen)" Remove and replace Mineral Owner Add Larsen Surface Owner Consent (including seed mix) Add Larsen Adjacent Owner Consent (including seed mix)

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Register of Deeds
839 5th Avenue
Belle Fourche, SD 57717

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PH. (605) 892-6950 • FAX (605) 892-6979

RE: Stateline Project Round 2 Completeness Comment Response

To Register of Deeds Personnel:

American Colloid Company has submitted a Large Scale Mine Permit application to the South Dakota Department of Environment and Natural Resources (DENR) in Pierre, SD. The application is in the comment and response portion of the approval process, and Round 2 Completeness Comment Response has been completed.

As part of the permit approval process, we are required to submit a copy of the current document to the Register of Deeds office.

The referenced update information has been inserted into the document on file in your office; please make it available for public viewing in your office.

When the document is approved by the DENR and the public review period is closed, we will return to retrieve the document so it does not remain on your shelves indefinitely.

Please sign the statement below, as required by the DENR.

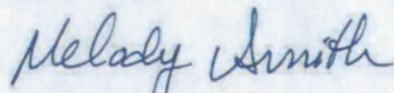
The Butte County Register of Deeds Office has the above referenced document available for public viewing.



Signature 
Date

Thank you for your time and assistance!

Sincerely,



Melody Smith
Environmental Specialist
Performance Materials
American Colloid Company
Division of Minerals Technologies Company