Notice to Comment

NORTH DAKOTA DEPARTMENT OF ENVIRONMENTAL QUALITY
PUBLIC NOTICE OF OPPORTUNITY TO COMMENT ON DRAFT PERMIT FOR A SOLID WASTE MANAGEMENT FACILITY UNDER THE NORTH DAKOTA SOLID WASTE MANAGEMENT RULES

FACILITY NAME: Coal Creek Station (Ponds and Landfill) (Permit 0033)

APPLICANT: Rainbow Energy Center, LLC
2875 3rd St SW
Underwood, ND 58576

BACKGROUND:

The North Dakota Department of Environmental Quality (Department) received a permit application for a renewal for Rainbow Energy Center – Coal Creek Station's (Rainbow) Coal Combustion Residual (CCR) landfill, CCR surface impoundments, and non-CCR surface impoundments

Rainbow currently owns and operates a CCR landfill, several CCR surface impoundments, and several non-CCR surface impoundments, regulated under Permit 0033, on approximately 320 acres located in Sections 16 and 17, Township 145 North, Range 82 West in McLean County, ND. Rainbow is proposing to renew their permit to continue solid waste activities at the facility. The facility was first permitted in 1983.

The Department believes that a permit which meets the requirements of the North Dakota Solid Waste Management Rules and is protective of human health and the environment can be issued to Rainbow Energy Center, LLC and has prepared a Draft Permit for public review and comment.

PUBLIC COMMENTS AND HEARING

As required by Section 33.1-20-03.1-03 of the North Dakota Administrative Code, the Draft Permit will be available for public review and comment for thirty (30) days following publication of the Public Notice. The public comment period begins October 29, 2026 and ends November 30, 2026. During that time, any interested persons may submit written comments to the Department on the Draft Permit. The Department has scheduled a public hearing on the Draft Permit on November 18, 2026 at 6:30pm at the Department's office at 4201 Normandy St., Bismarck, ND.

The North Dakota Department of Environmental Quality will consider all comments prior to taking any action on the permit. Comments, questions and written communication should be directed to:

Charles R. Hyatt, Director
North Dakota Department of Environmental Quality
Division of Waste Management
4201 Normandy Street
Bismarck, ND 58503

Comments may also be sent via e-mail to solidwaste@nd.gov.

The Draft Permit and Permit Application are available for review during the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday, at the North Dakota Department of Environmental Quality,

Agency Watermark

Division of Waste Management, 4201 Normandy Street, Bismarck, ND. A copy of this Public Notice is also on the Department's website at: https://deq.nd.gov/PublicNotice.aspx

The NDDEQ will consider every request for reasonable accommodation to provide an accessible meeting facility or other accommodation for people with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written material necessary to access programs and information. Language assistance services are available free of charge to you. Requests for accommodation should be made as soon as possible and ideally at least 5 business days prior to a scheduled program, service or activity. Depending on the nature and complexity of the request, requests may take longer than 5 days to fulfil. Requests may be directed to the NDDEQ staff responsible for the program, service, or activity, or to the Nondiscrimination Coordinator directly. Contact the NDDEQ Nondiscrimination Coordinator directly at 701-328-5150 or deqEJ@nd.gov. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

(Oct. 29, 2026)