

April 1, 2002

Curtis L. Blohm
Knife River Corporation
1915 North Kavaney Drive
Bismarck, ND 58501

Dear Mr. Blohm:

The Reclamation Division has conducted a completeness review and reviewed the public notice for the application for Bond Release No. 4 to Permit KRGC-8101 at the Gascoyne Mine. The application is deemed complete; however, the following changes need to be made to the public notice before publication.

- 1) Please include the current amount of bond in force in addition to the amount of the bond requested to be released in the first paragraph of the notice. NDCC 38-14.1-17(1)(a)(3)
- 2) Please include Section 28 in the second and third paragraphs of the public notice as part of the listing of areas for which bond release is requested. Section 28 was not listed in the letters sent out to surface, coal, and adjacent surface owners and governmental agencies. A corrected letter should be sent to these individuals and agencies.
- 3) The following changes are recommended for the third paragraph.
 - The first sentence states, “Three of the tracts have been reclaimed in a contemporaneous manner in accordance with the Reclamation Plan...” We suggest that this be changed to “All tracts have been developed in accordance with postmine land use and reclamation plan. The tracts located in Sections 26, 27, 28, 33, and 34 have an industrial and commercial postmine land use.”
 - With regard to the tract located in Section 26, please state that this tract was not mined but was utilized as a soil stockpile area.
 - The second sentence states that Gascoyne Materials Handling & Recycling has been in operation since 1999. Our records indicate that rail car cleaning operations began in 1997 or 1998. Please make the necessary changes.

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- With regard to the tract located in Sections 27, 28, 33, and 34, please indicate that coal was removed from a portion of the area and that the area was reclaimed and subsequently developed as a cattle feedlot facility.
- With regard to the fourth tract, please state that this tract was mined prior to 1979 and was later re-permitted to support mining operations in other areas. It appears the tract was mined and reclaimed under the 1969 version of the State's reclamation law.

Once these changes are made, you may begin publication. Please provide our office with a revised public notice. Please be advised that we intend to delay bond release until mid-May to allow for a review of new vegetative growth on the tract located in Section 35.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

rec data/dkm/gascoyne/8101/br#4public notice