



# Public Service Commission

## State of North Dakota

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April 29, 2008

Dr. Jay Volk  
Environmental Services Supervisor  
BNI Coal, Ltd.  
2360 35th Ave. SW  
Center, ND 58530-9499

Dear Dr. Volk:

The Reclamation Division has reviewed the newspaper publication and letters to surface owners of the application for Bond Release No. 6 to Permit BNCR-8106. Both are acceptable as written. Publication of the notice in the Center Republican may begin for four (4) consecutive weeks. Please forward a copy of the advertisement and affidavit of publication to this office following the last date of publication. The notification letters may also be sent at this time. Copies of those letters will need to be submitted for inclusion in the bond release application and may be done so with future technical deficiency responses.

The Reclamation Division will now begin a more detailed technical review of the bond release application to ensure that all criteria necessary for the bond release have been met. The results of this technical review will be sent to you when it is completed.

As a reminder, the field inspection of the proposed bond release area will be postponed until the end of June since part of the area includes native rangeland. This will allow for the warm season component in the native rangeland to be evaluated. All parties required to be notified by the Reclamation Division will be sent letters about this inspection at the appropriate time.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "James R. Deutsch".

James R. Deutsch  
Director  
Reclamation Division