



Public Service Commission

State of North Dakota

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September 10, 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 changes to the newspaper notice and letters to surface owners for the applications for Bond Release No. 1 to Permit BNCR-8006, Bond Release No. 7 to Permit BNCR-8106, Bond Release No. 1 to Permit BNCR-8202, and Bond Release No. 8 to Permit 37. The newspaper notice is acceptable as written. Publication of the notice in the Center Republican may begin once a week for four (4) consecutive weeks. Please forward a copy of the 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 technical review of the bond release applications to ensure that all criteria necessary for the bond releases 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 on September 18, 2008 beginning at 10:00 p.m., (CDT). All parties required to be notified by the Reclamation Division have been sent letters informing them of the inspection.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division