

PHONE (701) 794-8734



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FAX (701) 794-3125

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**PUBLIC SERVICE COMMISSION**

January 27, 2009

Mr. James R. Deutsch, Director  
Reclamation Division, NDPSC  
Department 408  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

FROM DIRECTOR - RECLAMATION DIV.

Date: \_\_\_\_\_

Action: \_\_\_\_\_

Info. Only: \_\_\_\_\_

Info & File: \_\_\_\_\_

RE: Additional Material for Revision #25 to BNCR-9702 (Worst Case Bond)

Dear Mr. Deutsch,

Enclosed is the information needed to review BNI Coals updated Worst Case Bond for Permit BNCR-9702. This submittal is twofold: 1) Update the Worst Case Bond (BNCR-9702) with the respective changes proposed in Revision No. 25 (last submitted on 12-19-08), and 2) Fulfill the obligations set forth in Policy Memorandum No. 16 requiring the update of reclamation costs. With this submittal please note the following replacement pages that are enclosed.

Please replace pages 4.14-1 and 2

Please replace appendix 4.14

Please replace Plate 4.14-1 (Worst Case Bond Calculation)

Please replace Plate 4.14-2 (Worst Case Bond Pit Cross Sections Permit BNCR-9702)

If you have any questions regarding this submittal, please contact me at the Center office.

Sincerely,

Jay M. Volk, Ph.D  
Environmental Supervisor

9 RC-08-889 Filed 01/30/2009 Pages: 1  
Additional Material Filed with Reclamation Cost Estimate  
BNI Coal, Ltd.  
Jay Volk

**BNI COAL, LTD.**  
2360 35<sup>th</sup> Ave SW, Center, ND 58530