



United States Department of the Interior



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TAKE PRIDE IN AMERICA

In Reply Refer To:

NDM97633
(MT9210:AMA)

January 4, 2010

Mr. Jay M. Volk, Ph. D.
Reclamation Specialist
BNI Coal
2360 35th Ave. SW
Center, North Dakota 58530

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

Dear Mr. Volk,

This office has reviewed the Resource Recovery & Protection Plan (R2P2) modification submitted on October 27, 2009 to the R2P2 received by this office on February 17, 2009. It concerns Federal Coal Lease NDM 97633, N2NW4, SW4NW4, and NW4SW4 of Section 32-142-84, Surface Coal Mining Permit No. BNCR-9702.

Additional coal quality data obtained from recent drilling activities lowered the initial recovery rate from 60 percent to 30 percent. This is due to higher than initially anticipated in-seam dilutions from partings, resulting in lower heating values in the coal. These lower heating values would not meet power plant quality specifications for optimum efficiency. We find this modification to be complete and in conformance with the requirements of the Mineral Leasing Act of February 25, 1920, as amended, and the applicable regulations of 43 CFR 3480. BLM approves this R2P2 as modified.

If you have any concerns regarding this R2P2 modification, please contact Anne Allen in the Branch of Solid Minerals at 406-896-5082.

Sincerely,

Philip C. Perlewitz
Chief, Branch of Solid Minerals

cc: Mr. James R. Deutsch
Director Reclamation Division
North Dakota Public Service Commission
600 E. Boulevard Ave.
Bismarck, ND 58505-0480

Mr. Gene Hay
Mining Engineer
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