



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
Phone 701-328-2400
Toll Free 1-877-245-6685
Fax 701-328-2410
TDD 800-366-6888 or 711

July 7, 2010

Mr. Edward C. Murphy
State Geologist
North Dakota Geological Survey
600 East Boulevard Avenue
Bismarck, ND 58505-0840

Dear Mr. Murphy:

BNI Coal, Ltd. has filed an application for Revision No. 30 to Surface Coal Mining Permit BNCR-9702 to add 676.48 acres to the western portion of the permit area in Sections 21, 29, and 32 at the Center Mine as shown on the enclosed map from BNI Coal's newspaper notice. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to the permit.

Enclosed is a DVD of the electronic permit revision application for your agency's review. The electronic permit is accessible by opening the "Permit BNCR-9702.htm" file. The home page contains a list of permit revision changes and a table of contents for the entire permit that will aid your agency's review. Please note that the hyperlinks to Adobe Reader files within the permit narrative may not function properly if the permit file is opened with Internet Explorer as the web browser. The hyperlinks appear to function properly, however, if the permit file is opened with a different web browser, such as Google Chrome. Another option for solving the hyperlink problem is to copy the DVD contents to a network drive that is not mapped as a letter drive.

As a member of our Advisory Committee, please review your agency's areas of interest or responsibility within the permit revision, and provide us with any written comments that you may have on the revision no later than August 23, 2010.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosures



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July 7, 2010

Mr. Merlan E. Paaverud, Director
State Historical Society of North Dakota
612 East Boulevard Avenue
North Dakota Heritage Center
Bismarck, ND 58505-0830

Dear Mr. Paaverud:

BNI Coal, Ltd. has filed an application for Revision No. 30 to Surface Coal Mining Permit BNCR-9702 to add 676.48 acres to the western portion of the permit area in Sections 21, 29, and 32 at the Center Mine as shown on the enclosed map from BNI Coal's newspaper notice. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to the permit.

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Sincerely,

James R. Deutsch
Director
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July 7, 2010

Mr. Todd Sando
Acting State Engineer
North Dakota State Water Commission
900 East Boulevard Avenue
Bismarck, ND 58505-0850

Dear Mr. Sando:

BNI Coal, Ltd. has filed an application for Revision No. 30 to Surface Coal Mining Permit BNCR-9702 to add 676.48 acres to the western portion of the permit area in Sections 21, 29, and 32 at the Center Mine as shown on the enclosed map from BNI Coal's newspaper notice. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to the permit.

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Sincerely,

James R. Deutsch
Director
Reclamation Division

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July 7, 2010

Mr. Scott Hochhalter
North Dakota State Soil Conservation Committee
2718 Gateway Avenue - Suite 104
Bismarck, ND 58503

Dear Mr. Hochhalter:

BNI Coal, Ltd. has filed an application for Revision No. 30 to Surface Coal Mining Permit BNCR-9702 to add 676.48 acres to the western portion of the permit area in Sections 21, 29, and 32 at the Center Mine as shown on the enclosed map from BNI Coal's newspaper notice. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to the permit.

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Sincerely,

James R. Deutsch
Director
Reclamation Division

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July 7, 2010

Mr. Terry Steinwand, Director
North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, ND 58501-5095

Dear Mr. Steinwand:

BNI Coal, Ltd. has filed an application for Revision No. 30 to Surface Coal Mining Permit BNCR-9702 to add 676.48 acres to the western portion of the permit area in Sections 21, 29, and 32 at the Center Mine as shown on the enclosed map from BNI Coal's newspaper notice. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to the permit.

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As a member of our Advisory Committee, please review your agency's areas of interest or responsibility within the permit revision, and provide us with any written comments that you may have on the revision no later than August 23, 2010.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

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July 7, 2010

Mr. David Glatt, Chief
Environmental Health Section
North Dakota Department of Health
918 East Divide Avenue, Suite A
Bismarck, ND 58501-1947

Dear Mr. Glatt:

BNI Coal, Ltd. has filed an application for Revision No. 30 to Surface Coal Mining Permit BNCR-9702 to add 676.48 acres to the western portion of the permit area in Sections 21, 29, and 32 at the Center Mine as shown on the enclosed map from BNI Coal's newspaper notice. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to the permit.

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As a member of our Advisory Committee, please review your agency's areas of interest or responsibility within the permit revision, and provide us with any written comments that you may have on the revision no later than August 23, 2010.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

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July 7, 2010

Mr. Paul J. Sweeney
State Conservationist
Natural Resource Conservation Service
P.O. Box 1458
Bismarck, North Dakota 58502-1458

Dear Mr. Sweeney:

BNI Coal, Ltd. has filed an application for Revision No. 30 to Surface Coal Mining Permit BNCR-9702 to add 676.48 acres to the western portion of the permit area in Sections 21, 29, and 32 at the Center Mine as shown on the enclosed map from BNI Coal's newspaper notice. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to the permit.

Enclosed is a DVD of the electronic permit revision application for your agency's review. Section 3.7 and related links in Volume V of the permit application describe the prime farmland reclamation plans. The electronic permit is accessible by opening the "Permit BNCR-9702.htm" file. Please note that the hyperlinks to Adobe Reader files within the permit narrative may not function properly if the permit file is opened with Internet Explorer as the web browser. The hyperlinks appear to function properly, however, if the permit file is opened with a different web browser, such as Google Chrome. Another option for solving the hyperlink problem is to copy the DVD contents to a network drive that is not mapped as a letter drive.

Please review the revision application with regard to the prime farmland reclamation plans and submit written comments to the plans, or your concurrence with the plans, to our office by August 23, 2010.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

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