



Public Service Commission

State of North Dakota

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

November 29, 2012

Jay M. Volk, Ph. D
Environmental Manager
BNI Coal, Ltd.
2360 35th Avenue SW
Center, ND 58530-9499

Dear Dr. Volk:

The Reclamation Division has reviewed BNI Coal Ltd.'s November 21, 2012 responses to our November 19, 2012 fourth completeness review letter for Revision No. 12 to Permit No. BNCR-9401 at the Center Mine. With the additional information included in the November 21st responses the Reclamation Division deems the permit revision to be complete and approval is granted to begin publication of the newspaper notices. As required by NDCC 38-14.1-18-1, please submit the affidavits of publication when complete.

Please provide this office with 7 copies of the updated completeness review permit revision DVD for our review and distribution to advisory committee members and federal agencies. Please ensure that a copy of the permit revision DVD is available for viewing at the Oliver County Auditor's office by the date of the first publication of the newspaper notices.

If you have any questions, please contact this office.

Sincerely,

James R. Deusch
Director
Reclamation Division

Minedata/Center/Permits/BNCR-9401/Revisions/No.12/Rev12_Completeness_AL_11-29-12.doc