



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Kevin Cramer
Bonny M. Fetch

Executive Secretary
Darrell Nitschke

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

December 5, 2012

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. 12 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to add 181.54 acres to the permit in the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 5 and the NE $\frac{1}{4}$ of Section 8, T141N, R83W; and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 32, T142N, R83W of Oliver County. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to Permit BNCR-9401.

Enclosed is a CD of the electronic permit revision application for your agency's review. The electronic permit is accessible by opening the "Permit BNCR-9401.html" file. Please note the six page table of contents on the permit's home page that you may find useful for navigating the revision application.

As a member of our Advisory Committee, please review your agency's areas of interest and responsibility for the revision application, and provide us with any written comments that you may have on the revision application by January 22, 2013.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure

Minedata/Center/Permits/BNCR-9401/Revisions/No.12/Advisory_rvw_rqst_ltr_12-5-12



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December 5, 2012

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:

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Sincerely,

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James R. Deutsch
Director
Reclamation Division

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December 5, 2012

Todd Sando
State Engineer
North Dakota State Water Commission
900 East Boulevard Avenue Dept 770
Bismarck, ND 58505-0850

Dear Mr. Sando:

BNI Coal, Ltd. has filed an application for Revision No. 12 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to add 181.54 acres to the permit in the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 5 and the NE $\frac{1}{4}$ of Section 8, T141N, R83W; and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 32, T142N, R83W of Oliver County. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to Permit BNCR-9401.

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James R. Deutsch
Director
Reclamation Division

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December 5, 2012

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. 12 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to add 181.54 acres to the permit in the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 5 and the NE $\frac{1}{4}$ of Section 8, T141N, R83W; and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 32, T142N, R83W of Oliver County. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to Permit BNCR-9401.

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James R. Deutsch
Director
Reclamation Division

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December 5, 2012

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

Dear Mr. Glatt:

BNI Coal, Ltd. has filed an application for Revision No. 12 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to add 181.54 acres to the permit in the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 5 and the NE $\frac{1}{4}$ of Section 8, T141N, R83W; and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 32, T142N, R83W of Oliver County. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to Permit BNCR-9401.

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If you have any questions, please contact this office.

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James R. Deutsch
Director
Reclamation Division

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December 5, 2012

Mary E. Podoll
State Conservationist
Natural Resources Conservation Service
PO Box 1458
Bismarck, North Dakota 58502-1458

Dear Ms. Podoll:

BNI Coal, Ltd. has filed an application for Revision No. 12 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to add 181.54 acres to the permit in the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 5 and the NE $\frac{1}{4}$ of Section 8, T141N, R83W; and the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 32, T142N, R83W of Oliver County. The revision application updates the environmental resource information and the mining and reclamation plans for the acreage being added to Permit BNCR-9401.

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Please review the revision application with regard to the prime farmland reclamation plan and submit written comments to the plan, or your concurrence with the plan, to our office by January 22, 2013.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure