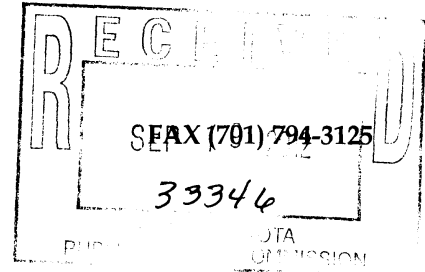


PHONE (701) 794-8734



AN ALLETE COMPANY

2360 35TH AVENUE SW CENTER, ND 58530-9499
MINING LIGNITE AT THE CENTER MINE SINCE 1970

September 18, 2012

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

RE: Revision 51 to Permit BNCR-8106

Dear Mr. Deutsch,

This submittal contains a response to your letter to us dated August 31, 2012. In this letter you listed technical deficiencies that must be addressed before the permit revision application for Revision 51 to BNCR-8106 can be approved. Below is a listing of the deficiencies followed by our response:

Permit Application (SFN 10562)

1. Please submit a revised page 1 of SFN 10562 to indicate that a fee of \$55.70 was filed with the application for the addition of 5.57 acres of bond released land to the permit in Section 36 as required by NDCC 38-14.1-13(1)(b). (WTG/MSK)

The first page of the application has been revised to indicate that \$55.70 was filed with the application for the additional 5.57 acres.

2. Please attach a metes and bounds description and map of the area being added to the permit (area being transferred from Permit 37 and the 5.57 acres of previously bond released land) to the revision application form. (DKM)

A map and the metes and bounds description of the areas being added to BNCR-8106 is included with this submittal.

Section 1.1 Calculation of Filing Fee

3. Please revise Section 1.1 as necessary to clarify that a filing fee of \$55.70 was filed for Revision 51 for the 5.57 acres of bond released land being added to the permit. Please also provide the proof of filing for Appendix B, or remove the reference, because it does not appear that Appendix B currently includes any proof of filing documentation. (WTG)

Section 1.1 was revised for clarity. A copy of the Proof of Filing for Revision 51 will be added to Appendix B with this submittal.

Section 3.5 Pre-Mining Landuse

4. Please review and revise as necessary the reference to maps 5 and 5A on page 1 because Plate 5B is being added with Revision 51. Please expand the narrative as necessary to explain the addition of Plate 5B to depict areas in BNCR-8106 that were formerly in Permit No. 37. (WTG)

Plates in Section 3.5 have been revised. Plate 5 and 5A have been replaced with Plate 5B from our initial submittal of Rev. 51. This was done because it shows pre-mine land use within the entire permit area. It also was created with ArcGIS, which is where the acreages in the table found in Section 3.5 were calculated from. The plate will be called Plate 5 as to keep logical numerical order.

5. The table added to Section 3.5 listing the pre-mine land use acres in the permit area identifies 0.88 acres of hayland for Section 31 T142, R83W, but the pre-mine land use map (Plate 5B) does not show any hayland acres in Section 31. Previous versions of the table and map do not indicate any hayland land use acreage for Section 31. Please review and revise as appropriate. (RLK)

This 0.88 acres was being labeled because the Hayland located in Section 32 inadvertently was depicted as crossing the section line slightly. This 0.88 acres is now labeled ROW as this is its true land use. This tract of land has been labeled with a leader on Plate 5B as it falls along the permit boundaries and section lines and is hard to see.

Section 4.6 Surface Water Management Plan

6. The changes that were associated with pond 25-2 in a previous revision are still printed in red as if they are being proposed, when in fact they have already taken place and the pond has been bond released. Please correct as necessary. (MSK)

The corrections have been made.

7. Please remove the “4.6” placed just before the word “watersheds” in the second sentence of the first paragraph. (RLK)

The correction has been made.

Section 4.12 Post Mine Land Use

8. Please correct the reference to the postmine land use map in the first paragraph of Section 4.12.1 to read Plates 15C and 15D that were updated with Revision 51 instead of the reference to Plate 4.12 that does not appear to exist in the permit. (WTG)

The text has been changed in Section 4.12.1 to list the correct Plate numbers.

9. The acreages provided in Table 4.12-1 differ slightly from some of the acreages provided on the post mine land use plates (Plates 15C and 15D). It seems that the table would be the values of record and the plates provide the CAD values for reference. Normally the postmine land use acreages are not provided on the map. If the acreage figures are retained on the map, it may be helpful to note in the narrative that the post-mine land use acreages of record for the permit area are provided in Table 4.12-1 and the acreages shown on Plates 15C and 15D may vary slightly. (RLK)

The post mine acreages have been removed from Plates 15C and 15D. Table 4.12-1 are the correct acreages for post mining land uses within the permit as of Revision 51.

10. If the additional acreage associated with Revision 51 results in changes to the unadjusted yield standards currently approved in Permit BNCR-8106, then please make the appropriate changes to Section 4.12.4 – Determining Reclamation Success. (GAW/DKM)

Tables for native rangeland reference areas have been updated with most current data. The cropland yields for acres added in Rev. 51 were included in the Arnold Meyhoff Ownership table.

Map Book I Table of Contents

11. Please make the following corrections to the Map Book I Table of Contents: add Plate 5B and specify Revision 51 transfer of acres from Permit No. 37; and, revise the Plate 12 description that formerly was “General Mine Plan” to read “Pit Layout and Facilities”. (WTG)

The Map Book I Table of Contents has been revised as requested.

Plate 2-1 Extended Mine Plan

12. Please review and make the following revisions to Plate 2-1 as necessary: depict the Permit BNCR-8602 permit boundary in Section 2; correct the permit number in the legend for BNCR-8602 that currently reads “8601”; and add BNCR-8106 to the legend. (WTG/MSK)

The corrections have been made to Plate 2-1.

Plate 4A Soils Map

13. Please review and make the following revisions to Plate 4A as necessary: remove the Permit No. 37 permit boundaries in Sections 23 and 36; join the soil map units from Permit No. 37 with those in Permit BNCR-8106 if possible, and label each unit; update the soil map unit legend; and update the plate legend to reflect Revision 51 and revised date. (WTG)

The Title block on this plate has been updated. Unfortunately being how old Permit 37 is, the soil map units do not match those of the soil survey completed for the rest of BNCR8106. The soils map units and legend, include the all information that we have for these areas.

Plate 5B Premine Land Use

14. Please remove the Permit No. 37 permit boundary in Section 23 because it does not separate land use or property ownership. Please also label the stock pond in Section 23. (WTG)

The Permit 37 boundary in Section 37 has been removed and the stock pond in this section has been labeled.

Plate 9A Ownership Map

15. As required in part by NDAC 69.05.2-08-02(1)(b), please depict and label Section 32, T142N, R83W, on Plate 9A. (WTG)

The section lines and label for Section 32 have been added to Plate 9A and is included with this submittal.

Plate 12 Pit Layout and Facilities

16. Please remove the blue hatching that represents bond released areas from the area that will be repermited in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 36. (WTG)

The hatch has been removed.

Plate 13A Surface Water Control Plan

17. Please modify the outline color of Haulroad Section C as necessary to make it more visible. (WTG)

The haul road corridor outline has been changed to red and thickened.

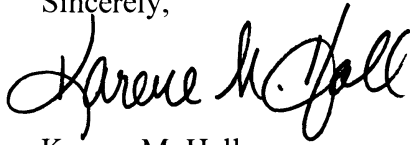
18. The table on Plate 13A lists a watershed of 35 acres for Pond 32-1; however, the narrative indicates that the pond will collect runoff from 73.9 acres. Furthermore, the

calculations used to support the pond used 71.7 acres to calculate the amount of sediment runoff. Please make the appropriate corrections. (MSK)

The table has been updated to reflect the 71.7 acres and the narrative has been changed.

Thank you for your consideration of this matter. If you have any questions regarding this submittal, please contact me at the Center office.

Sincerely,

A handwritten signature in black ink that reads "Karene M. Hall". The signature is written in a cursive style with a large, looping initial "K".

Karene M. Hall
Permit Coordinator