



Public Service Commission

State of North Dakota

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February 26, 2013

Karene M. Hall
Permit Coordinator
BNI Coal, Ltd.
2360 35th Avenue SW
Center, ND 58530-9499

Dear Ms. Hall:

The Reclamation Division has conducted a completeness review of the application for Renewal No. 6 to Surface Coal Mining Permit BNCR-8106 at the Center Mine. The following items must be adequately addressed before the application can be deemed complete:

Renewal Application

1. Please expand the renewal request narrative to state that in addition to the haulroad in the permit that is necessary to supply the Milton R. Young Station with coal, the permit renewal is also necessary because the BNI Coal Ltd. Center Mine office and shop complex is within Permit BNCR-8106. (WTG)

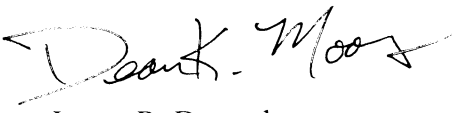
Newspaper Advertisement Text

2. As noted in the January 22, 2013 pre-renewal review letter, the permit renewal application is subject to the public notice requirements of NDAC 69-05.2-10-01(1) and NDCC 38-14.1-18, but public notice is not required for the revision application that it is considered an insignificant alteration to the approved permit in which coal removal operations are complete. Please remove the reference to Revision No. 52 in the first paragraph. (WTG)
3. Please remove the reference to the USGS quadrangle map in the first paragraph and replace it with a reference to the accompanying map. (WTG)

4. Please review the following items for surface and coal ownership and revise as necessary:
(WTG/RLK/ZAT)
 - a. It appears that remainderman is misspelled in several places;
 - b. The acreage for BNI ownership in Section 32, T142N, R83W is listed as 75.2 acres but it is listed as 74.4 acres in Section 1.9 Surface and Coal Ownership in the permit; and,
 - c. The "Balance of S½" acreage for Minnkota Power Coop. in Section 32, T142N, R83W, is not within Permit BNCR-8106.

Please contact this office if you have any questions.

Sincerely,


for James R. Deutsch
Director
Reclamation Division