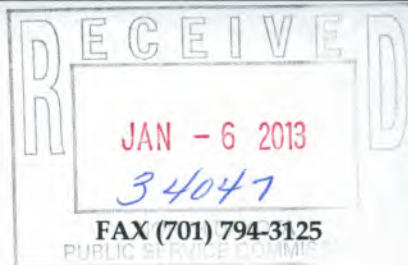


PHONE (701) 794-8734



AN ALLETE COMPANY

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

January 3, 2014

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

RE: Bond Release 4 to Permit BNCR 9401

Dear Mr. Deutsch,

This submittal contains a response to your letter to us dated November 19, 2013. In this letter you listed technical deficiencies that must be addressed before the bond release application for Permit BNCR 9401 can be approved. Below is a listing of the deficiencies followed by our response:

It appears that the corrections that were said to be made in our August 26, 2013 response letter were missing. We apologize, for this; during these dates we had an issue with our file system. This has been corrected and we have responded accordingly to the issues listed below.

Attachment III - Newspaper Advertisement

1. Please include a copy of the final approved version of the public notice and publication map. (RLK)

Copies of the approved public notice and the publication map have been included in the bond release application.

Attachment IV - Notification Letters

2. Follow-up to Item No. 19: Please include copies of the notification letters for the proposed bond release which were sent to the surface owners, adjoining property owners, state agencies and local government bodies as noted in your August 26, 2013 response. (RLK)

Copies of the notification letters sent to the surface owners, adjoining property owners, state agencies, and local government bodies have been included in the in the bond release application.

Attachment VI - Tract History

3. Although the NDCC 38-14.1-17(2) requirement to notify adjoining property owners of the permittee' s intention to seek release of performance bond has apparently been satisfied, the bond release application should include a surface ownership map to document surface ownership of the bond release tract and adjoining property. We suggest that the surface ownership map be inserted as Figure I of Attachment VI and referenced in the first paragraph rather than adding it as a separate attachment that would require rearranging the current attachment order. (WTG)

We have included a map as Titled Figure 1 to Attachment VI which depicts surface ownership of the Bond Release #9 tract and all adjoining tracts are owned by Minnkota Power.

4. Follow-up to Item No. 23: No revisions to the narrative were found as indicted in the deficiency response. A sentence in the first paragraph of the "History of Tract" narrative states the topsoil and subsoil was removed in 2007 for a borrow area for Ash Cell No. 2. However, the 2007 Annual Map shows that only a portion of the bond release tract was disturbed in 2007. From some of the narrative it appears a distinction is being made between soil removed in 2004 and 2007 with the 2007 removal being referred to as borrow for cell 2. Please review and revise the statement to accurately provide a history of the disturbance activities. (GAW /RLK)

The history of the tract has been revised. The first paragraph on page 2 of Attachment VI has been revised to accurately provide the history of this tract.

5. Follow-up to Item No. 26: No revisions to the narrative were found as indicated in the deficiency response. Please remove the word "inert" from the last sentence of the first paragraph of page 2 and clarify that a lined landfill cell was constructed in the mine pit. (RLK/BEB)

The word "inert" has now been removed from the 1st paragraph on page 2 of Attachment 6.

6. Follow-up to Item No. 27: No revisions to the narrative were found as indicated in the deficiency response. Please revise the second paragraph on page 2 of Attachment VI to clarify what is meant by the statement "This pond was not constructed, as water resources on the site did not demand the need for an additional pond." The permit will need to be revised to change the approved post mining land use prior to bond release approval if the actual land use has been changed from what is in the approved permit or the area will need to be deleted from the bond release. (GAW /RLK)

The statements in the 2nd paragraph on page 2 of Attachment IV regarding this pond have now been removed. BNI understands that the revised post-mine land use will need to be approved prior to bond release of this tract. The revision to the post mining land use for this section has been submitted as part of BNCR 9401 Rev. 12.

7. Follow-up to Item No. 28: No revisions to the narrative were found as indicted in the deficiency response. Please revise the seeding discussion in the third paragraph on page 2 of Attachment VI to include information pertaining to the species seeded and seeding rate of the mixture planted on the ash cell side slopes in 2008, 2011 and 2012. Please also discuss if adequate vegetation has established where seedings have occurred and if erosion is being controlled. (GAW /RLK)

The narrative in the last paragraph on page 2 of Attachment IV has now been revised. The species that are used by Minnkota in their seed mix and the seeding rate they use of a minimum of 40 pure live seeds per square foot has been included. Also, a statement regarding the establishment of adequate vegetation to control erosion has been added in the 1st paragraph on page 3 of Attachment VI. During the field inspection on October 8th, 2013 concerns regarding the density of the vegetation established on the western embankment of this tract were raised. Following this we did have KDK come out and conduct sampling in this area. The western embankment was found to have an 81.1% cover.

8. Follow-up to Item No. 29: Please incorporate a description of Minnkota's ground water monitoring program into this attachment as originally requested. BNI's draft response to the deficiency that was emailed to the Reclamation Division on October 24^h (from Ms. Hall) adequately addresses the previously requested information. (BEB)

The description of Minnkota's ground monitoring plan as submitted in the draft response has been incorporated on page 2 of Attachment VI.

9. Follow-up to Item No. 30: No revisions to the narrative were found as indicted in the deficiency response. Please include a discussion in Attachment VI that describes any features that control sediment in runoff from the bond release tract and/or provide other documentation that the lands in the tract are not contributing suspended solids to stream flow or runoff outside the permit area in excess of the requirements set by forth by NDAC 69-05.2-16-04. NDAC 69-05.2-12-12(7). (GAW/RLK)

A discussion has been included in the 1st paragraph on page 3 of Attachment IV about sediment control features associated with this tract.

Attachment VIII - Seeding Map

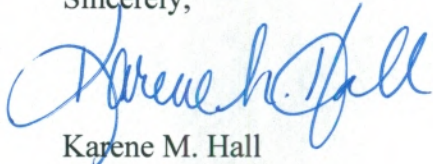
10. Please revise Attachment VIII to clarify by making the following changes: title the attachment as Attachment VIII; depict the approved BNCR-9401 permit boundary rather than the boundary proposed with Revision No. 12; remove the proposed BNCR-1101 permit boundary and its designation in the legend; and, remove or clarify the extraneous lines that form an unidentified triangular area in the south end of the ash cell west embankment that was seeded in 2012. (WIG)

The following changes were made to Attachment VIII as requested: The title block has been revised to include Attachment VIII, the approved BNCR 9401 boundary has been depicted, and the 1101 permit boundary has been removed from the map and the legend. The black lines that form a triangle in the western embankment of the proposed bond release area are the seeding

lines that we have for 2011 and 2012. This triangle shaped area is where these two seeding appear to have overlapped.

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

Sincerely,



Karene M. Hall
Permit Coordinator