



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Montana State Office
5001 Southgate Drive
Billings, Montana 59101-4669
www.blm.gov/mt
October 20, 2014

In Reply Refer To:

3482(921.AA)

James R. Deutsch, Director
Reclamation Division
North Dakota Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, North Dakota 58505-0480

Dear Mr. Deutsch,

Thank you for giving the Bureau of Land Management (BLM), Montana State Office the opportunity to review the revised narrative and maps concerning the permit application for Coyote Creek Mining Company (CCMC) Permit No. NACC-1302. BLM initially expressed concerns in a September 11, 2014 letter addressed to Elaine Ramsey, Manager, Office of Surface Mining Reclamation and Enforcement (OSMRE). Additional clarification was needed by BLM on one of the issues, and a letter was sent to you on October 8, 2014.


Two concerns were discussed in the September 11, 2014 letter in regard to the Permit No. NACC-1302. The first concern was that there was no discussion in Section 3.1.1 of the Operations/Reclamation Narrative as to how the Federal coal will be protected as the mining operations approach the boundary lines adjoining the Federal coal. The second concern involved a coal ownership discrepancy in T.142N., R.89W., Section 2.

BLM sent a follow up letter asking for additional clarification on October 8, 2014 regarding how CCMC plans to protect any exposed Federal coal from oxidation or other damage (e.g., spontaneous combustion) along the highwalls from the adjacent mining operations. The current mining plan of operations cannot hinder the future mining of federal coal.

BLM determined CCMC's response clarifying Section 3.1.1 of the Operations/Reclamation Narrative of the permit application was adequately addressed. Thanks once again for giving BLM an opportunity to comment.

If you have any questions, please call Anne Allen at 406-896-5082.

Sincerely,



Phillip C. Perlewitz, Chief
Branch of Solid Minerals

cc: Elaine Ramsey, Manager
Field Operations Branch
Office of Surface Mining
Reclamation and Enforcement
Western Region Office
1999 Broadway, Suite 3320
Denver, CO 80202-3050