



# Public Service Commission

## State of North Dakota

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March 15, 2016

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

Dear Ms. Hall:

This is to inform you that BNI Coal, Ltd.'s March 11, 2016 response for Bond Release No. 8 to Permit BNCR-8106 cannot be accepted and reviewed as submitted. The March 11<sup>th</sup> submittal is not the same version that was considered complete and it does not include all of the changes made to the public notice or notification addresses and letters. Also, the discs that were submitted are labeled Tech Review 2, but no technical review has been conducted on the application for Bond Release No. 8 because the bond release was put on hold until a revision could be filed to change the post-mine land use. Therefore this submittal is not a technical response; it is an update due to changes made to the permit with the approval of Revision 55 to Permit BNCR-8106.

Please resubmit the bond release application using the version that was submitted to the Reclamation Division on June 3, 2015 that had all the completeness changes accepted. If you have any questions, please contact this office.

Sincerely,

James R. Deutsch  
Director  
Reclamation Division

cc: Stephanie Paavola

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