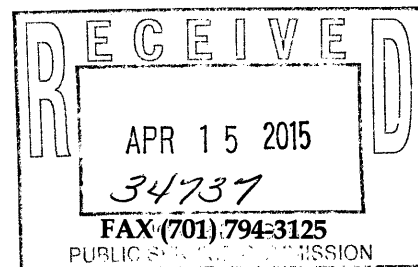


PHONE (701) 794-8734



AN ALLETE COMPANY

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

April 15, 2015

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

RE: Renewal 4/Revision 13 to Permit BNCR-9401

Dear Mr. Deutsch,

This submittal contains a response to your letter to us dated February 23, 2015. In this letter you listed technical deficiencies that must be addressed before the Renewal No. 4 and Revision 13 permit applications for BNCR-9401 can be deemed complete. Below is a listing of the deficiencies followed by our response:

**Section 1.7.2 Controlling Officers of BNI and Allete**

1. Please update Section 1.7.2 to reflect any changes to the controlling officers of BNI or Allete and the organizational chart since the information was updated with Revision No. 12. (ZAB/WTG)

*The tables in Section 1.7.2 have been updated as requested.*

**Section 1.8 Description of Permit Boundary**

2. Please make the Section 1.8 title consistent for the narrative, Table of Contents, and the bookmark provided for Section 1.8 in Section 1 (Legal and Financial Information). (NDAC 69-05.2-05-02) (RLK)

*Titles pertaining to Section 1.8 have been changed, as suggested, on all the documents and locations in the permit.*

3. Please revise the metes and bounds description in Section 1.8 to describe the 384.17 acre BNCR-9401 permit boundary following the February 26, 2014 approval of Bond Release No. 4. Please retain the metes and bounds description of the tracts added to Permit BNCR-9401 with Revision No. 12 for historical reference. (NDCC 38-14.1-14) (RLK/FSE/ZAB/WTG)

*The metes and bounds description for the Permit Boundary after Bond Release 4 has been added to Section 1.8.*

#### **Plate 1.8-1 Permit Boundary Legal Description Map BNCR-9401**

4. Please make the title listed on Plate 1.8-1 (Legal Description (Map)) consistent with the title listed in the Table of Contents for Section 1 (Legal and Financial Information). (RLK)

*The title of Plate 1.8-1 has been revised as suggested.*

5. Please revise Plate 1.8-1 to depict the 384.17 acre boundary of Permit BNCR-9401 following the February 26, 2014 approval of Bond Release No. 4. (RLK/FSE/ZAB/WTG)

*Plate 1.8-1 has been updated to reflect the changes to the permit boundary after Bond Release 4 was approved.*

#### **Section 1.9 Surface and Coal Ownership**

6. Please update Table 1.9-1 in Section 1.9 to reflect any changes to surface and coal ownership since the table was updated with Revision No. 12, and complete the corresponding changes on Plate 1.9-1 (Surface and Coal Ownership). As you are aware, the application for Revision No. 1 to adjacent Permit BNCR-1101 indicates that BNI obtained surface ownership of the NW<sup>1</sup>/<sub>4</sub> of Section 8 from Larry and Virginia Schmidt. (WTG/ZAB/RLK)

*Surface and Coal Ownerships have been updated to current status.*

#### **Plate 1.9-1 Surface and Coal Ownership**

7. In addition to indicating any changes to surface or coal ownership, please revise Plate 1.9-1 to depict the current 384.17 acre permit area following the February 26, 2014 approval of Bond Release No. 4. (WTG/RLK/ZAB/FSE)

*The surface ownership for the NW<sup>1</sup>/<sub>4</sub> of Section 8 has been revised to show BNI Coal as the surface owner. Also the permit boundary has been updated to reflect changes following approval of Bond Release 4.*

8. As required by NDAC 69-05.2-05-02(1) and 69-05.2-08-02(1)(b), please revise Plate 1.9-1 as follows:

- a. Label Section 6 (T141N, R83W) and Section 31 (T142N, R83W) on the plate's left side. (WTG)  
*A label for Section 6 has been added to Plate 1.9-1*
- b. Remove the “*proposed*” and “*addition*” descriptions from the BNCR-9401 permit labels. (WTG)  
*These labels have been removed from Plate 1.9-1*
- c. Remove the “*permit pending*” description from the BNCR-1101 permit label. (WTG)  
*These labels have been removed from Plate 1.9-1*
- d. Retain the center township-range label while deleting the plate's extraneous left and right side township-range labels. (WTG)  
*The extra township labels have been removed from Plate 1.9-1. The township labels located in the center of the map have been retained.*
- e. Revise the legend to rename the section line symbol description, remove the Permit 37 symbol and description, and remove the Area C section lines symbol and description. (WTG/FSE)  
*The legend has been corrected. The section line symbol description has been revised, Permit 37 symbol and description have been removed, and the section lines symbol and description have been removed.*

### **Section 1.10 Areas Unsuitable for Mining**

9. As required by NDAC 69-05.2-04-01.3(2) and (4), please update subheading No. 1 under the Section 1.10 narrative paragraph on page 1-20 describing BNI's need to obtain Oliver County Board of Commissioners approval to temporarily close the east-west section line between Section 5 (T141N, R83W) and Section 32 (T142N, R83W) for construction of Haul Road Section A-1 across the section line in 2014. Please update the narrative to list the date for which approval was granted to temporarily close the section line. Please also add the approval document to Appendix 1-6 (Other Permits). (WTG/ZAB)

*Minnkota Power obtained approval to close this section line on September 21, 1995. Documentation has been added to Appendix 1-6.*

10. As required by NDAC 69-05.2-04-01.3(2) and (4), please update subheading No. 2 under the Section 1.10 narrative paragraph on page 1-20 describing BNI's need to obtain Oliver County Board of Commissioners approval to temporarily close the north-south section line between Section 8 and Section 9 (T141N, R83W). Please update the narrative to list April 3, 2014 approval to temporarily close the section line and reference Appendix 4.5-1 in Permit BNCR-1101 (Section Line Closures, Right of Ways, and Detour Corridors) for approval documentation. (WTG)

*The approval date for this temporary section line closure and a reference to Appendix 4.5-1 in BNCR-1101 has been added to Section 1.10.*

11. As required by NDAC 69-05.2-04-01.3(2) and (4), please update subheading No.1 under the Section 1.10 narrative paragraph on page 1-20 describing BNI's need to obtain Oliver County Board of Commissioners approval to permanently close the east-west section line between Section 5 and Section 8 (T141N, R83W). Please update the narrative to list April 3, 2014 approval to permanently close the section line and reference Appendix 4.5-1 in Permit BNCR-1101 (Section Line Closures, Right of Ways, and Detour Corridors) for approval documentation. (WTG)

*The approval date for this temporary section line closure and a reference to Appendix 4.5-1 in BNCR-1101 has been added to Section 1.10.*

12. Please update the sentence referencing Appendix 1-6 for approval documentation on page 1-20 of Section 1.10 as follows because several approval documents are located in Appendix 4.5-1 of Permit BNCR-1101: "*Approval documents for 100 feet rights-of-way and/or road closures can be found in [Appendix 1-6] unless otherwise noted.*" (WTG)

*The last sentence in Appendix 1-6 has been revised as suggested.*

### **Section 1.11 Current Surface Mining Permits**

13. Please update the status of surface mining permits issued to BNI in Table 1.11-1 on pages 1-20 and 1-21. Permit 37 has been completely released from bond and Permit BNCR-1101 has been issued since this section was last updated. (ZAB/RLK/FSE/BEB/WTG)

*Table 1.11-1 has been updated to current status.*

### **Section 1.12 Other Licenses and Permits**

14. Please update the list of other licenses and permits issued to BNI on pages 1-21 to 1-23 to provide current expiration dates for the various licenses and permits held by BNI Coal, Ltd. The air pollution, stormwater, and coal exploration permits have expired since this section was last updated. The Bureau of Alcohol, Tobacco & Firearms permit information needs to be updated with the recent change in blasting practices at the mine. (NDAC 69-05.2-06-04) (RLK/FSE/ZAB/WTG)

*The Air Pollution Control Permit expiration date, the Storm Water Permit effective date and expiration date, The BATF permit information and the Coal Exploration license effective date and expiration date have all been updated to current status.*

### **Section 1.13 Schedule of Past Violations**

15. Please update Section 1.13 to meet the requirements of NDCC 38-14.1-14(1)(g). (RLK/WTG/ZAB/FSE)

*A description for NOV 1402 has been added to Section 1.13, as requested.*

### **Section 1.15 List of Consultants Furnishing Technical Data**

16. Please add Braun Intertec to the Section 1.15 list for providing Pond 5-6 construction testing services and other consulting services as may have been provided. (FSE)

*Braun Intertec has been added to the list of Consultants in Section 1.15.*

### **Appendix 1-2 Certified Copies of Leases and Assignment Documents, Article of Amendment to Articles of Incorporation**

17. Please consider identifying coal owners with which BNI does not have a lease in the NW¼ of Section 8 by adding “unleased” to the coal ownership listings for Lucille Gardner (2.68%), PEC Minerals, LP (2.68%), Blackstone Minerals (1.34%), and Walter Duncan, Inc. (1.34%) on Plate 1.9-1 (Surface and Coal Ownership). Alternatively, please consider adding an introductory page in Appendix 1-2 similar to the lease summary pages provided in Permit BNCR-9702. Although not required, we would appreciate your consideration of this request to provide clarity for this matter. (ZAB)

*Plate 1.9-1 was updated to add the word “unleased” to the above listed coal ownerships. Summary pages have been added to Appendix 1-2 as requested.*

### **Plate 2-1 Extended Mine Plan**

18. Please update Plate 2-1 and its legend to reflect any mine plan updates or permit changes since it was last updated; e.g., pit layout and sequence dates in the W½ of Sections 21 and 28 of Permit BNCR-9702, 736 pits in Permit BNCR-1101, complete bond release of Permit 37, and Bond Release No. 4 of Permit BNCR-9401. While removing Permit 37 from the legend, please also revise the dates as necessary for permit additions to BNCR-9702 currently labeled as 2014 and 2019. (WTG/ZAB/FSE)

*The extended mine plan has been updated to reflect any permit boundary changes and expected dates for future revisions.*

### **Section 3.3 Groundwater**

19. If there are any required changes or updates (new or destroyed wells) to Table 4.7-1 (Ground Water Monitoring Well Information), please make those changes or updates at this time. Any updates to this table will need to be reflected on Plate 3.3-1 (Monitoring Well and Production Well Location Map). (BEB)

*Table 4.7-1 was updated with current information. Any changes were highlighted in red. Also Plate 3.3-1 was updated with all current mining permit boundaries.*

### **Section 3.4 Surface Water**

20. Please update the list of water-use permits issued by the SWC provided in the Area Surface Water Resources narrative (Section 3.4.1). Conditional water use Permit No. 03717 for the Center Park Board is not found in the SWC database but a Permit No. 4422

is active in the SWC water use permit database for the Center Park Board. Permit 06090 is listed in BNCR-9702 and is listed in the SWC water permits database, but is not listed in Section 3.4 narrative. Permit 04065 is listed in BNCR-9702 and is listed in the SWC water permits database, but is not listed in the Section 3.4 narrative. Permit No. 04064 and 1687 cannot be found in the SWC database. (NDAC 69-05.2-08-04(4)(c)) (RLK)

*A table was inserted with up to date information (2015) from the State Water Commission Water Use Permits.*

21. Please revise the first paragraph of Section 3.4.2 (Permit Area Surface Water Resources) on page 3.4-2 for clarity. Consider removing the reference to Plate 3.5-1 in the first sentence or explain what is shown on the pre-mine land use map relating to the surface water features and drainage discussed in the first part of the paragraph. (NDAC 69-05.2-05-02) (RLK)

*The first sentence was removed as requested.*

22. Please consider updating Section 3.4.3 (Impacts of Mining on Surface Water) on page 3.4-3 to include a reference to Plate 3.4-2 (Pre-Mine Watershed Map) and Plate 3.4-3 (Post-Mine Watershed Map) in the narrative on pages 3.4-4 and 3.4-5. (RLK)

*Plates 3.4-2/3 were inserted with narrative under Section 3.4-3 (Impacts of Mining on Surface Water).*

### **Section 3.5 Pre-Mine Land Use**

23. Please revise the first sentence of the last paragraph on page 3.5-1 by changing 2013 to 2014 so the date is consistent with the revision date at the bottom of the page. (ZAB)

*The date in the last paragraph on Page 3.5-1 of Section 3.5 has been revised to 2014.*

24. Please revise the introductory paragraph that precedes Table 3.5-1 on page 3.5-2 to clarify that the table is a summary of the premine acreage at a given point in time (Revision No. 12) instead of stating the information is current. The premine land use information is baseline information that should not change much unless acreage is added to the permit. Please remove the word **currently** from the second sentence of the introductory paragraph and from the *Total Acres Currently Permitted* row in Table 3.5-1. (ZAB)

*This paragraph has been revised to state that the table (Table 3.5-1) contains a summary of the acreages that have been permitted under BNCR 9401, and that it lists the total acres permitted, the bond released acreages, and the total permitted acres. The word "currently" has been removed from both the paragraph and the table.*

25. The sentence that follows Table 3.5-1 on page 3.5-2 states "Pre-mine land use in the permit area is shown on [Plate 3.5-1]." Please add a following sentence similar to "Pre-mine land use in the original permit area is shown on Plate 3.5-1A" and provide a link to the Plate 3.5-1A because Table 3.5-1 includes acreages from both plates. (ZAB)

*A sentence and a link have been added to the paragraph following Table 3.5-1 on page 3.5-2.*

26. Please revise the first sentence of the last paragraph of the Native Grassland narrative on page 3.5-5 by changing 2013 to 2014 so the date is consistent with the revision date at the bottom of the page. (ZAB)

*The data on Page 3.5-5 has been revised to 2014.*

27. Please review and revise the last sentence of the first paragraph of the Industrial narrative on page 3.5-9. It appears the word “*disturbed*” was accidentally deleted and that the sentence should read “*Many of these areas were **disturbed** by the landowner during...*” (ZAB)

*The last sentence in the first paragraph of the Industrial narrative has been corrected.*

### **Section 3.7 Prime Farmlands**

28. The application for Revision No. 1 to adjacent Permit BNCR-1101 indicates that BNI recently obtained surface ownership of the NW<sup>1</sup>/<sub>4</sub> of Section 8 from Larry and Virginia Schmidt. BNI's acquisition of NW<sup>1</sup>/<sub>4</sub> of Section 8 will necessitate changes to the Section 3.7 narrative that identifies Larry and Virginia Schmidt as the owners of 0.65 acres of prime farmland described as a portion of Tract 2 and located in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 8 as depicted and labeled on Plate 3.7-1 (Prime Farmland Map). Please revise the Section 3.7 narrative to identify BNI as the owner of 0.65 acres of prime farmland described as a portion of Tract 2 in the fourth paragraph of page 1 and the second paragraph of page 3. Please also note that the second paragraph of page 3 must be revised to explain where the 0.65 acres of prime farmland will be respread following the change in surface ownership. Although BNI owns the 0.65 acres of prime farmland in Permit BNCR-9401 it does not own land in adjacent Permit BNCR-1101 with a postmine land use of cropland where the 0.65 acres of prime farmland can be respread. As a suggestion, BNI could donate its small prime farmland respread acreage ownership to Minnkota Power Cooperative ownership (and describe as such) to be respread in adjacent Section 9 of Permit BNCR-1101 where Minnkota ownership prime farmland from Sections 5 and 8 will be respread as described on pages 2 and 3 of Section 3.7. (WTG)

*Section 3.7 was revised to identify BNI as the surface owner of the NW <sup>1</sup>/<sub>4</sub> of Section 8-141-83. Also the narrative on Page 3.7-3 describing how the prime farmland from this tract would be respread was revised.*

### **Plate 3.7-1 Prime Farmland Map**

29. As noted in the related deficiency in Section 3.7, please revise the Plate 3.7-1 label and legend to identify BNI as the owner of 0.65 acres of prime farmland described as a portion of Tract 2 and located in the NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 8. (WTG)

*Plate 3.7-1 was updated to depict BNI Coal as the surface owner of the NW ¼ of Section 8-141-83. The legend descriptions at the bottom of the page were revised to show this change as well. Bond Release #4 to BNCR 9401 was depicted on this map and labeled.*

#### **Section 4.1 Coal Removal**

30. Please review Section 4.1 and update the construction schedule and coal production table on page 4.1-2 if necessary. (ZAB)

*Ash Cell 3 bond release date has been updated from 2013 to 2014.*

#### **Appendix 4.1-1 Equipment List**

31. Please update the equipment listing in Appendix 4.1-1 as necessary; e.g., several new coal haulers were recently placed into operation. (FSE/ZAB/WTG)

*The Appendix has been updated.*

#### **Plate 4.1-1 Pit Layout and Facilities Map**

32. Please update Plate 4.1-1 to depict and label all current Center Mine permit boundaries, or portions thereof, and bond released areas such as Bond Release No. 4 for BNCR-9401 that lie within the current map's extent. Please also update Plate 4.1-1 to reflect any changes with the status or presence of SPGM stockpiles; overburden-spoil stockpiles; water management structures; haul roads, access roads, and walkways; and buildings, facilities, utilities, and structures that have occurred since the map was last updated with Revision No. 12. Plate 4.1-1 that will be updated in response to the pre-renewal review of Permit BNCR-9702 may be used for Permit BNCR-9401 as well provided that the map extent is revised as necessary to depict the entire BNCR-9401 permit boundary. Alternatively, a revised pit layout and facilities map specific to Permit BNCR-9401 with the layout and extent of Plate 4.6-1 (Surface Water Management Plan) could be used to depict Permit BNCR-9401 and adjacent permits with more detail. (WTG/RLK/ZAB/FSE)

*Plate 4.1-1 was updated as requested. This plate was replaced with the Pit Layout and Facilities Map from Permit BNCR 1101 in order to show more detail of Permit BNCR 9401.*

#### **Plate 4.2-1 General Mine Plan**

33. Please update Plate 4.2-1 to depict and label all current Center Mine permit boundaries, or portions thereof, and bond released areas such as Bond Release No. 4 for BNCR-9401 that lie within the current map's extent. Please also update Plate 4.2-1 to reflect any changes with the status or presence of SPGM stockpiles; water management structures; haul roads, access roads, and walkways; and buildings, facilities, utilities, and structures that have occurred since the map was last updated with Revision No. 12. We assume that Plate 4.2-1 which will be updated in response to the pre-renewal review of Permit BNCR-9702 will also be used for Permit BNCR-9401. (WTG/RLK/ZAB/FSE)

*Plate 4.1-1 identifies all items shown on Plate 4.2-1, therefore, references to Plate 4.2-1 have been forwarded to Plate 4.1-1.*

#### **Section 4.4 Blasting Plan and Plates 4.4-1 (Blasting Map) and 4.4-2 (Blasting Design)**

34. With the blasting now occurring in Permits BNCR-9702 and BNCR-1101, the narrative regarding blasting is out of date and no longer accurate. Since no coal removal is anticipated in Permit BNCR-9401 during the next permit term, it may be easiest to say that no blasting will take place in this permit area. Regardless, the explosives magazine storage location in the N1/2NW1/4 of Section 5 should be depicted on Plate 4.1-1 (Pit Layout and Facilities Map). (FSE/WTG/ZAB)

*The blasting map has been updated to reflect the current map for the adjacent BNCR 1101 permit. The plan has also been updated and states that no blasting will occur within the boundary of Permit BNCR 9401.*

#### **Section 4.5 Transportation Plan**

35. Please correct the incomplete date reference in the last sentence of the Haul Road Section A-1 subsection on page 4.5-2 of Section 4.5. (FSE)

*The date has been corrected.*

36. Please review and update the Section 4.5 narrative to reflect current and anticipated conditions; for example, the Minnkota Access Road was not built in 2014 as indicated on page 4.5-2. Please include an updated schedule for construction and reclamation of haul roads. (FSE)

*The date to construct the Minnkota Access Road has been change to 2016.*

#### **Plate 4.5-1 General Transportation Plan**

37. Please revise Plate 4.5-1 to depict the current 384.17 acre BNCR-9401 permit area following the February 26, 2014 approval of Bond Release No. 4 and to also depict the approved BNCR-1101 permit boundary. Please also enlarge the plate's legend to improve legibility. Please also revise the legend descriptions and symbols as follows: remove "*proposed*" from the BNCR-1101 permit boundary description; clarify the description of undisturbed proposed haul roads; clarify the description of proposed versus future haul roads; and clarify the description of roadway/lot to be. (WTG/FSE)

*The permit boundary lines and legend have been updated as requested. The description of undisturbed proposed haul roads has been removed. The purpose was to distinguish which roads would be built in reclaimed areas and which would be built in a previously undisturbed area. The map now just shows future roads.*

38. Please update Plate 4.5-1 to depict the current status of roads. Several of the roads are depicted as "proposed" but have now been constructed. (FSE)

*The map has been updated to reflect existing haul roads, reclaimed haul roads, and future haul roads.*

#### **Section 4.6 Water Management Plan**

39. In the first paragraph of Section 4.6 the link to Plate 4.6-1 is identified as the “*Surface Water Control Map*” but the Table of Contents and the title on Plate 4.6-1 both identify the plate as “*Surface Water Management Plan*”. Please revise for consistency. (NDAC 69-05.2-05-02) (RLK/FSE)

*Section 4.6 has been revised to change the name of Plate 4.6-1 to Surface Water Management Plan to be consistent with the title of the plate and the Table of Contents.*

40. Please revise the first sentence of subsection 4.6.1 (Design Criteria) on page 4.6-1 as follows because only five sedimentation ponds are proposed for the permit area: “*The surface water management plan for the permit area includes the construction of two diversion ditches, and ~~six~~ five sedimentation ponds.*” (WTG)

*The sentence referenced above has been changed as suggested.*

#### **Plate 4.6-1 Surface Water Management Plan**

41. Please revise Plate 4.6-1 as follows: (RLK/WTG/FSE)
- a. Depict the current 384.17 acre BNCR-9401 permit area following the February 26, 2014 approval of Bond Release No. 4.  
*The bond release area was updated on the plate.*
  - b. Update the contour lines and watershed boundaries with regard to the third ash cell to depict the present topography in and adjacent the permit area.  
*The present topography was updated along with the watershed boundaries. Diversion 5-2 has been previously removed, therefore it was removed from the plate and watershed boundaries were updated to reflect.*
  - c. Depict current and planned water management features.  
*The current water management features were updated.*
  - d. Update the plate to reflect any changes with the status or presence of SPGM stockpiles or overburden stockpiles.  
*SPGM stockpiles were updated to current conditions.*
  - e. Enlarge the plate’s legend and perhaps relocate it to improve legibility.  
*The legend was enlarged.*
  - f. Enlarge and update the plate’s title box to improve legibility and to add the required revision number-revision date lines. Please also add notations of Revision Nos. 12 and 13.  
*The title block was enlarged and revision information was updated.*

## **Section 4.9 Reclamation Schedule**

42. Please review Section 4.9 and update the reclamation plans if necessary for the next permit term. (ZAB)

*Ash Cell 1 reclamation schedule has been updated to reflect that it will be capped this year.*

## **Section 4.12 Revegetation and Post Mining Land Use**

43. As noted in a related deficiency in Section 3.7 (Prime Farmlands), the application for Revision No. 1 to adjacent Permit BNCR-1101 indicates that BNI recently obtained surface ownership of the NW<sup>1</sup>/<sub>4</sub> of Section 8 from Larry and Virginia Schmidt. Please revise the Section 4.12 narrative in the last paragraph on page 2 to identify BNI as the owner of the prime farmland described as a portion of Tract 2. Please also note that the paragraph must be revised to be consistent with the changes to be made in Section 3.7 that explain where the 0.65 acres of prime farmland will be respread following the change in surface ownership. Although BNI owns the prime farmland in Permit BNCR-9401 it does not own land in adjacent Permit BNCR-1101 with a postmine land use of cropland where the prime farmland can be respread. As a suggestion, BNI could add its small prime farmland respread acreage ownership to Minnkota Power Cooperative ownership (and describe as such) to be respread in adjacent Section 9 of Permit BNCR-1101 where Minnkota ownership prime farmland from Sections 5 and 8 will be respread as described in the preceding paragraph on page 2 of Section 4.12. (WTG/ZAB)

*The paragraph at the bottom of page 2 of Section 4.12 has been updated to reflect ownership changes. Also this paragraph has been revised to describe the changes in plans to respread prime farmland acreage from this section.*

44. Please revise the ownership from Schmidt to BNI in the Section 8 Schmidt ownership column in Table 4.12-1 (Post Mine Land Use Acres) on page 3. Please also add Bond Release No. 4 (52.09 acres industrial) to the footnote section of Table 4.12-1. With regard to the bond release footnote section, we suggest taking the bond release information out of the footnote area of Table 4.12-1 and presenting it as a narrative list beneath the table to improve legibility and simplify editing. (ZAB/RLK/WTG)

*Table 4.12-1 has been updated to reflect the ownership change in Section 8. Bond release #4 has been added to the list, and the Bond Releases for BNCR 9401 have been removed from the footnotes section and listed below the table.*

## **Plate 4.12-1 Post Mining Land Use**

45. Please revise Plate 4.12-1 to depict the current 384.17 acre BNCR-9401 permit area following the February 26, 2014 approval of Bond Release No. 4 to be consistent with the precedent of revising the permit boundary to indicate bond releases. (WTG/RLK/ZAB)

*Plate 4.12 has been revised to reflect permit boundary changes with bond release #4 to BNCR 9401.*

**Section 4.14 Reclamation Cost Estimate for Bonding Purposes**

46. Please update the section indicating the current conditions and assumptions for the worst case bond estimate in Section 4.14. It appears that the worst case condition for the next permit term will be in 2020 when the Minnkota Access Road (scheduled to be constructed in 2014) and Haul Road Section E will be built. (FSE)

*All of Section 4.14 has been updated to reflect that 2020 is the appropriate period for the worst case bond condition. Text Section 4.14, Plate 4.14, and Appendix 4.14 have all been modified as necessary.*

**Plate 4.14-1 Worst Case Bond Map**

47. Please review and update Plate 4.14-1 because the permit boundary is incorrect (revise to reflect the permit boundary after Bond Release No. 4) and some of the structures/facilities depicted on the map appear to be outdated. Please include the Minnkota Access Road, Haul Road Section E, projected general disturbance area, and stockpiles, etc. (FSE)

*The permit boundary had been corrected. The remainder of the Plate has been updated to reflect a 2020 worst case bonding period.*

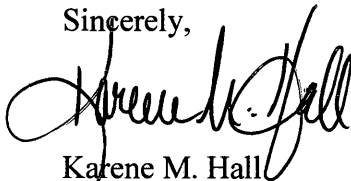
**Appendix 4.14-1 Worst Case Bond Estimate**

48. Please update the worst-case calculations to reflect all of the changes made in Section 4.14 and using the July 2014 variable costs. (FSE)

*This has been done as requested. The July 2014 costs have been used in the calculations.*

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