



Public Service Commission

State of North Dakota

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July 27, 2016

David Glatt, Chief
Environmental Health Section
North Dakota Department of Health
918 East Divide Avenue
Bismarck, ND 58501-1947

Dear Mr. Glatt:

BNI Coal, Ltd. has filed a significant revision application to Surface Coal Mining Permit BNCR-9702 at the Center Mine. Revision No. 39 proposes to change the postmine topography in Section 3 (T141N, R84W) by redistributing reclaimed land adjoining the buffer area of Minnkota Power Cooperative's bond released bottom ash inert waste landfill to obtain spoil for landfill closure and to change the landfill's postmine land use from industrial to agricultural. Revision No. 39 also proposes minor changes to the postmine topography in Sections 29, 32, and 33 (T142N, R84W) in preparation for a final pit location in the S $\frac{1}{2}$ of Section 29.

Enclosed are two copies of the permit revision application on DVD's for distribution to the Divisions of Waste Management and Water Quality. Please refer to pages 165 through 168 of Appendix 1-7 (Revision No. 39 Revision Summary and List of Changes) for a listing of proposed changes to existing sections of Permit BNCR-9702 indicated by font color and underscore or strikethrough, or insertion of new permit sections related to the landfill closure. As a member of our Advisory Committee, please review your agency's areas of interest and responsibility for the revision application, and provide us with any written comments that you may have on the revision application by September 12, 2016.

Please contact this office if you have any questions.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosures

Minedata/Center/Permits/BNCR-9702/Revisions/No.30/Advrsy_rvw_rqst_ltr_7-27-16



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July 27, 2016

Garland Erbele, P.E.
State Engineer
North Dakota State Water Commission
900 East Boulevard Avenue Dept 770
Bismarck, ND 58505-0850

Dear Mr. Erbele:

BNI Coal, Ltd. has filed a significant revision application to Surface Coal Mining Permit BNCR-9702 at the Center Mine. Revision No. 39 proposes to change the postmine topography in Section 3 (T141N, R84W) by redistributing reclaimed land adjoining the buffer area of Minnkota Power Cooperative's bond released bottom ash inert waste landfill to obtain spoil for landfill closure and to change the landfill's postmine land use from industrial to agricultural. Revision No. 39 also proposes minor changes to the postmine topography in Sections 29, 32, and 33 (T142N, R84W) in preparation for a final pit location in the S½ of Section 29.

Enclosed is a copy of the permit revision application on DVD for your agency's review. Please refer to pages 165 through 168 of Appendix 1-7 (Revision No. 39 Revision Summary and List of Changes) for a listing of proposed changes to existing sections of Permit BNCR-9702 indicated by font color and underscore or strikethrough, or insertion of new permit sections related to the landfill closure. As a member of our Advisory Committee, please review your agency's areas of interest and responsibility for the revision application, and provide us with any written comments that you may have on the revision application by September 12, 2016.

Please contact this office if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "James R. Deutsch".

James R. Deutsch
Director
Reclamation Division

Enclosure