

PHONE (701) 355-5588



December 6, 2017

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

RE: Revision 40 to Permit BNCR-9702

Dear Mr. Moos,

This submittal contains our response to a phone conversation and an email from PSC Staff on December 6, 2017. The following completeness deficiencies must be addressed before the Revision 40 application to BNCR-9702 can be deemed complete. Below is a listing of the deficiencies followed by our response:

Appendix 1.5-1 - Notice of Publication

Please review the Keith Arthur listing as a remainderman of the Patricia Pella Life Estate in the SE¼ of Section 20 and all of Section 21 and revise it as necessary to be consistent with Plate 1.9-1 (Ownership Map). (WTG)

Keith Arthur's name has been revised on the Notice of Publication to show that he is a landowner and not a remainderman. The track changes did not change the alignment of his name but the red line in front of his name indicates a space deletion.

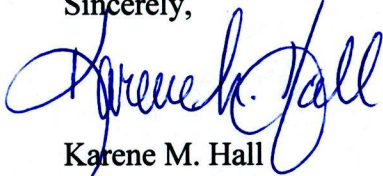
Section 4.1 - Operations Plan

The fifth paragraph of Page 4.1-2 states "In 2019 the mining sequence creates a final pit in Section 29-142-84. ... In 2019 the mining sequence also shows the continuation of mining in Section 21-142-84 with intent to progress the mining sequence into Section 20-142-84."; however, in both instances Plate 4.1-1 (Pit Layout and Facilities Map) labels the mining sequences as 2020. Please revise the 2019 references in the fifth paragraph of Page 4.1-2, or revise the mining sequence labels on Plate 4.1-1 (and all other applicable plates), as necessary so the narrative's mining sequence year references are consistent with the plate's mining sequence year labels. (WTG)

The 2019 dates in the referenced sentences above in Section 4.1 have been changed to 2020 to be consistent with the sequence dates on Plate 2-1 Extended Mine Plan map and Plate 4.1-1 Pit Layout and Facilities map.

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