



Public Service Commission

State of North Dakota

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Randy Christmann
Julie Fedorchak
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Executive Secretary
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600 East Boulevard, Dept. 408
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ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

February 26, 2018

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
150 East B Street
Casper, WY 82602-5004

Dear Mr. Fleischman:

BNI Coal, Ltd. has filed an application for Revision No. 15 to Surface Coal Mining Permit BNCR-9401 at the Center Mine. Revision No. 15 proposes to change the designated postmine land use from cropland and grassland to industrial and commercial land use for the NE1/4 of Section 8, T141N, R83W. The application also updates the mining operations and reclamation plans for the FGD waste disposal cells to be located within this tract. Enclosed is a DVD of the revision application for your agency's review.

The acreage affected by this permit revision contains approximately 25 acres of federal coal within the NE1/4NE1/4 of Section 8, T141N, R83W as viewed on the Pit Layout and Facilities Map (Plate 4.1-1). A lease by application is in progress for this federal coal tract that is scheduled to be mined in 2022 (Cell 5 of the FGD waste facility). However, during the technical review we will likely request that BNI Coal revise the plan to not show mining of the federal coal if the coal lease will not be issued prior to revision approval. Permit BNCR-9401 currently includes a condition that no overburden or coal removal occur in this tract prior to federal mine plan approval and that condition will remain effective with this revision.

Please reply with any comments on the revision application by March 26, 2018.

Sincerely,

Dean K. Moos
Director
Reclamation Division

Enclosure

Minedata/Center/Permits/BNCR-9401/Revisions/No.15/Rev15_Fed_Advsry_rvw_rqst_ltr_2-26-18



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February 26, 2018

Mr. Marcelo Calle
Program Support Division
Western Regional Coordinating Center
Office of Surface Mining
1999 Broadway, Suite 3320
Denver, CO 80202-3050

Dear Mr. Calle:

BNI Coal, Ltd. has filed an application for Revision No. 15 to Surface Coal Mining Permit BNCR-9401 at the Center Mine. Revision No. 15 proposes to change the designated postmine land use from cropland and grassland to industrial and commercial land use for the NE1/4 of Section 8, T141N, R83W. The application also updates the mining operations and reclamation plans for the FGD waste disposal cells to be located within this tract. Enclosed is a DVD of the revision application for your agency's review.

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February 26, 2018

Mr. Donato J. Judice
Chief, Branch of Solid Minerals
Bureau of Land Management
5001 Southgate Dr.
Billings, MT 59101-4669

Dear Mr. Judice:

BNI Coal, Ltd. has filed an application for Revision No. 15 to Surface Coal Mining Permit BNCR-9401 at the Center Mine. Revision No. 15 proposes to change the designated postmine land use from cropland and grassland to industrial and commercial land use for the NE1/4 of Section 8, T141N, R83W. The application also updates the mining operations and reclamation plans for the FGD waste disposal cells to be located within this tract. Enclosed is a DVD of the revision application for your agency's review.

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Please reply with any comments on the revision application by March 26, 2018.

Sincerely,

Dean K. Moos
Director
Reclamation Division

cc: w/o Enclosure John Ames

Minedata/Center/Permits/BNCR-9401/Revisions/No.15/Rev15_Fed_Advsry_rvw_rqst_ltr_2-26-18



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February 26, 2018

Mr. Loren Wickstrom
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Ave West, Suite A
Dickinson, ND 58601

Dear Mr. Wickstrom:

BNI Coal, Ltd. has filed an application for Revision No. 15 to Surface Coal Mining Permit BNCR-9401 at the Center Mine. Revision No. 15 proposes to change the designated postmine land use from cropland and grassland to industrial and commercial land use for the NE1/4 of Section 8, T141N, R83W. The application also updates the mining operations and reclamation plans for the FGD waste disposal cells to be located within this tract. Enclosed is a DVD of the revision application for your agency's review.

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