



July 30, 2021

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

RE: Bond Release 5 to Permit BNCR-9401

Dear Mr. Moos,

This submittal contains a response to your Technical Review 3 letter to us dated July 30, 2021. In this letter you listed technical deficiencies that must be addressed before the Bond Release 5 application to BNCR-9401 can be approved. As the edits were administrative I am providing a clean copy of the Bond Release 5 package. Below is a listing of the deficiencies followed by our response:

**Attachment V - Soils Map**

1. Follow-up to item No. 4: The map legend on Attachment V, Soils Map, has a label for Surface Ownership, but no symbol. We suggest that you remove the Surface Ownership label from the legend because surface ownership is adequately identified on the map. (JAR)

*Surface ownership label was white, however was removed.*

2. Follow-up to item No. 5: It appears an example soil mapping unit was inadvertently inserted inside the BNCR9401 Bond Release #5 symbol instead of the red square for the Bond Release 5 soils symbol. Please correct. (JAR)

*Removed soil mapping unit example*

3. Follow-up to item No. 6: Please remove the two "IND" post mine land use labels that are located in Ash Cells 1 and 2. (PJR/JAR)

*Removed "IND" from map*

**Attachment VI - Tract History and Pond Maintenance Agreements**

4. Follow-up to item No. 7: The Subareas narrative that was added to the first page of the Tract History contains a typographical error in the Subarea No. 2 location. Please correct the "E/12 of Section 5" to the "E1/2 of Section 5." (JAR)

*Corrected*

5. Follow-up to item No. 8: Please revise the acreages listed in the first paragraph of the narrative on page 1 of Attachment VI. The acreages should be revised to 16.41 for the NE 114 of Section 8 and 27.19 for the E1/2 of Section 5 to be consistent with the bond release application and the metes and bounds description of the bond release tract. (PJR)

*Corrected*

Thank you for your consideration of this matter. If you have any questions regarding this submittal, please contact me at the Center office.

Sincerely,

Gregory Petrick  
Reclamation Specialist