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A BNI ENERGY COMPANY

May 5, 2021



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

RE: Revision 8 to Permit BNCR-1101

Dear Mr. Moos,

This submittal contains a response to your Completeness Review 3 letter to us dated May 5, 2021. In this letter you listed a completeness deficiency that must be addressed before the Revision 8 application to BNCR-1101 can be deemed complete. Below is a listing of the deficiency followed by our response:

Appendix 1.5-1 - Notice of Publication

- 1. Follow-up to item No. 1: Please update the third paragraph of the first page of the Notice of Publication to add the following bolded and underlined text sequence. (WTG)

Any person with an interest which is, or may be, adversely affected may file a petition to designate an area added to the permit with the revision application as unsuitable for surface coal mining operations. Petitions to designate an area as unsuitable for surface mining, and written comments, objections, or requests for informal conferences on the revision application may be submitted by any person with an interest which is, or may be, adversely affected by the revision to the North Dakota Public Service Commission, 600 East Boulevard Avenue, Bismarck, ND, 58505-0480, within 30 days after the last publication of this notice. The written request should state the concerns or objections regarding the revision.

The third paragraph of the Notice of Publication was updated to include a statement about lands unsuitable for mining.

12 RC-20-438 Filed 05/05/2021 Pages: 2
Response to fourth completeness review letter
BNI Coal, Ltd.
Karene Hall

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Karene M. Hall". The signature is fluid and cursive, with the first name "Karene" being the most prominent part.

Karene M. Hall
Permit Coordinator