

To: PSC

I'm requesting an informal conference on the Application by BNI Coal to oppose revision 8, permit BNCR-1101. I have concerns regarding this permit that would directly affect the safety, health and well being of my family and surrounding neighbors.

Issue 1- Mining will be conducted within 500 feet of my farmstead and close proximity to other neighboring residence.

BNI has communicated that there are large rocks in this mining area that would require blasting. I have already received damage of my home and buildings from blasting in the mining area east of my farmstead that is farther away. We experienced one blast that knocked down every picture/hanger off the walls in every room of our house. BNI is aware of this and the damage that has been caused since they started blasting east of my residence. I believe blasting closer will only increase the severity of damage to my home and building structures.

The second concern with the location and distance to my residence is the control of dust and dirt. I have seen firsthand how wind will carry dirt/dust from dirt piles east of my house. This location will be directly west of my residence and with a majority of the wind out of the SW, W or NW it will be impossible to control. My son has a dust allergy, and it will impact his health and quality of life.

Issue 2- Location and style of haul road overpass.

I have seen different options for location and style of haul road overpass with 37th Ave but none of the plans show where the overpass will start and stop on county road 37th Ave. I was told if the overpass were to be put on the section line that I would lose access to my current approach to my yard. My other concern is that I only have access to my hay storage area located south of my property using a gate that is located just north of the section line. If I lose that access, I would not be able to get my truck and 40-foot trailer to unload. We need to see a well-defined haul road, overpass or grade crossing so we can make sure it doesn't negatively impact landowners and travelers on county road 37th Avenue.

I am requesting that my concerns will be addressed with detailed action plans that are measurable to ensure the safety and health for my family and neighbors before a mining permit is approved by the PSC. Thank you

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JUL 18 2023

**NORTH DAKOTA
PUBLIC SERVICE COMMISSION**