



Public Service Commission State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Sent via regular mail

April 16, 2021

Mr. John Paczkowski
Assistant State Engineer
North Dakota State Water Commission
900 East Boulevard, Dept. 770
Bismarck, ND 58505-0850

Dear Mr. Paczkowski:

BNI Coal, Ltd. has filed an application for Revision No. 17 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to engage in surface coal mining and reclamation operations. The area for which a permit revision is sought includes 381.88 acres in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W, in Oliver County, North Dakota. The permit revision will add the coal lease for the Federal parcel in the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8 and will update the mine plan to detail the removal of the federal and private coal under the proposed location of Minnkota Power's Ash Cell 5.

Enclosed is an electronic copy of the permit revision application for your agency's review. The electronic permit is accessible by opening the "Permit BNCR-9401.html" file. Please note the six page table of contents on the permit's home page that you may find useful for navigating the revision application.

As a member of our Advisory Committee, please review your agency's areas of interest and responsibility for the revision application and provide us with any written comments that you may have on the revision application by April 30, 2021.

If you have any questions, please contact this office.

Sincerely,

Dean K. Moos
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 9401\Revisions\No. 17\Rev.17_Advisory_rvw_rqst_ltr



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

Dear Mr. Fleischman:

BNI Coal, Ltd. has filed an application for Revision No. 17 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to engage in surface coal mining and reclamation operations. The area for which a permit revision is sought includes 381.88 acres in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W, in Oliver County, North Dakota. The permit revision will add the recently obtained coal lease for the Federal parcel in the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8 and will update the mine plan to detail the removal of the federal and private coal under the proposed location of Minnkota Power's Ash Cell 5. This will require mine plan approval. Mining of this parcel is not scheduled until 2023.

Enclosed is an electronic copy of the revision application for your agency's review. Please provide any written comments to us by May 6, 2021. If you have any questions, please contact this office.

Sincerely,

Dean K. Moos
Director
Reclamation Division

Enclosure

cc w/o enclosure via email only: John Sieving (jsieving@osmre.gov)

Center Mine\Permits\BNCR - 9401\Revisions\No. 17\Rev.17_Advisory_rvw_rqst_ltr



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Marcelo Calle, Chief
Program Support Division
Office of Surface Mining – Western Region
PO Box 25065
Lakewood, CO 80225-0065

Dear Mr. Calle:

BNI Coal, Ltd. has filed an application for Revision No. 17 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to engage in surface coal mining and reclamation operations. The area for which a permit revision is sought includes 381.88 acres in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W, in Oliver County, North Dakota. The permit revision will add the recently obtained coal lease for the Federal parcel in the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8 and will update the mine plan to detail the removal of the federal and private coal under the proposed location of Minnkota Power's Ash Cell 5. This will require mine plan approval. Mining of this parcel is not scheduled until 2023.

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Mr. Nathaniel Arave
Branch of Solid Minerals
Bureau of Land Management
5001 Southgate Dr.
Billings, MT 59101

Dear Mr. Arave:

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Sincerely,

Dean K. Moos
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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. 17 to Surface Coal Mining Permit BNCR-9401 at the Center Mine to engage in surface coal mining and reclamation operations. The area for which a permit revision is sought includes 381.88 acres in Sections 5 and 8, T141N, R83W and Section 32, T142N, R83W, in Oliver County, North Dakota. The permit revision will add the recently obtained coal lease for the Federal parcel in the S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8 and will update the mine plan to detail the removal of the federal and private coal under the proposed location of Minnkota Power's Ash Cell 5. This will require mine plan approval. Mining of this parcel is not scheduled until 2023.

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