



July 23, 2021

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

RE: Revision 17 to Permit BNCR-9401

Dear Mr. Moos,

This submittal contains a response to your technical review letter to us dated July 19, 2021. In this letter you listed technical deficiencies that must be addressed before the Revision 17 application to BNCR-9401 can be approved. Below is a listing of the deficiencies followed by our response:

Section 4.1-1 - Pit Layout and Facilities Map

1. The hatching used for ponds (i.e. MSHA Pond P-5-6) on the map is different than what is depicted in the map legend. Please update the ponds on the map so the hatching depicted on the map corresponds with the legend. (JAR/PJR)

The hatch for pond 5-6 has been updated to match the legend.

2. Please define the light blue cross hatching depicted in the ash cell area. Also, most of this hatching is outside the BNCR-9401 permit area except the northern-most point. Please review and adjust accordingly. (JAR)

The legend has been updated to include the hatching for the bond released areas.

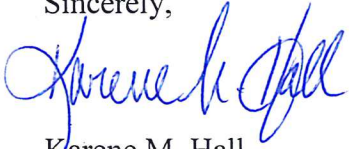
3. Please correct the typo in the label "New Ash Tuck Road" in the NE1/4 of Section 5. (JAR)

The typo has been corrected.

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Response to second technical 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 being the most prominent.

Karene M. Hall
Permit Coordinator