

August 17, 2023

BNI Coal
2360 35th Avenue SW
Center, ND 58530

RE: Summit Carbon Solutions Routing of NDL-328

Dear North Dakota Public Service Commissioners and Substitute Decision Maker,

With reference to the routing of Summit Carbons Solutions NDL-328 line which initiates approximately 6 miles south of the Milton R. Young Power Plant and proceeds north to tie into the Young Station, we have the following comments:

- 1) Summit Carbon Solutions initiated conversations with BNI Coal in 2022 and evaluated multiple routes associated with the proposed NDL-328 line to Minnkota Power's Young Station. Items that were taken into consideration were existing mining permits, current and future mine plans, minable reserves, current and future reclamation activities, and current and future infrastructure needs to support our mining operation. During these initial discussions, BNI preferred a route that would be located east of BNI's existing BNCR-1101 mining permit which minimized future impacts to coal development largely based on the presence or in this case, lack of minable coal. Following these discussions, Summit Carbon Solutions then worked on developing the route in its currently proposed location.
- 2) Through continued conversations, Summit Carbon Solutions requested that approximately 3,000 feet of pipe would cross the E2NE4 of Section 9-141-83 which is currently within BNI Coal's mining permit BNCR-1101 and on land owned by Minnkota Power. This specific 3,000' of Summit Carbons Solutions proposed NDL-328 line is located east of the minable coal and outside of our associated disturbance plans associated with the development of the BNCR-1101 mining permit. This proposed location will not impact the development of coal in the BNCR-1101 mining permit.
- 3) Throughout the public hearing process, records indicate a direct question in reference to OSM's involvement with siting of third-party entities' pipelines on lands permitted for surface coal mining activities. It was our understanding that Summit Carbon Solutions provided correspondence to the ND PSC Reclamation Division Staff dated 3-21-2023 regarding this topic. Our company has no experience in the pipeline siting process and is therefore unable to provide any comment on OSM's involvement in such sitings.

In conclusion, the location of the proposed Summit Carbon Solutions NDL-328 line to the Milton R. Young Station has virtually no impact on our current or future mining activities. Approximately 3000' of the proposed route crosses a remote corner of permit BNCR-1101 in an area with no proposed disturbance. All other portions of the route are outside of our existing mining permit boundaries in areas which do not contain minable coal or would otherwise be needed in support of nearby mining activities.

Sincerely,



Mike Heger
General Manager - BNI COAL