

From: [Brinkman, Zanna A.](#)
To: [Gregory Petrick \(BNI Coal\)](#)
Cc: [Welch, Guy A.](#)
Subject: Bond Release 2 to Permit BNCR-9702 submittal on 6-9-2023
Date: Sunday, June 11, 2023 2:10:08 PM

Greg,

I am rejecting the Bond Release 2 to Permit BNCR-9702 application BNI submitted on 6-9-2023 because it is incomplete. I partially reviewed the responses to deficiencies 1 – 3 but did not complete since these deficiencies require updates to the entire document. I reviewed items 4 -22 and 11 of these were not answered or only partially answered. Is it possible you did not save all your changes? Additionally, you are required to use strike-through and underlining to indicate changes in all of the documents that are revised, but strike-through and underlining does not start until attachment 5.

Also, the application and response letter must be submitted as hard copies and the cover letter should be signed. We file the cover letter and revised application in our permanent file and the rest in a working file.

It appears we had a miscommunication on putting a revision date at the top of the application form. The date in the upper right-hand corner must be the original submittal date to be consistent with the notary acknowledgement on page two. BNI should add a revision date above the date box in red text.

There seems to be a misunderstanding of the bond amount that you need to list. By the language you added to the public notice, I am guessing that you are using the worst-case reclamation cost estimate that is currently under review for Permit 9702. The bond amount to include in the public notice is the actual bond amount of the surety bond currently on file with the reclamation division. Karene and Ryan Wrolstad have that number which was updated in March 2023. The required bonding information that must be in the public notice is: *No monetary release is being requested with this bond release since the bond amount is based on the worst-case reclamation cost estimate for the consolidated bond area that includes Permits BNCR-9701, BNCR-8106, BNCR-8202, and BNCR-8602 at the Center Mine. The bond amount currently on file with the Reclamation Division for the consolidated bond area is \$38,534,432.00.*

I would also advise you to review the second paragraph of the public notice. Remove the first sentence on permits and approval dates because that information is included in paragraph one. Do not use SPGM, instead use topsoil and subsoil in the initial disturbance sentence. Shorten the narrative by simply stating that mining occurred from date to date, grading and backfilling occurred between date and date, etc. In addition, some of the required elements are missing in the public notice and they are listed in our deficiency item 13. Policy memo 9 on our website lays out the requirements for bond release notices by paragraph and references Century Code requirements.

Please review the entire application, include responses to every item in each deficiency, and resubmit BR 2.

Zanna Brinkman

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