

**Emmer, Jonathan W.**

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**From:** Trent, Erica L <etrent@osmre.gov>  
**Sent:** Thursday, January 2, 2025 10:40 AM  
**To:** Emmer, Jonathan W.  
**Cc:** Roerick, Jeffrey A.; Johnson, Monty L.  
**Subject:** Re: [EXTERNAL] Request for Mine Plan Modification Review

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Happy New Year!

Thank you for the opportunity to review.

You are correct, these actions do not require a mine plan decision document.

*Erica Trent*

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**From:** Emmer, Jonathan W. <jemmer@nd.gov>  
**Sent:** Monday, December 30, 2024 1:57 PM  
**To:** Trent, Erica L <etrent@osmre.gov>  
**Cc:** Roerick, Jeffrey A. <jroerick@nd.gov>; Johnson, Monty L. <moljohnson@nd.gov>  
**Subject:** [EXTERNAL] Request for Mine Plan Modification Review

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Good Afternoon,

If possible, could you please review the following revision we have pending. I do not believe it meets the criteria in CFR 746.18 so it should not require a mine plan modification. There is no federally owned surface at our mines, but some have federal coal that is leased. Revision 44 (described below) does not add land to the permit, or propose new mining of federal coal, or modify existing approved mining plans for federal coal. Please let me know if you need any additional information.

**Revision 44 to Permit BNCR-9702** – Center Mine – Revision 44 updates the reclamation schedule to propose two reclamation variance areas. The first variance area (Variance Area 16) is within the S1/2 of Section 29, T142N,

R84W (privately owned coal) and the SW1/4 of Section 28, T142N, R84W (federal coal) which encompasses the reclamation of the current final pit location. The second variance area (Variance Area 17) is within the W1/2 of Section 20, T142N, R84W that will encompass a future final pit. A variance from the 3 year initial seeding requirement is being requested for these areas.

Additionally, post-mine topography changes are being proposed in Section 21, T142N, R84W (privately owned coal) and Section 28, T142N, R84W (federal coal) to achieve a soil balance for the final pit reclamation. The revision also updates various other sections of the permit including the legal and financial section, the ownership and control sections, pre-mine topographic information section, the pre-mine and post-mine surface water section, the transportation plan, and the surface water management plan.

**Jonathan Emmer**

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