

Emmer, Jonathan W.

From: Trent, Erica L <etrent@osmre.gov>
Sent: Thursday, May 30, 2024 12:06 PM
To: Emmer, Jonathan W.; Shaeffer, Elizabeth A
Cc: Ripplinger, Preston; Johnson, Monty L.
Subject: Re: [EXTERNAL] Request for Mine Plan Approval Review

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Jonathan

Thank you for the update and request for determination.

I concur, this action does not require a MPDD.

Erica Trent

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From: Emmer, Jonathan W. <jemmer@nd.gov>
Sent: Thursday, May 30, 2024 9:40 AM
To: Shaeffer, Elizabeth A <eshaeffer@osmre.gov>; Trent, Erica L <etrent@osmre.gov>
Cc: Ripplinger, Preston <priplinger@nd.gov>; Johnson, Monty L. <moljohnson@nd.gov>
Subject: [EXTERNAL] Request for Mine Plan Approval Review

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Good Morning Elizabeth and Erica,

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 none of them should require mine plan approval. There is no federally owned surface at our mines, but some have federal coal that is leased. This revision does not add land to the permit, or propose new mining of federal coal, or modify existing approved mining plans for federal coal.

Hopefully, I have provided enough information to make your review as quick as possible and that you can answer "yes or no" after each revision. Let me know if you need additional information.

Revision 36 to Permit KRSB-8603 – Beulah Mine – updates the permit in response to midterm permit review. The revision updates various sections of the permit including introductory information, legal, financial, compliance and related information, surface water hydrology inventory and monitoring, wildlife inventory and plan, pre-mine vegetation inventory, post-mine landuse, operation plan, water management plan, and the revegetation plan. The post-mining land use changes are being proposed but the all of surface above federal coal is privately owned. The revision does not appear to meet the criteria of CFR 746.18 and therefore does not need mine plan approval. Do you concur?

Jonathan Emmer

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