

BHP Navajo Coal Company



13-11-27-01

November 21, 2013

BHP Billiton Limited
BHP Navajo Coal Company
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bhpbilliton.com

Mr. Mychal Yellowman
Navajo Mine Team Leader
Office of Surface Mining Reclamation and Enforcement
Western Region Program Support Division
1999 Broadway, Suite 3320
Denver, Colorado 80202-3050

Re: Navajo Mine Permit Number NM-0003F; Response to OSM's Conditional Approval of the Permit Transfer Application for Navajo Mine

Dear Mr. Yellowman,

BHP Navajo Coal Company (BNCC) is submitting for your review and approval the following response to the Office of Surface Mining (OSM) Findings and Conditional Approval letters dated November 1, 2013 for the Permittee Name Change and Permit Transfer Applications submitted by BNCC on May 3, 2013, May 10, 2013, August 30, 2013, September 4, 2013, and October 17, 2013. It is our understanding that only one condition requires a response by BNCC at this time.

OSM Condition stated in letter to NTEC (Sections C and D):

- i. *"MMco should provide a new Statement of Verification that only certifies the accuracy of the information specific to MMco to comply with 30 CFR 777.11(c) and 30 CFR 778.9."*

BNCC Response:

BNCC has included with this letter a new Statement of Verification that only certifies the accuracy of the information specific to MMCo.

Instructions for the replacement of updated permit contents follow:

Revisions

Comments/Instructions

Permit Transfer Application:
Update 1305

Remove and replace the Statement of Verification form signed by Shawn Goeckner in Update 1305 – Transfer Application in Conjunction with Merger (Attachment D) with the revised form.

If you have any questions regarding this submittal, please contact Vivie Melendez at 505-598-3284.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Perkins', with a small dash at the end.

Steven Perkins
Superintendent Environmental Permitting and Technical Services

cc. John Grubb, NTEC Management Committee Executive
Sam Woods, NTEC Management Committee
Charles Roybal, Senior Counsel, BHP Navajo Coal Company

VERIFICATION OF PERMIT UPDATE

BHP Billiton Mine Management Company
NAVAJO MINE PERMIT UPDATE
SAN JUAN COUNTY, NEW MEXICO

I swear and affirm, under oath and in writing that the information regarding this submittal contained in the Navajo Mine PAP is accurate and complete in accordance with Federal regulations under 30 CFR 778.

The following changes have occurred to the PAP:

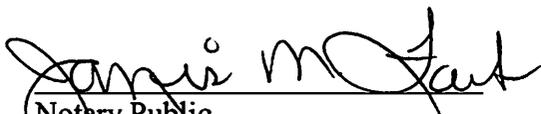
- Owner and Operator;
- Officers and Directors; and,
- Violation History.

Signature: 
Shawn Goekner
BHP Billiton Mine Management Company

STATE OF NEW MEXICO §

COUNTY OF SAN JUAN §

SUBSCRIBED AND SWORN to before me, in my presence, this 5 day of November, 2013, a Notary Public in and for the State of New Mexico.


Notary Public

My Commission Expires: 08/14/17

