

NOTICE OF INTENT TO ISSUE A  
BEST AVAILABLE CONTROL  
TECHNOLOGY DETERMINATION  
PURSUANT TO CONSENT DECREE

Take notice that the North Dakota Department of Health proposes to issue a Best Available Control Technology Determination for the reduction of nitrogen oxides emissions from the Milton R. Young Station near Center, North Dakota. The Best Available Control Technology Determination was made in response, and in accordance with, the Consent Decree in the case of the United States of America and the State of North Dakota versus Minnkota Power Cooperative, Inc. and Square Butte Electric Power Cooperative, Civil Action No.: 1:06-CV-034. Responses to comments will be considered, evaluated, and the BACT Determination issued pursuant to the Consent Decree. Comments shall be considered, but dispute resolution is limited to the disputing parties as set forth in the Consent Decree approved by the Court.

The Department's tentative determination indicates that Best Available Control Technology for the reduction of nitrogen oxides emissions is advanced separated overfire air and selective non-catalytic reduction.

A thirty-day public comment period regarding the preliminary Best Available Control Technology Determination will begin June 11, 2008 and end on July 11, 2008. Comments shall be directed in writing to

the North Dakota Department of Health, Terry L. O'Clair, Director, Division of Air Quality, 918 E. Divide Avenue, Bismarck, North Dakota 58501-1947. The Department's preliminary Best Available Control Technology Determination and supporting data are available for review at the Department of Health in Bismarck and at [www.health.state.nd.us/AQ/notices.htm](http://www.health.state.nd.us/AQ/notices.htm). A copy of the preliminary Best Available Control Technology Determination may be obtained by writing the Department of Health at the above-mentioned address or contacting the Department at (701)328-5188.

Dated this 3<sup>rd</sup> day of June 2008.

Terry L. O'Clair, P.E.  
Director, Division of  
Air Quality