

APPENDIX

DATE: _____

11-24-10



MOTION

November 24, 2010

**BNI Coal, Ltd.
Bond Release No. 6, Permit BNCR-8106
Approval**

Case No. RC-06-523

I move the Commission approve Bond Release No. 6 for Surface Coal Mining Permit No. BNCR-8106, held by BNI Coal, Ltd. for the Center Mine, to release all reclamation liabilities on 193.66 acres located in the NW¼ of Section 25 and the SW¼ of Section 36, T142N, R84W, Oliver County. The bond release will become effective December 27, 2010, unless a formal hearing is requested.

SAS, DKM & JRD

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