


APPROVED

DATE: 11-24-10


MOTION

November 24, 2010

**BNI Coal, Ltd.
Bond Release No. 7, Permit BNCR-8106
Approval**

Case No. RC-08-694

I move the Commission approve Bond Release No. 7 to Surface Coal Mining Permit No. BNCR-8106, held by BNI Coal, Ltd. for the Center Mine, to release all reclamation liabilities on 195.0 acres located in the SE $\frac{1}{4}$ of Section 23 and SE $\frac{1}{4}$ of Section 26, 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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