

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Renewal No. 2, Permit BNCR-9702
Application

Case No. RC-10-81

RENEWAL OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS


July 28, 2010

Based on the application received on March 30, 2010, Renewal No. 2 for Permit Number BNCR-9702 is hereby granted to BNI Coal, Ltd. to renew the surface coal mining permit subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, and the rules promulgated there under, on the following described areas:

Portions of Sections 3, 4, 5, 6, 7, 8, 9, and 10, T141N, R84W and Sections 21, 27, 28, 31, 32, 33, and 34, T142N, R84W, totaling 6,342.03 acres, all in Oliver County.

This five-year permit renewal will allow BNI Coal, Ltd. to continue to operate under approved mining and reclamation plans until August 2, 2015. Permit No. BNCR-9702 and others that are part of a consolidated bond area are currently covered by Surety Bond No. 400JR4173 issued by St. Paul Fire & Marine Insurance Company and Collateral Bond No. CB-9702-2. These performance bonds currently total \$24,386,439.

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