

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision No. 9, Permit BNCR-9401
Renewal No. 3, Permit BNCR-9401
Application

Case No. RC- 10-113
Case No. RC-10-112

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

May 18, 2010

BNI Coal, Ltd. has filed applications to renew Surface Coal Mining Permit BNCR-9401 for another five years and to update legal, financial, and operation and reclamation plans in the existing permit area located in:

Portions of Sections 5 and 8, T141N, R83W, all in Oliver County, containing 254.7 acres.

The five-year permit renewal will allow BNI to continue mining and reclamation operations in Permit No. BNCR-9401 until August 16, 2015. Revision No. 9 updates mining and reclamation plans and other information and identifies areas that will be mined during the next permit term.

The renewal and revision application and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
Bismarck, North Dakota 58505-0480

Oliver County Auditor
County Courthouse
Center, North Dakota 58530

You may submit written comments or objections on the proposed permit renewal and revision application and its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal and revision application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by July 9, 2010.

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Mailing lists for Notice of Renewal and Revision Applications - local, state and federal agencies and Advisory Committee members

**use standard lists
regular First Class mail, mailing affidavit**

Minnkota Power Cooperative
P.O. Box 13200
Grand Forks, ND 58208

Larry & Virginia Schmidt
RR 2 Box 238
Center, ND 58530

Delphine Vetter
RR 1 Box 45
Linton, ND 58552

Danita Deichert
3009 Bayside Drive
Mandan, ND 58554

David H. Erhardt
13906 Round Oak Court
Houston, TX 77059


Doretta Bornemann
RR 1 Box 187
Hazen, ND 58545

Dean P. Erhardt
120 Tennessee Walker Way
St. Peters, MO 63376

Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, State Capitol, Bismarck, North Dakota 58505-0480.

For more information you may contact the Public Service Commission at 701-328-2400.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
Chairman



Brian P. Kalk
Commissioner