



Public Service Commission

State of North Dakota

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July 26, 2010

Dr. Jay Volk
Environmental Services Supervisor
BNI Coal, Ltd.
2360 35th Ave. SW
Center, ND 58530-9499

Dear Dr. Volk:

This is to inform you that the Reclamation Division plans to recommend approval of Revision 9 to Permit BNCR-9401 at the Commission's August 4th meeting. Prior to approval of this revision, please update the Business Entity (Ownership and Control) Information and Violation Information if any changes have occurred since the last updates in early July of this year. If no changes have occurred, please send a letter with a statement to that effect. NDAC 69-05.2-06-01(2) and 69-05.2-06-02(6) requires these updates or statements prior to approval of the application.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Deutsch".

James R. Deutsch
Director
Reclamation Division

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