

APPROVED

DATE: 8-4-10
[Signature]

MOTION

August 4, 2010

**BNI Coal. Ltd.
Revision No. 9, Permit BNCR-9401
Approval**

Case No. RC-10-113

I move the Commission approve Revision No. 9 to Surface Coal Mining Permit No. BNCR-9401, held by BNI Coal, Ltd. for the Center Mine, to identify the next five-year coal removal subarea and to update other plans and information in the permit for the next five-year permit term.

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SAS & JRD