

APPROVED

DATE: 7-28-10  
[Signature]

**MOTION**

**July 28, 2010**

**BNI Coal, Ltd.  
Notice of Violation No. 1001  
Violation**

**Case No. RC-10-143**

I move the Commission adopt the order to affirm Notice of Violation No. 1001 issued to BNI Coal, Ltd. at the Center Mine, acknowledge cancellation of the informal conference that was scheduled in the matter, and close the case.

DKM & JRD

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