



**TERMINATION OR VACATION OF NOTICE OF VIOLATION**  
 NORTH DAKOTA PUBLIC SERVICE COMMISSION  
 RECLAMATION DIVISION  
 SFN 10570 (10-93)

To the following Permittee or Operator:

N.O.V. Number  
1001

|                                     |                |                            |                        |
|-------------------------------------|----------------|----------------------------|------------------------|
| Name of Permittee<br>BNI Coal, Ltd. |                | Permit Number<br>BNCR-9702 |                        |
| Address<br>2360 35th Ave SW         | City<br>Center | State<br>ND                | Zip Code<br>58530-9499 |
| Telephone Number<br>701-794-8734    | Mine<br>Center | County<br>Oliver           |                        |

Name of Operator (if other than permittee)

Address City State Zip Code

Notice of Violation No. 1001 is hereby  terminated  vacated for the following reasons:

The required remedial actions have been completed.

|                                                                                                           |                                                                       |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Print Name of Person Served<br>Dr. Jay Volk                                                               | Print Title of Person Served<br>Environmental Services Supervisor     |
| Method of Service<br><input type="checkbox"/> Personal <input checked="" type="checkbox"/> Certified Mail | Date of Service<br>July 14, 2010                                      |
| Signature of Person Served                                                                                | Signature of Authorized Representative<br><i>Stephan A. Schneider</i> |

Distribution: Public Service Commission; Permittee - Operator; and, OSM Field Office