

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**BNI Coal, Ltd.**  
**Revision No. 12, Permit BNCR-9401**  
**Application**

**Case No. RC-12-186**

**SURFACE COAL MINING AND RECLAMATION PERMIT CONDITIONS**


**April 9, 2014**

**Revision No. 12 to Surface Coal Mining Permit Number BNCR-9401** has been issued to **BNI Coal, Ltd.** subject to Chapter 38-14.1 of the North Dakota Century Code, all the rules promulgated thereunder, and the following condition:

1. No overburden or coal removal may occur in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 8, T141N, R83W, where the coal interest is owned by the United States of America, until the U.S. Department of the Interior approves the mining plan for this tract as required by 30 CFR 746.11. Until that mining plan is approved, surface disturbances on the federal coal tract must be limited to soil removal and other activities that are necessary to support of mining activities on adjacent nonfederal lands.

**PUBLIC SERVICE COMMISSION**

  
\_\_\_\_\_  
**Randy Christmann**  
Commissioner

  
\_\_\_\_\_  
**Brian P. Kalk**  
Chairman

  
\_\_\_\_\_  
**Julie Fedorchak**  
Commissioner