



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

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November 7, 2014

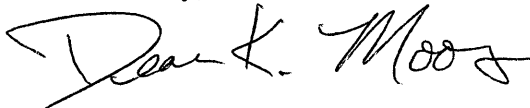
Dr. Jay Volk  
Environmental Manager  
BNI Coal, Ltd.  
2360 35<sup>th</sup> Ave SW  
Center, ND 58530-9499

Dear Dr. Volk:

Enclosed is a copy of the Commission's order in Case No. RC-14-712, Notice of Violation No. 1402, issued to BNI Coal, Ltd. This order assesses a \$2000 civil penalty for seriousness (\$500) and negligence (\$1500) as explained in the order. BNI is unable to appeal this order and penalty since an informal conference or formal hearing was not requested in the matter. The \$2000 penalty must be paid within 30 days of your receipt of this letter.

If you have any questions, please contact our office.

Sincerely,

  
for James R. Deutsch  
Director  
Reclamation Division

Enclosure

cc: Jeff Fleischman w/attachment

Certified Mail

Minedata/Center/Violations/2014/NOV-1402/NOV-1402\_penalty\_assess\_ltr\_11-7-14