



Public Service Commission

State of North Dakota

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October 20, 2016

Jay M. Volk, Ph. D
Environmental Manager
BNI Coal, Ltd.
2360 35th Avenue SW
Center, ND 58530-9499

Dear Mr. Volk:

The Reclamation Division is prepared to recommend Commission approval of Revision No. 39 to Permit BNCR-9702 at the November 2, 2016 Commission meeting. Consequently, BNI Coal, Ltd. must update the Business Entity Information in Section 1.7 submitted with this revision application as required by NDAC 69-05.2-06-01(2)(d) and the Past Violations information in Section 1.13 of the permit application as required by NDAC 69-05.2-06-02(6)(d), or certify, under oath and in writing, that the current information is still accurate, complete, and up to date. Any updated information submitted for the permit application will be subject to an evaluation by OSM's Applicant Violator System prior to permit approval. This information or certified statement must be filed with our office no later than 5:00 pm Friday, October 28th.

Please contact this office if you have any questions.

Sincerely,

James R. Deutsch
Director
Reclamation Division

cc: Karene Hall

Minedata/Center/Permits/BNCR-9702/Revisions/No.39/Rev39_AVIS_update_ltr_10-20-16