

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision No. 40, Permit BNCR-9702
Application

Case No. RC-17-280

NOTICE OF RECEIPT OF REVISION APPLICATION

December 20, 2017

BNI Coal, Ltd. has filed an application for Revision No. 40 to Surface Coal Mining Permit No. BNCR-9702 at the Center Mine to add 636.58 acres of land located in Section 20, Township 142N, Range 84W. The additional acreage will expand the permit area to the northwest for coal mining and support activities. The revision application revises the environmental resource information and the mining and reclamation plans for the acreage being added to the permit. The revision application also proposes to modify the postmine topography within the current permit area in Section 21, the W½ of Section 28, the S½ of Section 29, the N½ of Section 32 and the NW¼ of Section 33 to reclaim final pits in Sections 28 and 29. The proposed postmine topography changes require redisturbing reclaimed land in Section 21 and backsloping about 95 acres in the S½ of Section 29 north of the final pit.

The revision application and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol 13th Floor
600 East Boulevard Avenue
Bismarck, North Dakota

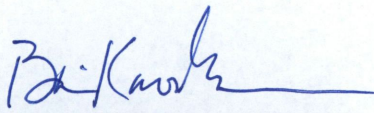
Oliver County Auditor
Oliver County Courthouse
115 West Main Street
Center, North Dakota

You may submit written comments or objections on the proposed permit revision application and its effects on the environment and on landowners in the permit area. You may request an informal conference with the Commission and the applicant on the application. The reasons for requesting an informal conference must be stated in the request. In addition, you may also file a petition to designate land being added to the permit as unsuitable for mining. Written comments, objections, petitions, or requests for an informal conference must be filed with the Commission by **February 5, 2018**.

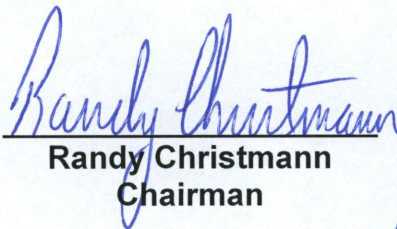
If there is an informal conference, you may request a formal administrative hearing on the Commission's ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Written comments, objections, petitions, or requests for an informal conference should be addressed to the Public Service Commission, 600 East Boulevard Avenue, Dept. 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400, 877-245-6685 toll free, or 800-366-6888 TTY.

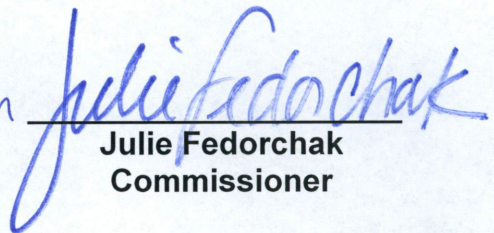
PUBLIC SERVICE COMMISSION



**Brian Kroshus
Commissioner**



**Randy Christmann
Chairman**



**Julie Fedorchak
Commissioner**