

PUBLIC SERVICE COMMISSION
Reclamation Division

MEMORANDUM

To: Commissioners Kroshus, Fedorchak and Christmann
Steve Kahl, Executive Secretary
John Schuh, General Counsel

From: ^{OC} Preston Ripplinger, ^{ZAB} Zanna Brinkman, and ^{DKM} Dean Moos

Date: July 1, 2019

Subject: Application for Renewal No. 7 to Permit No. BNCR-8202 held by BNI Coal, Ltd.
for the Center Mine, Case No. RC-19-88

On February 26, 2019, BNI Coal, Ltd. filed the application for Renewal No. 7 to Surface Coal Mining Permit No. BNCR-8202 to continue mining and reclamation operations within this existing permit area through July 31, 2024. Permit No. BNCR-8202 covers portions of Sections 22 and 26, T142N, R84W, Oliver County, totaling 727.71 acres. The Reclamation Division has completed its review of this five-year permit renewal application and respectfully recommends its approval.

BNI Coal, Ltd. applied for this permit renewal because soil stockpiles, sedimentation ponds, and an equipment supply staging area in the permit area are used to support mining operations in other Center Mine permits. Coal removal is complete within the permit area. At the time BNI Coal, Ltd. filed this permit renewal application, they also filed the application for Revision No. 37 to Permit BNCR-8202 to update the legal and financial section, the extended mine plan, operations plan, blasting plan, surface water management plan, ground water monitoring plan, post mining land use, fish and wildlife monitoring plan and the reclamation cost estimate. This insignificant revision application was approved prior to Commission action on the renewal application.

BNI Coal, Ltd. submitted the affidavits of publication for the newspaper notices. We notified the appropriate agencies and the permit area landowners. We received no objections to this renewal application.

Evidence of adequate performance bond and liability insurance are on file. Permit BNCR-8202 and three other permits at the Center Mine are part of a consolidated bond area, which is covered by surety bonds that total \$35,067,865.

A map of the permit area is attached. Attached for your consideration are the proposed motion and renewal approval form.

BNCR-8202 Permit Area Map

Application for Renewal 7
to Permit BNCR-8202

