

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

**BNI Coal, Ltd.**  
**Revision No. 16 to Permit BNCR-9401**  
**Application**

**Case No. RC-20-25**

**REVISION OF PERMIT TO ENGAGE IN**  
**SURFACE COAL MINING AND RECLAMATION OPERATIONS**

**July 23, 2020**

Based on the application for **Revision Number 16 to Permit Number BNCR-9401** received **January 21, 2020**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with; and
2. The Commission's other findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

**Revision Number 16 to Permit Number BNCR-9401 held by BNI Coal, Ltd. is hereby approved. This revision identifies the next five year coal removal areas and also updates other information in the permit including the legal and financial section, the operations, reclamation, ground water, surface water management and post mining land use sections, and the worst case reclamation cost estimate for the next five year permit term as described in the permit revision application received January 21, 2020.**

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

**PUBLIC SERVICE COMMISSION**

  
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**Julie Fedorchak**  
**Commissioner**

  
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**Brian Kroshus**  
**Chairman**

  
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**Randy Christmann**  
**Commissioner**