

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

**BNI Coal, Ltd.**  
**Revision 8, Permit BNCR-1101**  
**Application**

**Case No. RC-20-438**

**RE-NOTIFICATION OF RECEIPT OF REVISION APPLICATION**

**June 8, 2023**

The purpose of this renotification is to inform you of BNI Coal, Ltd.'s intent to mine federal coal in Section 14, T141N, R84W in Permit BNCR-1101 at the Center Mine. All other information regarding the original notice for Revision No. 8 to BNCR-1101 remains unchanged and is as follows.

BNI Coal, Ltd. has filed an application for Revision No. 8 to Surface Coal Mining Permit No. BNCR-1101 at the Center Mine to add 2,661.04 acres to the permit in Sections 11, 14, 15, 16, 22, and 23 of Township 141N, Range 84W. The additional acreage will expand the permit area to the west for coal mining and support activities. The revision application revises the surface and coal ownership information, right of entry documents, environmental resource information, cultural resource information, mining plans, surface water management plans, reclamation plans, and the reclamation cost estimate for the acreage being added to the permit. The revision also proposes to revise the postmining topography for 1,211 acres of the existing permit area.

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

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

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

A USB flash drive copy of the revision application may be requested by contacting the Public Service Commission using the contact information that follows.

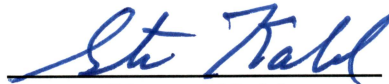
You may submit written comments or objections on the proposed permit revision application and its effects on the environment and on landowners in the permit area. You may request an informal conference with the Commission and the applicant on the application. The reasons for requesting an informal

conference must be stated in the request. In addition, you may 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 **July 31, 2023**.

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, and to request a copy of the revision application, you may contact the Public Service Commission by telephone at 701-328-2400, 877-245-6685 toll free, or 800-366-6888 TTY; by email at [ndpsc@nd.gov](mailto:ndpsc@nd.gov); and by fax at 701-328-2410.

## **PUBLIC SERVICE COMMISSION**



**Steven Kahl**  
**Executive Director**

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 8\Rev8\_Re-Notice\_of\_rct\_6-8-23

**Mailing lists for Revision No. 8, Permit BNCR-1101 NOTICE OF RECEIPT OF REVISION APPLICATION - local (Oliver County), state and federal agencies, and Advisory Committee members**

**Use standard lists  
Regular First Class, mailing affidavit**

**Mailing list for affected surface owners by CERTIFIED MAIL provided below**

|  |  |   |
|--|--|---|
| MINNKOTA POWER COOP<br>5301 32ND AVENUE<br>SOUTH GRAND FORKS,<br>ND 58201              | OPP LIMITED PARTNERSHIP<br>ALLEN E. OPP and FERN O. OPP<br>C/O JANET DOHRMANN<br>9721 31ST STREET SW<br>TAYLOR, ND 58656 | GARY LEINIUS<br>4985 HWY 200<br>HAZEN, ND 58545   |
| DANITA DEICHERT<br>4609 BORDEN HARBOR<br>DRIVE<br>MANDAN, ND 58554                     | DORETTA BORNEMANN<br>3017 HILLSIDE ROAD NW<br>MANDAN, ND 58554   | DAVID ERHARDT<br>13906 ROUND OAK COURT<br>HOUSTON, TX 77059                                 |
| DEAN ERHARDT<br>5439 GUINEVERE DRIVE<br>WELDON SPRING, MO<br>63304                     | DELPHINE VETTER<br>512 NE 4TH STREET<br>LINTON, ND 58552   | LARRY AND VIRGINIA SCHMIDT<br>2631 35TH AVENUE SW<br>CENTER, ND 58530                       |
| KASPER AND DONNA<br>KRAFT<br>2847 35TH AVENUE<br>NEW SALEM, ND 58563                   | DEPARTMENT OF TRUST LANDS<br>1707 N 9TH STREET<br>BISMARCK, ND 58501   | WAYNE REUTHER<br>4236 CUMBERLAND LOOP<br>BISMARCK, ND 58503                                 |
| JERRY REUTHER<br>405 DENVER AVENUE<br>BISMARCK, ND 58504                               | KAREN SHULZ<br>5875 LONE HORSE DRIVE<br>RENO, NV 89502-9011  | KENT REUTHER<br>3610 27TH STREET SW<br>NEW SALEM, ND 58563                                  |
| KEITH REUTHER<br>3594 27TH STREET SW<br>NEW SALEM, ND 58563                            | WINFRID KELLER<br>PO BOX 1141<br>MANDAN, ND 58554  | CHARLES AND DORIS KUETHER<br>3555 28TH STREET SW<br>NEW SALEM, ND 58563                     |
| THOMAS PFLIGER<br>200 11 <sup>th</sup> STREET NW<br>MANDAN, ND 58554                   | DALE PFLIGER<br>806 TOWER PLACE<br>MANDAN, ND 58554  | DOUGLAS AND DEBERRA K.<br>DOLL<br>LIFE ESTATE<br>3901 FAYE AVENUE NORTH<br>MANDAN, ND 58554 |
| JAMES & BONITA<br>PAZDERNIK<br>LIFE ESTATE<br>3487 375TH AVENUE<br>NEW SALEM, ND 58563 | ROBERT MOSBRUCKER<br>P.O. BOX 745<br>BOTHEL, WA 98041  | HELEN PFLEGER<br>100 1ST STREET NW #302<br>MANDAN, ND 58554                                 |
| DELMAR HAGEROTT<br>3170 27TH STREET<br>CENTER, ND 58530                                | CLEMENTINE FRIESZ<br>LIFE ESTATE<br>710 PINE AVENUE<br>NEW SALEM, ND 58563   | DAVID O. BERGER AND<br>DEBRA A. BERGER<br>2531 37TH AVENUE SW<br>CENTER, ND 58530           |

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