

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. RC-20-438

AFFIDAVIT OF SERVICE BY CERTIFIED AND REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

Amy Haugen deposes and says that:

she is over the age of 18 years and not a party to this action and, on the **19th day of July 2023**, she deposited in the United States Mail at Bismarck, North Dakota, **one** envelope with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

- **Re-Notification of Receipt of Revision Application**

The envelope was addressed as follows:

Dean Erhardt
120 Tennessee Walker Way
St. Peters, MO 63376

Cert. No. 7021 2720 0003 0053 5014

Amy Haugen further deposes and says that on the **19th day of July 2023**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

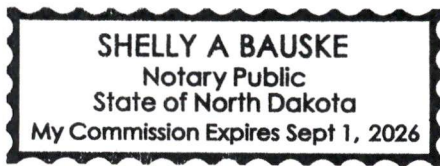
The envelope was addressed as follows:

Jolene Berger
3004 Manchester Street
Bismarck, ND 58504

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me
this **19th day of July 2023**.

Amy Haugen



Shelly A Bauske
Notary Public

SEAL

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 13th 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.

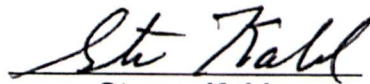
You may submit written comments or objections on the proposed permit revision application and its effects on the environment and on landowners in the permit area. You may request an informal conference with the Commission and the applicant on the application. The reasons for requesting an informal

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; 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