

Hamre, John G.

From: Brinkman, Zanna A.
Sent: Friday, March 25, 2022 4:56 PM
To: Hamre, John G.
Cc: Emmer, Jonathan W.; Fischer, Matthew J.; Johnson, Monty L.
Subject: FW: BNCR-1101 Revision No. 9 (sequence #4) 3-25-2022 final AVS evaluation report
Attachments: BNCR-1101 Revision No. 9 (sequence #4) 3-25-2022 application approval avs evaluation report.pdf

John- combine this email and the attachment and file as \\coal\Mine Data\Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 9\Rev9_satisfactory\AVS_query

Zanna Brinkman

*Director Reclamation & AML Divisions
ND Public Service Commission
600 E Blvd. Ave Dept. 408
Bismarck, ND 58505-0408*

(701) 328-3403

zbrinkman@nd.gov

From: Fischer, Matthew J. <mjfischer@nd.gov>
Sent: Friday, March 25, 2022 10:02 AM
To: Emmer, Jonathan W. <jemmer@nd.gov>
Cc: Brinkman, Zanna A. <zbrinkman@nd.gov>; Johnson, Monty L. <moljohnson@nd.gov>
Subject: BNCR-1101 Revision No. 9 (sequence #4) 3-25-2022 final AVS evaluation report

Jonathan:

A satisfactory AVS compliance history report is attached for the recommended March 30, 2022 Commission approval of Revision No. 9 to Permit BNCR-1101 required by NDAC 69-05.2-10-03(5) based on the North American Coal Consolidated Legal Information Report business entity and compliance information dated March 25, 2022 for the BNI Coal Ltd Organizational Family Tree. The BNCR-1101 AVS application sequence number 4 is Revision No. 9.

File Path

[\\coal\Rec](#) Data\AVS\Center\1101\Rev 9

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Application Evaluation

There were no violations retrieved by the system

Application Number: BNCR1101 SEQ:4
 Applicant Name: 108554 BNI Coal Ltd
 Date of Request: 3/25/2022 10:56:52 AM
 Requestor: Matthew.Fischer

CAUTION: The Applicant/Violator System (AVS) is an informational database. Permit eligibility determinations are made by the regulatory authority with jurisdiction over the permit application not by the AVS. Results which display outstanding violations may not include critical information about settlements or other conditions that affect permit eligibility. Consult the AVS Office at 800-643-9748 for verification of information prior to making decisions on these results.

Violation Type	Violation Number	Violation Entities	Permit Number	Permitted State	Violation Status	Violation Date
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Evaluation OFT

Entities: 24

- 150074 Allete - ()
- 147677 Madeleine Ludlow - (Director)
- 151630 Robert J Adams - (Chief Financial Officer)
- 151630 Robert J Adams - (Senior Vice President)
- 152097 Robert P Powers - (Director)
- 156164 T. P. Giblin Jr - (Assistant Secretary)
- 156171 Heidi E Jimmerson - (Director)
- 250098 Kathryn W Dindo - (Director)
- 250101 James J Hoolihan - (Director)
- 250102 Douglas C Neve - (Director)
- 254354 George G Goldfarb - (Director)
- 256262 Steven W Morris - (Controller)
- 256262 Steven W Morris - (Vice President)
- 259433 BNI Energy, Inc. - (Subsidiary Company)
- 108554 BNI Coal Ltd - (Subsidiary Company)
- 151630 Robert J Adams - (Director)
- 252378 Robert N MacLennan - (Director)
- 259438 Violet Struss - (Assistant Secretary)
- 259439 Patrick L. Cutshall - (Director)
- 259439 Patrick L. Cutshall - (President)
- 259439 Patrick L. Cutshall - (Treasurer)

-----261143 Bethany M. Owen - (Chairman of the Board)
-----261143 Bethany M. Owen - (Director)
-----262133 Margaret A. Thickens - (Director)
-----262133 Margaret A. Thickens - (Secretary)
-----263405 Allan S. Rudeck Jr - (Director)
-----264587 Michael M. Heger - (Director)
-----264587 Michael M. Heger - (Manager)
-----151630 Robert J Adams - (Director)
-----252378 Robert N MacLennan - (Director)
-----259438 Violet Struss - (Assistant Secretary)
-----259439 Patrick L. Cutshall - (Director)
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-----264587 Michael M. Heger - (Director)
-----264587 Michael M. Heger - (Manager)
---259439 Patrick L. Cutshall - (Treasurer)
---259439 Patrick L. Cutshall - (Vice President)
---259440 Nicole R. Johnson - (Vice President)
---261143 Bethany M. Owen - (Chairman of the Board)
---261143 Bethany M. Owen - (Chief Executive Officer)
---261143 Bethany M. Owen - (President)
---261144 Susan K. Nestegard - (Director)
---262133 Margaret A. Thickens - (General Counsel)
---262133 Margaret A. Thickens - (Secretary)
---262133 Margaret A. Thickens - (Vice President)
---264586 Barbara A. Nick - (Director)
---264836 Charlene A. Thomas - (Director)

Narrative