

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision 9, Permit BNCR-1101
Application

Case No. RC-21-298

AFFIDAVIT OF SERVICE CERTIFIED AND REGULAR MAIL

STATE OF NORTH DAKOTA
COUNTY OF BURLEIGH

John Hamre deposes and says that:

he is over the age of 18 years and not a party to this action and, on the **21st** day of **October 2021**, he deposited in the United States Mail, at Bismarck, North Dakota, **4** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Notice of Receipt of Revision Application

The certified mail envelopes were addressed as follows:

See attached certified mail list

John Hamre further deposes and says that on the **21st** day of **October 2021**, he deposited in the United States Mail, Bismarck, North Dakota, **17** envelopes by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

LEWIS & CLARK REGIONAL
DEVELOPMENT COUNCIL
200 1st AVE NW, STE B
MANDAN, ND 585554-3109

COUNTY COMMISSION
PO BOX 188
CENTER, ND 58530-0188

PLANNING AND ZONING COMMISSION
COUNTY AUDITOR
PO BOX 188
CENTER, ND 58530-0188

SOIL CONSERVATION DISTRICT
DISTRICT CONSERVATIONIST
PO BOX 87
CENTER, ND 58530-0087

WATER RESOURCE DISTRICT
PO BOX 355
CENTER, ND 58530

MAYOR OF CENTER
PO BOX 76
CENTER, ND 58530-0076

US EPA, REGION 8
1595 WYNKOOP STREET
DENVER, CO 80202-1129

NATURAL RESOURCE CONSERVATIVE
SERVICE
PO BOX 1458
BISMARCK, ND 58502-1458

MINING HEALTH & SAFETY ADMN
CMSHA - US DEPT OF LABOR
PO BOX 25367
DENVER, CO 80225-5367

BUREAU OF LAND MANAGEMENT
TNT STATE OFFICE
5001 SOUTHGATE DR
BILLINGS, MT 59101-4669

US FISH & WILDLIFE SERVICE
3425 MIRIAM AVENUE
BISMARCK, ND 58501-7926

5-BW JA
475 SUMMIT DRIVE SUITE 211
MINOT AIR FORCE BASE
MINOT, ND 58705

NATIONAL FARMERS ORGN.
GASCOYNE, ND 58653

DAKOTA RESOURCE COUNCIL
1720 BURNT BOAT DR. STE 104
BISMARCK, ND 58503-0801

NORTH DAKOTA FARM BUREAU
4900 OTTAWA STREET
BISMARCK, ND 58503

ENVIRONMENTAL COORDINATOR
PLANNING & COMPLIANCE OFFICE
NATIONAL PARK SERVICE, MIDWEST
REGION
601 RIVERFRONT DR.
OMAHA, NE 68102-4226

OLIVER COUNTY AUDITOR
COUNTY COURTHOUSE
CENTER, ND 58530

Mailing list for affected surface owners by CERTIFIED MAIL:

Douglas and Deberra K. Doll
Life Estate
3901 Faye Avenue North
Mandan, ND 58554

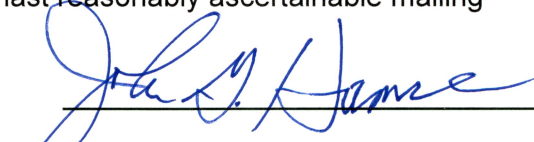
Doll Farm Enterprises
3997 36th Street
New Salem, ND 58563

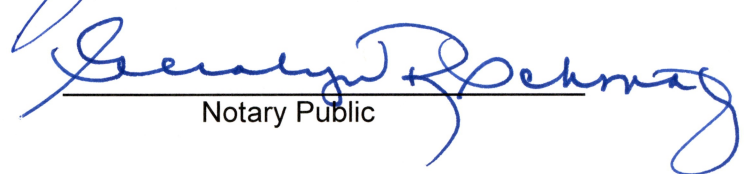
James and Bonita Pazdernik
Life Estate
3487 375th Avenue
New Salem, ND 58563

Delmar Hagerott
3170 27th Street
Center, ND 58530

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

Subscribed and sworn to before me
this **21st** day of **October 2021**.

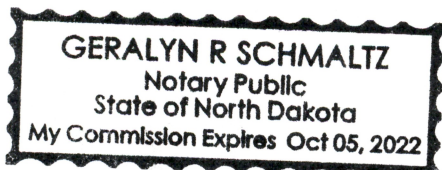




Notary Public

SEAL

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 9\Rev9_Affdvt_of_Service_tc_of_rcpt_10-20-21



STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision No. 9, Permit BNCR-1101
Application

Case No. RC-21-298

NOTICE OF RECEIPT OF REVISION APPLICATION

October 20, 2021

BNI Coal, Ltd. has filed an application for Revision No. 9 to Surface Coal Mining Permit No. BNCR-1101 at the Center Mine to change the mining sequence for 345 acres in Sections 20 and 21 of Township 141N, Range 83W planned for mining in 2031 through 2037 by advancing mining in the area to 2021 through 2032. The revision application also adds 2 acres to the permit, updates the Legal and Financial Section including ownership and control, updates the worst case bond variable costs, and adds a copy of Federal Coal Lease NDM 105513 to the permit.

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. Written comments, objections, petitions, or requests for an informal conference must be filed with the Commission by **December 13, 2021**.

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


Randy Christmann
Commissioner


Julie Fedorchak
Chair


Brian Kroshus
Commissioner

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 9\Rev9_ntc_of_rcpt_10-20-21

Mailing lists for Revision No. 9, 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

Douglas and Deberra K. Doll
Life Estate
3901 Faye Avenue North
Mandan, ND 58554

Doll Farm Enterprises
3997 36th Street
New Salem, ND 58563

James and Bonita Pazdernik
Life Estate
3487 375th Avenue
New Salem, ND 58563

Delmar Hagerott
3170 27th Street
Center, ND 58530

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees

- Return Receipt (hardc
- Return Receipt (electr
- Certified Mail Restrict
- Adult Signature Requi
- Adult Signature Restri

Postage

\$

Total Postage and Fee

\$

Sent To

Street and

Box No.

City,

Douglas and Deberra K. Doll
Life Estate
3901 Faye Avenue North
Mandan, ND 58554

Postmark
Here

RC-21-298 BNI Coal, Ltd., Revision 9, Permit BNCR-1101

7020 1290 0001 6150 7401
0517 0000

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is *not* available for international mail.
- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
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IMPORTANT: Save this receipt for your records.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra:

Re

Re

Ce

Ad

Ad

**James and Bonita Pazdernik
Life Estate**

**3487 375th Avenue
New Salem, ND 58563**

Postage

\$

Total Fee

\$

Sent To

Street and A

Box No.

City, St.

RC-21-298 BNI Coal, Ltd., Revision 9, Permit BNCR-1101

7020 1290 0001 6150 7425

Certified Mail service provides the following benefits:

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IMPORTANT: Save this receipt for your records.

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (ch)

- Return Receipt (hardcop)
 Return Receipt (electroni
 Certified Mail Restricted
 Adult Signature Require
 Adult Signature Restrict

Delmar Hagerott
3170 27th Street
Center, ND 58530

Mark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No. Box No.

City, State

RC-21-298 BNI Coal, Ltd., Revision 9, Permit BNCR-1101

7020 1290 0001 6159 7487

Certified Mail service provides the following benefits:

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- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

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IMPORTANT: Save this receipt for your records.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**Delmar Hagerott
3170 27th Street
Center, ND 58530**



9590 9402 6024 0069 4071 09

2. Article Number (Transfer from service label)

7020 1290 0001 6150 7487

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Delmar Hagerott*

Agent

Addressee

B. Received by (Printed Name)

DELMAR HAGEROTT

C. Date of Delivery

10-23

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

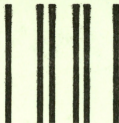
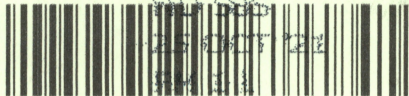
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery.
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

USPS TRACKING#



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6024 0069 4071 09

United States
Postal Service

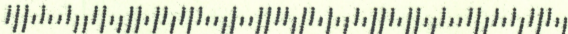
RECEIVED

OCT 27 2021

• Sender: Please print your name, address, and ZIP+4® in this box•

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480

NORTH DAKOTA
PUBLIC SERVICE COMMISSION



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail

\$

Extra Service

- Return Rec
- Return Rec
- Certified Mail
- Adult Signa
- Adult Signa

Doll Farm Enterprises
3997 36th Street
New Salem, ND 58563

riate)

mark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and

Box No.

City,

+4®

RC-21-298 BNI Coal, Ltd., Revision 9, Permit BNCR-1101

7020 1290 0001 6150 7418

Certified Mail service provides the following benefits:

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IMPORTANT: Save this receipt for your records.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Doll Farm Enterprises
3997 36th Street
New Salem, ND 58563



9590 9402 6024 0069 4070 86

2. Article Number (Transfer from service label)

7020 1290 0001 6150 7418

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Harlan Doll* Agent Addressee

B. Received by (Printed Name)

Harlan Doll

C. Date of Delivery

*10-23-21*D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

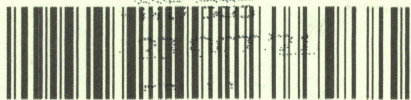
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

il Restricted Delivery

USPS TRACKING #



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6024 0069 4070 86

United States
Postal Service

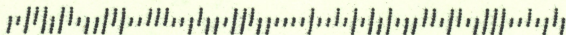
• Sender: Please print your name, address, and ZIP+4® in this box •

RECEIVED

OCT 27 2021

North Dakota Public Service Commission
600 E Blvd Ave Dept. 408
Bismarck, ND 58505-0480

NORTH DAKOTA
PUBLIC SERVICE COMMISSION



RC-21-298

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

**James and Bonita Pazdernik
Life Estate
208 North 2nd Street
New Salem, ND 58563**



9590 9402 6024 0069 4074 44

2. Article Number (Transfer from service label)

7020 1290 0001 6150 7432

COMPLETE THIS SECTION ON DELIVERY

A. Signature

James D Pazdernik Agent
 Addressee

B. Received by (Printed Name)

Jim Pazdernik

C. Date of Delivery

11-3-21

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

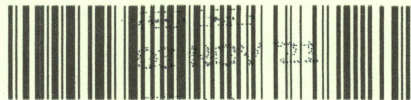
3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery

- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Restricted Delivery

USPS TRACKING#



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

9590 9402 6024 0069 4074 44

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box •

RECEIVED

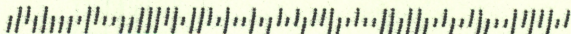
NOV - 5 2021

North Dakota Public Service Commission

600 E Blvd Ave Dept. 408

Bismarck, ND 58505-0480

NORTH DAKOTA
PUBLIC SERVICE COMMISSION



U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$ _____
- Return Receipt (electronic) \$ _____
- Certified Mail Restricted Delivery \$ _____
- Adult Signature Required \$ _____
- Adult Signature Restricted Delivery \$ _____

Postmark
Here

Postage

\$

Total Postage and

\$

Sent To

Street and Apt. No., c

City, State, ZIP+4®

James and Bonita Pazdernik
Life Estate
208 North 2nd Street
New Salem, ND 58563

7020 1290 0001 6150 7432
0519 1000 0620 0202

Certified Mail service provides the following benefits:

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IMPORTANT: Save this receipt for your records.

U.S. Postal Service™
CERTIFICATE OF RECEIPT

Resent to this Address

Domestic

James and Bonita Pazdernik

Life Estate

208 North 2nd Street
New Salem, ND 58563

See us at www.usps.com®

USE

For delivery to

11-1-2021

Certified Mail

\$

Extra (per pound)

Re

Re

Ce

Ad

Ad

James and Bonita Pazdernik

Life Estate

3487 375th Avenue
New Salem, ND 58563

Postage

\$

Total Fee

\$

Sent To

Street and Apt. No.

Box No.

City, State, and ZIP+4®

RC-21-298 BNI Coal, Ltd., Revision 9, Permit BNCR-1101

7020 1290 0001 6150 7425

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- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is *not* available for international mail.
- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;

- for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.
- Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
- Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
- Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

IMPORTANT: Save this receipt for your records.