

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision No. 59, Permit BNCR-8106
Application

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

June 28, 2023

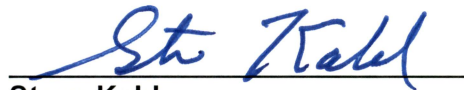
Based on the application for **Revision Number 59 to Permit Number BNCR-8106 submitted December 8, 2022**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

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 findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

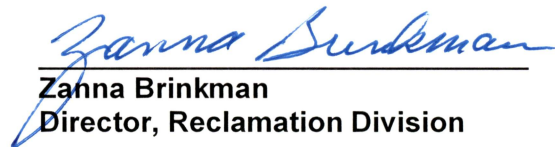
Revision Number 59 to Permit Number BNCR-8106 held by BNI Coal, Ltd. is hereby approved. The revision updates the legal and financial sections, extended mine plan, coal removal and operations plan, surface water management plan, reclamation schedule, and the fish and wildlife monitoring plan for the next five-year permit term as described in the revision application.

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 an insignificant alteration to the previously approved permit.

PUBLIC SERVICE COMMISSION



Steve Kahl
Executive Secretary



Zanna Brinkman
Director, Reclamation Division

Center Mine\Permits\BNCR - 8106\Revisions & Renewals\No. 59 & Ren 8\Rev59_apprvl_award_6-28-23

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Renewal No. 8 for Permit BNCR-8106
Application

Case No. RC-22-420

RENEWAL OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS

June 28, 2023

Based on the renewal application received December 8, 2022, Renewal No. 8 for Surface Coal Mining Permit No. BNCR-8106 is hereby granted to BNI Coal, Ltd. to renew this surface coal mining permit subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, and the rules promulgated there under, on the following described areas:

Portions of Sections 31 and 32, T142N, R83W; and portions of Sections 23, 25, 35, and 36, T142N, R84W; Oliver County, totaling 1,169.71 acres.

This five-year permit renewal will allow BNI Coal, Ltd. to continue operating under approved mining and reclamation plans until July 18, 2028. Permit No. BNCR-8106 and three other permits at the Center Mine are currently covered by Surety Bond No. 800043883 that totals \$38,534,432.

PUBLIC SERVICE COMMISSION


Sheri Haugen-Hoffart
Commissioner


Randy Christmann
Chair


Julie Fedorchak
Commissioner