

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision 11, Permit BNCR-1101
Renewal 2, Permit BNCR-1101
Applications

Case No. RC-23-349
Case No. RC-23-350

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

February 2, 2024

BNI Coal, Ltd. has filed applications to renew and revise Surface Coal Mining Permit No. BNCR-1101 covering lands located in:

All or portions of Sections 5, 7, 8, 9, 16, 17, 18, 19, 20, 21 and 28 of T141N, R83W; Sections 12, 13, 24 and 25 of T141N, R84W; Sections 31 and 32 of T142N, R83W; and Sections 11, 14, 15, 16, 22 and 23 of T141N, R84W, which are included in pending Revision No. 8, Oliver County, North Dakota, containing 11,023.76 acres.

The five-year permit renewal will allow BNI Coal, Ltd. to continue to operate within the existing permit area until May 28, 2029. The revision application identifies the next five-year coal removal areas. The revision also updates other information in the permit including the legal and financial section, operations, reclamation, ground water, surface water management, transportation, post-mining land uses, wildlife monitoring plan, and the worst case bond estimate. A variance from the contemporaneous requirements is being proposed for areas mined in portions of Sections 12 and 13, T141N, R84W, and a portion of Section 18, T141N, R83W. The renewal and revision applications and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
600 East Boulevard Ave, Dept. 408
Bismarck, North Dakota 58505-0480

Oliver County Auditor
County Courthouse
PO Box 188
Center, North Dakota 58530

You may submit written comments or objections on the proposed permit renewal, its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal and revision applications. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by **March 25, 2024**.

If there is an informal conference, you may request a formal administrative hearing on the Commission 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, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY.

Signed on this 2 day of February 2024.

By: 

Steve Kahl
Executive Director

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 11 Ren 2\Rev11_Ren2_ntc_of_rcpt_2-2-24

Mailing list for Notice of Revision No. 11 and Renewal No. 2 Applications for Permit BNCR-1101

Regular Mail to local (Oliver County), state and federal agency list for the Center Mine and Advisory Committee Members – regular first class mail w/ mailing affidavit

Surface owners for Revision No. 11 and Renewal No. 2 to Permit BNCR-1101 - CERTIFIED MAIL

MINNKOTA POWER COOP 5301 32ND AVENUE SOUTH GRAND FORKS, ND 58201	JANET K. & L.J. DOHRMANN REVOCABLE TRUST 9721 31ST STREET SW TAYLOR, ND 58656	GARY LEINIUS 4985 HWY 200 HAZEN, ND 58545
DANITA DEICHERT 4609 BORDEN HARBOR DRIVE MANDAN, ND 58554	DORETTA BORNEMANN 3017 HILLSIDE ROAD NW MANDAN, ND 58554	TERRENCE ERHARDT 3290 PINTAIL CIRCLE BLANCHARD, OK 73010
ROBERT ERHARDT 23 MAIN STREET PO BOX 179 SAN QUENTIN VILLAGE, CA 94964	SHERYL ANN WILLIAMS 15710 VIRGINIA FERN WAY HOUSTON, TX 77059	DEAN ERHARDT 5439 GUINEVERE DRIVE WELDON SPRING, MO 63304
DELPHINE VETTER 512 NE 4TH STREET LINTON, ND 58552	LARRY AND VIRGINIA SCHMIDT 4680 42ND STREET SW NEW SALEM, ND 58563	KASPER KRAFT LE 2847 35TH AVENUE NEW SALEM, ND 58563
DEPARTMENT OF TRUST LANDS 1707 N 9TH STREET P.O. BOX 5523 BISMARCK, ND 58506-5523	WAYNE REUTHER 4236 CUMBERLAND LOOP BISMARCK, ND 58503	JERRY REUTHER 405 EAST DENVER AVENUE BISMARCK, ND 58504-6525
KAREN SHULZ 4519 EAGLE MOUNTAIN DR SPARKS, NV 89436	KENT REUTHER 3610 27TH STREET SW NEW SALEM, ND 58563	KEITH REUTHER 3612 27TH STREET SW NEW SALEM, ND 58563
WINFRID KELLER PO BOX 1141 MANDAN, ND 58554	CHARLES AND DORIS KUETHER 3555 28TH STREET SW NEW SALEM, ND 58563	THOMAS PFLIGER 200 11TH STREET NW MANDAN, ND 58554
DALE PFLIGER 1732 GOLF DRIVE BISMARCK, ND 58503	DOUGLAS D. AND DEBERRA K. DOLL LIFE ESTATE 3901 FAYE AVENUE NORTH MANDAN, ND 58554	JAMES & BONITA PAZDERNIK LIFE ESTATE 208 NORTH 2ND STREET NEW SALEM, ND 58563
ROBERT MOSBRUCKER 12620 WAGNER ROAD MONROE, WA 98272	DOLL FARM ENTERPRISES 3997 36TH STREET SW NEW SALEM, ND 58563	DELMAR HAGEROTT 3170 27TH STREET CENTER, ND 58530

CLEMENTINE FRIESZ
LIFE ESTATE
309 N 2ND STREET, APT 7
NEW SALEM, ND 58563

HELEN PFLEGER
100 1ST ST NW, #302
MANDAN, ND 58554

ROSALIE DINGUS
4512 WHITETAIL LANE
BISMARCK, ND 58504

MARK R. FUCHS
18671 FAIRWEATHER
CANYON COUNTRY, CA 91351

JACK B. FUCHS
15409 RHODODENDRON DRIVE
CANYON COUNTRY, CA 91351

JOLENE BERGER
3004 MANCHESTER STREET
BISMARCK, ND 58504

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2574 37TH AVENUE SW
CENTER, ND 58530

MARK ERHARDT
PO BOX 132
CENTER, ND 58530

DAVID AND KAREN PORSBORG
2722 37TH AVENUE SW
NEW SALEM, ND 58563

MARVIN PFLEGER
2895 37TH AVENUE SW
NEW SALEM, ND 58563

BRIAN AND KIMBERLY REINKE
1106 E HIGHLAND ACRES ROAD
BISMARCK, ND 58501

BENJAMIN REINKE
1215 COLUMBIA DRIVE
BISMARCK, ND 58504

ELIZABETH WAGENDORF
948 STRYKER AVENUE
WEST ST. PAUL, MN 55118

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DEBRA A. BERGER
2531 37TH AVENUE SW
CENTER, ND 58530

LEE DRESSER
PO BOX 683
RIVERDALE, ND 58565

BURTON & ETHELEEN
ENTERPRISES, LLC
3655 COUNTY ROAD 139
NEW SALEM, ND 58563

JESSE LACKMAN
2647 37TH AVENUE SW
CENTER, ND 58530

RUSSEL HOESEL
3370 COUNTY ROAD 84
NEW SALEM, ND 58563