



Public Service Commission

State of North Dakota

COMMISSIONERS

Randy Christmann
Sheri Haugen-Hoffart
Julie Fedorchak

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

sent via email only

April 18, 2024

Karene M. Hall
Permit Coordinator
BNI Coal, Ltd.
2360 35th Avenue SW
Center, ND 58530-9499
khall@bnicoal.com

Dear Ms. Hall:

The Reclamation Division has reviewed the worst-case reclamation cost estimate originally submitted April 9, 2024, and revised and resubmitted on April 17, 2024 as part of Revision No. 11 and Renewal No. 2 to Permit BNCR-1101. The minimum bond amount of \$48,860,773 proposed with Revision No. 11 is determined as sufficient. Surety Bond No. 800006493 underwritten by Atlantic Specialty Insurance Company currently covers the bond area in the amount of \$42,449,183. The bond amount must therefore be increased by at least \$6,411,590 to meet the new minimum bond amount. Please submit a rider to increase the amount of the current surety bond or submit a new surety bond for Permit BNCR-1101. All necessary bonding instruments must be correctly executed and accepted by the Commission prior to the approval of Revision 11 to Permit BNCR-1101.

If you have any questions, please contact this office.

Sincerely,

Jonathan Emmer
Director
Reclamation Division

cc via email only: [BNI Coal Efiling \(BNIEfiling@bnicoal.com\)](mailto:BNIEfiling@bnicoal.com)
[Jonathan Rudnick \(jrudnick@bnicoal.com\)](mailto:jrudnick@bnicoal.com)

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 11 Ren 2\Rev11_Ren2_Bond_Determination_ltr_4-18-24