



# Public Service Commission

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Randy Christmann

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701-328-2400  
ndpsc@nd.gov

*sent via email only*

November 19, 2024

Karene M. Hall  
Sr. Regulatory Compliance Specialist  
BNI Coal, Ltd.  
2360 35<sup>th</sup> Avenue SW  
Center, ND 58530-9499  
khall@bnicoal.com

Dear Ms. Hall:

The application for Revision No. 44 to Surface Coal Mining Permit BNCR-9702 has been deemed complete and you may now begin publication of the notice. However, prior to publishing the notice, please update the Public Notice Map to depict the Section 20 variance area (Variance Area #17) and send us a copy of the map to review prior to publishing. Please ensure a copy of the complete revision application is available for public inspection at the Oliver County Courthouse by the first date of notice publication. Additionally, ensure that BNI's subsequent changes to the revision application are made available for public inspection at the Oliver County Courthouse as required by NDAC 69-05.2-10-01(4). Please submit the affidavits of publication when complete as required by NDCC 38-14.1-18(1).

Please provide five (5) updated copies of the revision application for distribution to our advisory review committee members.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer".

Jonathan Emmer  
Director  
Reclamation Division

cc via email only: Greg Petrick (gpetrick@bnicoal.com)  
BNI Coal Efiling (BNIfiling@bnicoal.com)

Center Mine\Permits\BNCR - 9702\Revisions\No. 44\Rev44\_complete\_AL\_11-19-24