

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**BNI Coal, Ltd.**  
**Revision 44, BNCR-9702**  
**Application**

**Case No. RC-24-350**

**NOTICE OF RECEIPT OF REVISION APPLICATION**

**January 7, 2025**

BNI Coal, Ltd. has filed an application for Revision No. 44 to Surface Coal Mining Permit BNCR-9702 at the Center Mine. Revision 44 proposes adding two reclamation variance areas. The first proposed variance area is located within the S½ of Section 29, T142N, R84W, and the SW¼ of Section 28, T142N, R84W. The second proposed variance area is located within Section 20, T142N, R84W. These variance areas are requested to encompass the location of the final pit. Revision 44 also updates the legal and financial sections, ownership and control sections, pre-mine topographic information section, pre-mine and post-mine surface water sections, transportation plan, surface water management plan, reclamation schedule, and the post-mine backfilling and regrading sections of the permit.

The revision application and surface coal mining and reclamation permit may be inspected at:

Public Service Commission  
State Capitol 13<sup>th</sup> Floor  
600 East Boulevard Avenue  
Bismarck, ND 58505-0480

Oliver County Auditor  
Oliver County Courthouse  
115 West Main Street  
Center, ND 58530

You may submit written comments or objections on the proposed permit revision application and 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 revision 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 **February 18, 2025**.

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; by email at [ndpsc@nd.gov](mailto:ndpsc@nd.gov); and by fax at 701-328-2410.

Signed on this 7 day of January 2025

By:   
Steve Kahl  
Executive Director

**Mailing lists for Revision 44, Permit BNCR-9702 NOTICE OF RECEIPT OF REVISION  
APPLICATION - local (Oliver County), state and federal agencies, and Advisory Committee  
members**

**Use standard lists**

**Regular First Class mail, and prepare affidavit of mailing**

**Mailing list for affected surface owners by CERTIFIED MAIL provided below:**

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