

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. RC-24-350

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

March 26, 2025

Based on the application for **Revision Number 44 to Permit Number BNCR-9702 received October 4, 2024**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application is complete and accurate, and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code.
2. The Commission's findings that were made when the permit was issued and updated with subsequent permit revisions remain applicable to the revised operation and reclamation plans.

Revision Number 44 to Permit Number BNCR-9702 is hereby granted to BNI Coal, Ltd. to add two variance areas in the S $\frac{1}{2}$ of Section 29 and SW $\frac{1}{4}$ of Section 28, T142N, R84W, and Section 20, T142N, R84W. The revision also updates the legal and financial sections, ownership and control sections, pre-mine topographic information, pre-mine and post-mine surface water sections, transportation plan, surface water management plan, reclamation schedule, and the post-mine backfilling and regrading sections as described in the permit 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 a significant alteration to the previously approved permit.

PUBLIC SERVICE COMMISSION



Sheri Haugen-Hoffart
Commissioner



Randy Christmann
Chair



Jill Kringstad
Commissioner

Center Mine\Permits\BNCR - 9702\Revisions\No. 44\Rev44_Apprvl_Award_3-26-25