

Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email and regular mail

March 26, 2025

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

Dear Ms. Hall:

This letter is to inform you of the Commission's March 26, 2025 approval of Revision 44 to Surface Coal Mining Permit BNCR-9702 held by BNI Coal, Ltd. for the Center Mine. This revision adds 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.

Revision 44 was deemed a significant permit revision and was therefore subject to the public notice requirements. This permit contains leased Federal coal and OSMRE determined that Revision 44 does not constitute a mine plan modification.

Enclosed is the original permit revision award form. If you have any questions, please contact this office.

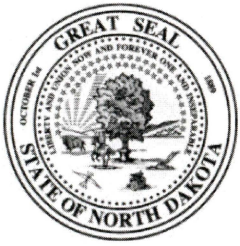
Sincerely,

Jonathan Emmer
Director
Reclamation Division

Enclosure

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

Center Mine\Permits\BNCR - 9702\Revisions\No. 44\Rev44_AL_3-26-25



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March 26, 2025

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
Casper, WY 82601
jfleischman@osmre.gov

Dear Mr. Fleischman:

This letter is to inform you of the Commission's March 26, 2025 approval of Revision 44 to Surface Coal Mining Permit BNCR-9702 held by BNI Coal, Ltd. for the Center Mine. This revision adds 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.

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Enclosed is a copy of the revision award form and a USB-drive of the approved revision. If you have any questions, please contact this office.

Sincerely,

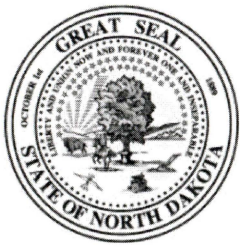
A handwritten signature in blue ink, appearing to read "Jonathan Emmer".

Jonathan Emmer
Director
Reclamation Division

Enclosures

cc via email only w/o enclosures: John Sieving (jsieving@osmre.gov)

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March 26, 2025

Ms. Erica Trent
Natural Resources Specialist
P.O. Box 25065
Denver, CO 80225-0065
etrent@osmre.gov

Dear Ms. Trent:

This letter is to inform you of the Commission's March 26, 2025 approval of Revision 44 to Surface Coal Mining Permit BNCR-9702 held by BNI Coal, Ltd. for the Center Mine. This revision adds 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.

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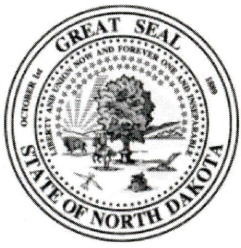
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Jonathan Emmer
Director
Reclamation Division

Enclosures

cc via email only w/o enclosures: Marcelo Calle (mcalle@osmre.gov)

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March 26, 2025

Josh Alexander
Bureau of Land Management
Billings Field Office
Eastern Montana Dakotas District Office
5001 Southgate Dr.
Billings, MT 59101
jalexand@blm.gov

Dear Mr. Alexander:

This letter is to inform you of the Commission's March 26, 2025 approval of Revision 44 to Surface Coal Mining Permit BNCR-9702 held by BNI Coal, Ltd. for the Center Mine. This revision adds 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.

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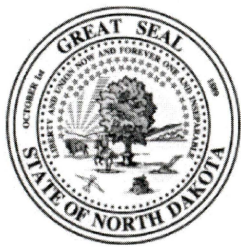
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Jonathan Emmer
Director
Reclamation Division

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March 26, 2025

Mr. Edward Kraft
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Avenue West, Suite A
Dickinson, ND 58601
ekraft@blm.gov

Dear Mr. Kraft:

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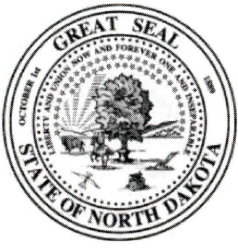
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Jonathan Emmer
Director
Reclamation Division

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sent via email only

March 26, 2025

Jaden Schmidt
Oliver County Auditor
PO Box 188
Center, ND 58530-0188
jadschmidt@nd.gov

Dear Ms. Schmidt:

This letter is to inform you of the Commission's March 26, 2025 approval of Revision 44 to Surface Coal Mining Permit BNCR-9702 held by BNI Coal, Ltd. for the Center Mine. This revision adds 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. Revision 44 was found to be a significant alteration to Permit BNCR-9702 and was therefore subject to the public notice requirements.

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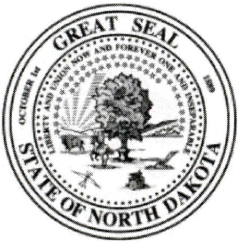
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March 26, 2025

Oliver County Commissioners
Oliver County Courthouse
PO Box 188
115 Main Street
Center, ND 58530

Dear Commissioners:

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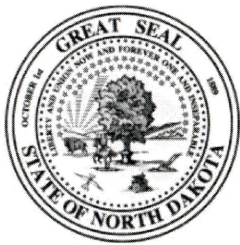
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Jonathan Emmer
Director
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March 26, 2025

The Honorable John Lee
Mayor of Center
PO Box 76
Center, ND 58530-0076

Dear Mayor Lee:

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