

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision 19, Permit BNCR-9401
Renewal 6, Permit BNCR-9401
Applications

Case No. RC-25-80
Case No. RC-25-81

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

April 16, 2025

BNI Coal, Ltd. has filed applications to renew and revise Surface Coal Mining Permit BNCR-9401 covering lands located in:

**Portions of Sections 5 and 8, T141N, R83W; and Section 32, T142N, R83W;
Oliver County, North Dakota, containing 338.28 acres.**

The five-year permit renewal will allow BNI Coal, Ltd. to continue to operate within the existing permit area until August 16, 2030. The revision application identifies the next five-year coal removal area and updates other information in the permit, including the legal and financial section, extended mine plan, environmental resources, and operation plans. Specific updates include coal removal and waste disposal cells, pit layout and facilities map, equipment list, blasting plan, surface water management, water monitoring and drill hole reclamation, post mining land use, fish and wildlife resource protection and enhancement/monitoring plan, and the worst-case bond estimate. The renewal and revision applications and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
600 East Boulevard Ave, Dept. 408
Bismarck, North Dakota 58505-0480

Oliver County Auditor
Oliver County Courthouse
115 W. Main
Center, North Dakota 58530-0188

You may submit written comments or objections on the proposed permit renewal and revision applications and their 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 renewal and revision applications. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for an informal conference must be filed with the Commission by **June 2, 2025**.

If there is an informal conference, you may request a formal administrative hearing on the Commission 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, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Ave, Dept. 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; or Relay North Dakota 1-800-366-6888 TTY.

Signed on this 16 day of April 2025.

By: 
Steve Kahl
Executive Director

Mailing list for Notice of Revision No. 19 and Renewal No. 6 Applications for Permit BNCR-9401

Surface owners for Revision No. 19 and Renewal No. 6 to Permit BNCR-9401 - CERTIFIED MAIL

MINNKOTA POWER COOPERATIVE
5301 32nd AVE SOUTH
GRAND FORKS, ND 58201

Regular Mail to local (Oliver County), state and federal agency list for the Center Mine and Advisory Committee Members – regular first class mail w/ mailing affidavit

LUKE TOSO
US FISH & WILDLIFE SERVICE
ECOLOGICAL SERVICES
3425 MIRIAM AVENUE
BISMARCK, ND 58501-7925

JEB WILLIAMS
ND GAME & FISH DEPT
100 NORTH BISMARCK EXPRESSWAY
BISMARCK, ND 58501-5095

JEFFREY FLEISCHMAN, CHIEF
DENVER FIELD DIVISION
OFFICE OF SURFACE MINING
PO BOX 11018
150 EAST B STREET
CASPER, WY 82601-7032

ELIZABETH SHAEFFER
FIELD OPERATIONS MANAGER
OFFICE OF SURFACE MINING
PO BOX 25065
DENVER, CO 80225-0065

JOSH ALEXANDER
BUREAU OF LAND MANAGEMENT
BILLINGS FIELD OFFICE
DEPARTMENT OF INTERIOR
5001 SOUTHGATE DR.
BILLINGS, MT 59101

EDWARD KRAFT
FIELD OFFICE MANAGER
BUREAU OF LAND MANAGEMENT
ND FIELD OFFICE
99 23RD AVENUE WEST, SUITE A
DICKINSON, ND 58601

RICHARD WEBB, STATE
CONSERVATIONIST
NATURAL RESOURCE CONSERVATIVE
SERVICE
PO BOX 1458
BISMARCK, ND 58502-1458

DAVID GLATT, DIRECTOR
DEPT OF ENVIRONMENTAL QUALITY
(DEQ)
4201 NORMANDY STREET
BISMARCK, ND 58503-1324

US ARMY CORPS OF ENGINEERS
ND REGULATORY OFFICE
3319 UNIVERSITY DR.
BISMARCK, ND 58504

JOHN PACZKOWSKI
NORTH DAKOTA DWR
1200 MEMORIAL HWY, DEPT 770
BISMARCK, ND 58504

US EPA, REGION 8
1595 WYNKOOP STREET
DENVER, CO 80202-1129

BILL PETERSON
STATE HISTORICAL SOCIETY OF ND
612 EAST BLVD AVE
BISMARCK, ND 58505

MINING HEALTH & SAFETY ADMIN
CMSHA - US DEPT OF LABOR
PO BOX 25367, DFC
DENVER, CO 80225-5367

MARK WATNE, PRESIDENT
ND FARMERS UNION
PO BOX 2136
JAMESTOWN, ND 58401

BUREAU OF LAND MANAGEMENT
TNT STATE OFFICE
5001 SOUTHGATE DR
BILLINGS, MT 59101-4669

TOM CLAEYS
STATE FORESTER
N.D. FOREST SERVICE
916 E INTERSTATE Ave #4
BISMARCK, ND 58503

5-BW JA
475 SUMMIT DRIVE
SUITE 211
MINOT AIR FORCE BASE
MINOT, ND 58705

CODY SCHULZ
NORTH DAKOTA PARK & RECREATION
604 E BLVD AVE, DEPT 750
BISMARCK, ND 58505-0605

SCOTT BLACKBURN, ENVIRONMENTAL
COORDINATOR
PLANNING & COMPLIANCE OFFICE
NATIONAL PARK SERVICE, MIDWEST
REGION
601 RIVERFRONT DR
OMAHA, NE 68102

ED MURPHY
ND GEOLOGICAL SURVEY
600 E. BLVD. AVE.
BISMARCK, ND 58505-0840

DAKOTA RESOURCE COUNCIL
1902 E. DIVIDE AVE.
BISMARCK, ND 58501

PETE HANE BUTT
NORTH DAKOTA FARM BUREAU
4900 OTTAWA STREET
BISMARCK, ND 58503

LEWIS & CLARK REGIONAL
DEVELOPMENT COUNCIL
200 1ST AVE NW, STE 100
MANDAN, ND 58554

JADEN SCHMIDT
OLIVER COUNTY AUDITOR
COUNTY COURTHOUSE
115 MAIN STREET
CENTER, ND 58530

OLIVER COUNTY COMMISSION
PO BOX 188
CENTER, ND 58530-0188

SOIL CONSERVATION DISTRICT
DISTRICT CONSERVATIONIST
PO BOX 87
CENTER, ND 58530

PLANNING AND ZONING COMMISSION
COUNTY AUDITOR
PO BOX 188
CENTER, ND 58530-0188

HONORABLE JOHN LEE
MAYOR OF CENTER
PO BOX 76
CENTER, ND 58530-0076

ND State Soil Conservation Committee
NDSU DEPT 7390, PO BOX 6050
MORRILL HALL, 307C
FARGO, ND 58108