STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

BNI Coal, Ltd.
Revision 45, Permit BNCR-9702 — **Case No. RC-25-149**
Renewal 5, Permit BNCR-9702 — **Case No. RC-25-150**
Applications

NOTICE OF RECEIPT OF RENEWAL AND REVISION APPLICATIONS

April 21, 2025

BNI Coal, Ltd. has filed applications to renew and revise Surface Coal Mining Permit BNCR-9702 covering lands located in:

All or portions of Sections 3, 4, 5, 6, 7, 8, 9, and 10 of T141N, R84W; and, Sections 20, 21, 27, 28, 29, 31, 32, 33, and 34 of T142N, R84W, of Oliver County, North Dakota, containing 7,655.11 acres.

The five-year permit renewal will allow BNI Coal to continue operating within the existing permit area until August 2, 2030. The revision application identifies the next five-year coal removal subarea. The revision application also updates other information in the permit, including the legal and financial section, extended mine plan, operations, blasting plan, post-mine topography, reclamation schedule, ground water, surface water management, fish and wildlife resource protection, revegetation and post mining land use, and the worst-case bond estimate. The renewal and revision applications and surface coal mining and reclamation permit may be inspected at the following locations:

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

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

You may submit written comments or objections regarding the proposed permit renewal and revision applications and their effects on the environment and on surface owners of 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 made by **June 16, 2025.**

8 RC-25-149 Filed 04/21/2025 Pages: 6
Revision 45 Renewal 5 Notice of Receipt of Renewal and Revision Applications

Public Service Commission
Steve Kahl

8 RC-25-150 Filed 04/21/2025 Pages: 6
Revision 45 Renewal 5 Notice of Receipt of Renewal and Revision Applications

Public Service Commission
Steve Kahl

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, 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 21 day of April 2025.

By: Steve Kahl
Steve Kahl
Executive Director

Center Mine\Permits\BNCR - 9702\Revisions\Rev45_Ren5\Rev45_Ren5_ntc_of_rcpt_4-21-25

Mailing list for Notice of Revision No. 45 and Renewal No. 5 Applications for Permit BNCR-9702

Surface owners for Revision No. 45 and Renewal No. 5 to Permit BNCR-9702 - CERTIFIED MAIL

Roughrider Electric
800 Hwy Drive
Hazen, ND 58545

Northern Municipal Power Agency
123 2ND Street SW
Thief River Falls, MN 56701

Montana Dakota Utilities Co.
400 North 4th St.
Bismarck, ND 58502

Northwestern Public Service Co.
PO Box 1318
33 Third St, SE
Huron, SD 57350-2015

ND State Highway Dept.
608 East Boulevard Ave.
Bismarck, ND 58505-0700

Minnkota Power Cooperative
PO Box 13200
Grand Forks, ND 58208

Pfliger LLP
2116 41st Avenue SW
Center, ND 58530

Brenda Schwalbe
3160 25th Street
Center, ND 58530

Eugene Yantzer
2745 18th Street SW
Center, ND 58530

Eldon Vandenburg
7005 47th Avenue
Flasher, ND 58535-9604

Willetta Bartz
110 4th Avenue NE
Elgin, ND 58533

Carol Yantzer
215 W Turnpike Avenue #3
Bismarck, ND 58501

Jardene Moss
858 Lynch Drive
Billings, MT 59105

Nathan Skager
120 Bundy Road
Lavina, MT 59046-7126

Arlyce Muth
110 2nd Street NE
Dilworth, MN 56529

Wayne Vandenburg
7005 47th Avenue
Flasher, ND 58535-9604

Myron Yantzer
28 N Mesilla Lane
Casa Grande, AZ 85194

David Yantzer
PO Box 252
Center, ND 58530

Claudene Pickett
24 Maier Road
Billings, MT 59101

Karla Walter
PO Box 661
Park City, MT 59063

Ila Vandenburg
7005 47th Avenue
Flasher, ND 58535-9604

Donna Vandenburg
315 Morton Street
Carson, ND 58527

Daryl Yantzer LE
716 14th Street SE
Mandan, ND 58554

Tim Yantzer
7321 Alpine Lane
Bismarck, ND 58503

Howard Skager
19664 W 36th Ave #1212
Gulf Shores, AL 36542

Steven & Marlene Fricke
4165 26th St. SW
Center, ND 58530

Thomas & Kathleen Lipp
1312 15th St. SE
Mandan, ND 58554

Ashley Torgerson
10203 E Jones Avenue
Mesa, AZ 85208

Lorie Makelke
208 Dartmouth Dr.
Rockwall, TX 75032

Marie Mosbrucker
PO Box 73
Center, ND 58530

Jeff Reinke
231 Bridge Ave.
Center, ND 58530

Keith Dahl
2515 41st Ave. SW
Center, ND 58530

Kenneth & Darlene Reinke
3841 25th St. SW
Center, ND 58530

Tim Doll
4850 27th St.
New Salem, ND 58563

Calvin Mosbrucker
6518 Leisure Lane
Bismarck, ND 58503

Dean Mosbrucker
238 East Ivy St.
Mesa, AZ 85201

Brian Mosbrucker
8744 E Angus Dr.
Scottsdale, AZ 85251

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

ERICA TRENT
NATURAL RESOURCES SPECIALIST
OFFICE OF SURFACE MINING
PO BOX 25065
LAKEWOOD, CO 80215

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

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

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

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

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

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

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

ND STATE SOIL CONVERATION COMMITTEE
NDSU DEPT 7390, PO BOX 6050
MORRILL HALL, 307C
FARGO, ND 58108

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

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

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

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

JADEN SCHMIDT
OLIVER COUNTY AUDITOR
COUNTY COURTHOUSE
P.O. BOX 188
CENTER, ND 58530

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

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