



Public Service Commission

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sent via email only

July 13, 2026

Mr. Greg Petrick
Environmental Supervisor
BNI Coal, Ltd.
2360 35th Avenue SW
Center, ND 58530-9499
gpetrick@bnicoal.com

Dear Mr. Petrick:

The application for Revision No. 13 to Surface Coal Mining Permit BNCR-1101 has been deemed complete, and you may now begin publication of the public notice. However, prior to publication, please revise the public notice by removing the second sentence of the second paragraph on page 47 of Section 1.5.1 (Notice of Publication), which incorrectly states that any person with an interest may file a petition to designate lands within the proposed permit area as unsuitable for surface coal mining. Following this revision, provide a clean copy of the public notice for our review prior to publication.

Please ensure a copy of the complete revision application is available for public inspection at the Oliver County Courthouse by the first date of notice publication. Additionally, provide this office with the publication dates as soon as they are known. As required by NDCC 38-14.1-18(1), please submit the affidavits of publication when complete.

Once the revised public notice is deemed adequate for publication, please provide an updated copy of the revision application for distribution to our advisory review committee members.

If you have any questions, please contact this office.

Sincerely,

Digitally signed by Jonathan
Emmer
DN: C=US,
E=jemmer@nd.gov, O=North
Dakota Public Service
Commission, CN=Jonathan
Emmer
Date: 2026.07.13
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Jonathan Emmer

Jonathan Emmer
Director
Reclamation Division

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

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_Complete_AL_7-13-26