

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**BNI Coal, Ltd.**  
**Revision 13, Permit BNCR-1101**  
**Application**

**Case No. RC-25-258**

**NOTICE OF RECEIPT OF REVISION APPLICATION**

**July 27, 2026**

BNI Coal, Ltd. has filed an application for Revision 13 to Surface Coal Mining Permit BNCR-1101 for the Center Mine. Revision 13 revises the transportation, surface water management, and reclamation plans in response to the Oliver County Commission's approval of the overpass design plans for 37<sup>th</sup> Ave SW between Section 13 and Section 14, T141N, R84W. The overpass will allow mine access west of 37<sup>th</sup> Avenue SW; therefore, updates have been made regarding haul road alignments, drainage features, and surface water control structures associated with access routes and road crossings. Revision 13 also updates other sections of the permit including the legal and financial, other licenses and permits, surface water, operations plan, existing county road infrastructure, and the reclamation schedule, which includes the addition of two reclamation variance areas in portions of the W½ of Section 17 and Section 21, T141N, R83W, respectively.

The revision application and surface coal mining and reclamation permit may be inspected at:

Public Service Commission  
State Capitol 13<sup>th</sup> Floor  
600 East Boulevard Ave, Dept. 408  
Bismarck, North Dakota 58505-0480

Oliver County Auditor  
Oliver County Courthouse  
115 West Main Street  
Center, North Dakota 58530

You may submit written comments or objections on the proposed permit revision application, its 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 revision application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by September 14, 2026.

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 Avenue, Dept. 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; Relay North Dakota 1-800-366-6888 TTY, or by email at [ndpsc@nd.gov](mailto:ndpsc@nd.gov).

Signed on this 27<sup>th</sup> day of July 2026.

By:   
Brian Johnson  
Executive Director

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13\_ntc\_of\_rcpt\_7-27-26