

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

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

Case No. RC-25-258

AFFIDAVIT OF SERVICE BY
CERTIFIED MAIL
FIRST CLASS MAIL
INSIDE MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

Christine Aslakson deposes and says that she is over the age of 18 years and not a party to this action and on, **the 27th day of July, 2026**, she deposited in the United States Mail, Bismarck, North Dakota, **45** certified mail envelopes, postage prepaid, **26** envelopes by standard first-class mail, postage prepaid, and **6** inside mail envelopes, all securely sealed and each containing:

NOTICE OF RECEIPT OF REVISION APPLICATION

Mailing lists for Notice of Receipt of Revision 13 Application for Permit BNCR-1101 – Local, State and Federal Agencies and Advisory Committee members

Surface owners for Revision No. 13 to Permit BNCR-1101 - CERTIFIED MAIL

MINNKOTA POWER COOP
5301 32ND AVENUE SOUTH
GRAND FORKS, ND 58201
Cert. No. 9589 0710 5270 3383 7625 17

JANET K. & L.J. DOHRMANN
REVOCABLE TRUST
9721 31ST STREET SW
TAYLOR, ND 58656
Cert. No. 9589 0710 5270 3383 7640 30

GARY LEINIUS
4985 HWY 200
HAZEN, ND 58545
Cert. No. 9589 0710 5270 3383 7626 92

DANITA DEICHERT
4609 BORDEN HARBOR DRIVE
MANDAN, ND 58554
Cert. No. 9589 0710 5270 3383 7625 24

DORETTA BORNEMANN
3017 HILLSIDE ROAD NW
MANDAN, ND 58554
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TERRENCE ERHARDT
3290 PINTAIL CIRCLE
BLANCHARD, OK 73010
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WELDON SPRING, MO 63304
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DELPHINE VETTER
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LINTON, ND 58552
Cert. No. 9589 0710 5270 3383 7625 48

LARRY AND VIRGINIA SCHMIDT
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NEW SALEM, ND 58563
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KASPER KRAFT LE
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WAYNE REUTHER
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THOMAS PFLIGER
200 11TH STREET NW
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DALE PFLIGER
1732 GOLF DRIVE
BISMARCK, ND 58503
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DOUGLAS D. AND DEBERRA K.
DOLL LIFE ESTATE
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CENTER, ND 58530
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CLEMENTINE FRIESZ
LIFE ESTATE
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4512 WHITETAIL LANE
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18671 FAIRWEATHER
CANYON COUNTRY, CA 91351
Cert. No. 9589 0710 5270 3383 7627 84

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NEW SALEM, ND 58563
Cert. No. 9589 0710 5270 3383 7628 07

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NEW SALEM, ND 58563
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CANYON COUNTRY, CA 91351
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JESSE LACKMAN
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Cert. No. 9589 0710 5270 2708 2384 54

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RUSSEL HOESEL
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Cert. No. 9589 0710 5270 1777 9873 79

Regular mail to local (Oliver County), state and federal agency list for the Center Mine, and Advisory Committee Members - regular first class mail and inside mail

US EPA, REGION 8
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RICHARD WEBB, STATE CONSERVATIONIST
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ND REGULATORY OFFICE
3319 UNIVERSITY DR.
BISMARCK, ND 58504-7565

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ND FARMERS UNION
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JAMESTOWN, ND 58401

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CMSHA - US DEPT OF LABOR
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DR. WILLIAM PETERSON (INSIDE MAIL)
STATE HISTORICAL SOCIETY OF ND
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ND HERITAGE CENTER
BISMARCK, ND 58505

TOM CLAEYS
STATE FORESTER
N.D. FOREST SERVICE
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CODY SCHULZ (INSIDE MAIL)
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DR. CLINT BOYD (INSIDE MAIL)
ND GEOLOGICAL SURVEY
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PAULA COMEAU
ND STATE SOIL CONVERSATION COMMITTEE
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STATE SOIL CONSERVATION SPECIALIST
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JADEN SCHMIDT
OLIVER COUNTY AUDITOR
COUNTY COURTHOUSE
115 MAIN STREET
CENTER, ND 58530

LEWIS & CLARK REGIONAL DEVELOPMENT COUNCIL
200 1ST AVE NW, STE B
MANDAN, ND 58554-3109

PLANNING AND ZONING COMMISSION
COUNTY COMMISSION
COUNTY AUDITOR
PO BOX 188
CENTER, ND 585310-0188

SOIL CONSERVATION DISTRICT
PO BOX 87
CENTER, ND 58530-0087

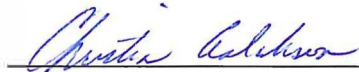
WATER RESOURCE DISTRICT
PO BOX 1231
CENTER, ND 58530

PRESIDENT OF CITY COMMISSION
CITY OF BEULAH
PO BOX 910
BEULAH, ND 58523-0910

PRESIDENT OF CITY COMMISSION
CITY OF HAZEN
PO BOX 717
146 MAIN ST E
HAZEN, ND 58545-0717

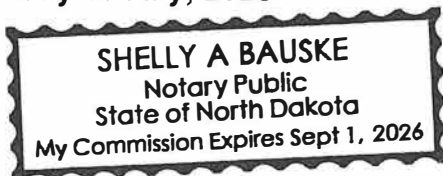
PRESIDENT OF CITY COMMISSION
CITY OF CENTER
PO BOX 76
CENTER, ND 58530-0076

To the best of affiant's knowledge, each address shown is the respective addressee's last reasonably ascertainable post office address.



Subscribed and sworn to before me
this 27th day of July, 2026

S E A L





Notary Public

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 37th Ave SW between Section 13 and Section 14, T141N, R84W. The overpass will allow mine access west of 37th 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 13th 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.

Signed on this 27th 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