



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

September 22, 2026

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

Dear Mr. Petrick:

The Reclamation Division is preparing to recommend Commission approval of Revision 13 to Permit BNCR-1101 at the October 6, 2026, Commission meeting. Consequently, BNI Coal, LTD must update the ownership and control (business entity) and compliance information as required by NDAC 69-05.2-06-01(2) and NDAC 69-05.2-06-02(6) or certify, under oath and in writing, that the current information is still accurate, complete, and up to date. Any updated information submitted for the permit revision application will be subject to an evaluation by OSMRE's Application Violator System prior to permit revision approval. Any updated information must be filed with our office no later than **5:00 p.m. Wednesday, September 30, 2026.**

Please submit a clean copy of the permit revision incorporating the updates provided in your September 18, 2026, email regarding Ownership and Control Updates. These updates to Section 1 (Legal and Financial Section) replace Section 1.7.2 (Controlling Officers of BNI Coal, LTD., BNI Energy, Inc. And ALLETE) with a stand-alone document that will be submitted separately from future permit revisions to the Reclamation Division. Please verify that these updates, along with all tracked changes, have been incorporated in the clean copy version.

Please contact this office if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer".

Jonathan Emmer
Director
Reclamation Division

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

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AVS_Update_&_Clean_Copy_rqst_ltr_9-22-26