



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 and regular mail

October 6, 2026

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

Dear Mr. Petrick:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Any person with an interest that is or may be adversely affected by the approval of this revision has the right to request a formal hearing on the decision to approve this revision. Such a request must be filed within 30 days of publication of the Commission's approval notice in the Center Republican and Bismarck Tribune. The total amount of \$48,860,773 for the existing performance bond covering Permit BNCR-1101 was determined adequate at this time.

Enclosed is the original revision award form. If you have any questions, please contact this office.

Sincerely,

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

Jonathan Emmer
Director
Reclamation Division

Enclosure

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_AL_10-6-26



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

October 6, 2026

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
150 East B Street
Casper, WY 82601-7032
jfleischman@osmre.gov

Dear Mr. Fleischman:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. The total amount of \$48,860,773 for the existing performance bond covering Permit BNCR-1101 was determined adequate at this time. This permit contains federal coal; however, this revision does not constitute a mine plan modification as stated in a September 18, 2026, email from Erica Trent of OSMRE.

Enclosed is a copy of the award form for the revision. The approved permit will be shared with you via a Microsoft OneDrive link emailed with this letter. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, reading "Jonathan Emmer", is positioned above the printed name and title.

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: John Sieving (jsieving@osmre.gov)

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Ms. Erica Trent
Natural Resource Specialist
Office of Surface Mining
PO Box 25065
Lakewood, CO 80225
etrent@osmre.gov

Dear Ms. Trent:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. The total amount of \$48,860,773 for the existing performance bond covering Permit BNCR-1101 was determined adequate at this time. This permit contains federal coal; however, this revision does not constitute a mine plan modification as stated in a September 18, 2026, email from you.

Enclosed is a copy of the award form for the revision. The approved permit will be shared with you via a Microsoft OneDrive link emailed with this letter. If you have any questions, please contact this office.

Sincerely,

A blue ink signature of Jonathan Emmer, written in a cursive style.

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: Marcelo Calle (mcalle@osmre.gov)

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Mr. Josh Alexander
Bureau of Land Management
Billings Field Office
Eastern Montana Dakotas District Office
Department of Interior
5001 Southgate Dr.
Billings, MT 59101
jalexand@blm.gov

Dear Mr. Alexander:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. The total amount of \$48,860,773 for the existing performance bond covering Permit BNCR-1101 was determined adequate at this time. This permit contains federal coal; however, this revision does not constitute a mine plan modification as stated in a September 18, 2026, email from Erica Trent of OSMRE.

Enclosed is a copy of the award form for the revision. The approved permit will be shared with you via a Microsoft OneDrive link emailed with this letter. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Mr. Edward Kraft
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Avenue West, Suite A
Dickinson, ND 58601
ekraft@blm.gov

Dear Mr. Kraft:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. The total amount of \$48,860,773 for the existing performance bond covering Permit BNCR-1101 was determined adequate at this time. This permit contains federal coal; however, this revision does not constitute a mine plan modification as stated in a September 18, 2026, email from Erica Trent of OSMRE.

Enclosed is a copy of the award form for the revision. The approved permit will be shared with you via a Microsoft OneDrive link emailed with this letter. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Ms. Jennifer Turnbow
Director
North Dakota Department of Environmental Quality
4201 Normandy Street
Bismarck, ND 58503-1324
jjturnbow@nd.gov

Dear Ms. Turnbow:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A blue ink signature of Jonathan Emmer, written in a cursive style.

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: Beth Jacobson (bjacobso@nd.gov)

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

North Dakota Department of Water Resources
C/O Project Review
1200 Memorial Highway, Dept 770
Bismarck, ND 58504
dwrprojectreview@nd.gov

Dear Project Review Team:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only: DWR Reg Permits (dwrregpermits@nd.gov)

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Ms. Paula Comeau
ND State Soil Conservation Committee
Dept 7390, PO Box 6050
Fargo, ND 58108-6050
ndsu.sccc@ndsu.edu

Dear Ms. Comeau:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Mr. Jeb Williams, Director
North Dakota Game and Fish Department
100 North Bismarck Expressway
Bismarck, ND 58501-5095
jwilliam@nd.gov

Dear Mr. Williams:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name and title.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Mr. Luke Toso
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, North Dakota 58501-7926
luke_toso@fws.gov

Dear Mr. Toso:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Dr. Bill Peterson, Director
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, ND 58505
billpeterson@nd.gov

Dear Dr. Peterson:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, reading "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Mr. Tom Claeys
State Forester
North Dakota Forest Service
916 E Interstate Ave #4
Bismarck, ND 58503
thomas.claeys@ndsu.edu

Dear Mr. Claeys:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A blue ink signature of Jonathan Emmer, written in a cursive style.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Dr. Clint Boyd
State Geologist
North Dakota Geological Survey
600 East Boulevard Avenue
Bismarck, ND 58505 0480
caboyd@nd.gov

Dear Dr. Boyd:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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 regular mail

October 6, 2026

Oliver County Commissioners
Oliver County Courthouse
PO Box 188
115 Main Street
Center, ND 58530

Dear Commissioners:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jonathan Emmer", is positioned above the printed name.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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 and regular mail

October 6, 2026

The Honorable Kevin Hoffman
Mayor of Center
PO Box 76
Center, ND 58530-0076
cityofcenter@westriv.com

Dear Mayor Hoffman:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

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

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26



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

October 6, 2026

Ms. Jaden Schmidt
Oliver County Auditor
PO Box 188
Center, ND 58530-0188
jadschmidt@nd.gov

Dear Ms. Schmidt:

This is to inform you of the Commission's October 6, 2026, approval of Revision 13 to Surface Coal Mining Permit BNCR-1101 held by BNI Coal, Ltd. 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 the introductory, surface water, operations plan, existing county road infrastructure, reclamation schedule, and the worst-case bond estimate sections of the permit.

Revision 13 was considered a significant alteration to Permit BNCR-1101 and was therefore subject to the public notice requirements. Enclosed is a copy of the award form for the revision. If you have any questions, please contact this office.

Sincerely,

A blue ink signature of Jonathan Emmer, written in a cursive style.

Jonathan Emmer
Director
Reclamation Division

Enclosure

Center Mine\Permits\BNCR - 1101\Revisions & Renewals\No. 13\Rev13_AL_10-6-26