



Public Service Commission

State of North Dakota

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October 15, 2008

Mr. Jesse Noel, P.E.
Manager, Engineering & Environment
Dakota Westmoreland Corporation
Beulah Mine
P.O. Box 39
Beulah, ND 58523-0039

Dear Mr. Noel:

The Reclamation Division is prepared to recommend Commission approval of Revision No. 24 to Permit KRSB-8802 at the October 22nd Commission meeting. However, the stipulation to increase the area covered by the surety bond for this permit needs to be filed and we understand this should be submitted soon. In addition, as required by NDAC 69-05.2-06-01(2), Dakota Westmoreland must update the ownership and control (business entity) information that is listed in Section 1.4 of the permit or provide a statement that the information currently in the permit is still current. Any updated information will be subject to a query on OSM's Applicant Violator System before approval of the revision. In discussions with Paula Gores of your staff, she indicated that the ownership and control information in pending Revision 25 is the most current. If this information is different than what is currently in the permit, then you will need to provide the current information for Revision 24. The additional ownership and control information needs to be filed no later than October 20th.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division