



Public Service Commission

State of North Dakota

COMMISSIONERS

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August 28, 2008

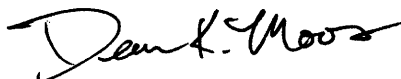
Mr. Jesse Noel, P.E.
Manager, Engineering & Environment
Dakota Westmoreland Corporation
Beulah Mine
P.O. Box 39
Beulah, ND 58523-0039

Dear Mr. Noel:

Enclosed is a copy of the Commission's order in Case No. RC-08-389, Notice of Violation No. 0802 issued to Dakota Westmoreland Corporation. This order assesses a \$1,750 civil penalty for history, seriousness, and negligence as explained in the order. Dakota Westmoreland is unable to appeal this order and penalty since an informal conference or formal hearing was not requested in the matter. The penalty must be paid within 30 days of your receipt of this letter.

If you have any questions, please contact this office.

Sincerely,


for James R. Deutsch
Director
Reclamation Division

Enclosure

CERTIFIED MAIL

cc: Jeff Fleischman w/ enclosure

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