

Dakota Westmoreland Corporation

RECEIVED

Beulah Mine - P.O. Box 39 • Beulah, North Dakota 58523-0039

Phone: (701) 873-4333 • Fax: (701) 873-7784 July 25, 2008

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PUBLIC SERVICE COMMISSION

SCANNED

Date 7-28-08 (30971)

File SB-7-25-08-rsp-midterm

FROM DIRECTOR - RECLAMATION DIVISION

Date: 7-28-08

Action: Buy

Info. Only: _____

Info & File: _____

Mr. James R. Deutsch
Director, Reclamation Division
Public Service Commission
600 E. Boulevard Ave. Dept. 408
Bismarck, ND 58505-0480

Dear Mr. Deutsch:

Revision No. 25

Dakota Westmoreland Corporation has completed responses to your midterm review of Surface Mining Permit KRSB-8802 for the Beulah Mine as required by NDAC 69-05.2-11-01.

1.4 – Business Entity Information

1. Please update the business entity information listed on page 1.4.1 to show the current officers and directors. [NDAC 69-05.2-06-01(1)(d)(2)] (SAS/BEB)
 - Page 1.4.1 has been updated with the information you have requested.
2. If any changes have occurred, please update the surface and subsurface ownership listings for the permit and contiguous areas listed on pages 1.4.19 through 1.4.24 and make any appropriate changes on the Ownership Map, Exhibit 1.4.1. [NDCC 38-14.1-14(1)(c)(2) and (1)(d)] (SAS)
 - Pages 1.4.1 through 1.4.24 have been updated to reflect changes made to the Ownership Map (Exhibit 1.4.1) in Revision 24.

2.1 - Geology of the Permit Area

3. Please update the Stratigraphy portion of Section B, *Geology of the Permit Area* on page 2.1.4 to document that information gleaned from data review for Revision 20 to Permit KRSB-8603 which indicates the likely presence of the Hazen B Bed/interval below the Spaer Interval. Currently it is identified in the permit as probably the Jim Creek Bed, or possibly the Antelope Creek Bed. (BEB)
 - The stratigraphic portion of Section B has been updated on page 2.1.4 to indicate the presence of the Hazen B coal bed below the Spaer coal bed.

2.2 – Surface Water Hydrology

4. Please update the narrative on page 2.2.11 of the *Surface Water Probable Hydrologic Consequences* to document the current status of Spring 13CBC-E/SP to be destroyed. The Surface Water Monitoring Map, as updated with Revision 34, correctly labels the pre-mine spring as being destroyed. (BEB)



Pages: 14

Filed: 7/28/2008

RC-08-612
Revision Application Filed

Dakota Westmoreland Corporation

Jesse Noel

- Language has been updated in the narrative to document Spring 13CBC-E/SP as being destroyed.
5. Please update the discussion on Ponds 50 and 51 on page 2.2.10 if there has been a landowner decision on retaining both ponds as permanent structures. (WTG)
- The Heth family is still undecided regarding the permanent status of these two ponds. Thus no changes are proposed in the permit narrative at this time other than noting when Pond 50 was modified and substituting “Dakota Westmoreland” for “Knife River”.
6. Please review the legal descriptions given on page 2.2.10 for the Otter Creek tributaries that receive spring flow in Sections 17 and 20. It appears that the SW $\frac{1}{4}$ description for Section 17 may be more accurately described as the SE $\frac{1}{4}$, and similarly, the W $\frac{1}{2}$ of Section 20 may be more accurately described as the E $\frac{1}{2}$. (WTG)
- The legal descriptions for the Otter Creek tributaries have been changed per your suggestions.
7. Please update the discussion on existing sediment ponds that are proposed to be permanent structures on page 2.2.11 to reflect that Pond 63 has been removed. (WTG)
- Language has been updated to remove Pond 63 as a permanent structure and explain its reclamation.

2.3 – Ground Water Hydrology

8. Please update Table 2.3.1, as well as Exhibit 2.3.1 and Exhibits 2.3.4 through 2.3.8 to reflect those wells that are inactive and/or have been destroyed by mining operations. (BEB)
- Table and exhibits have been updated to differentiate between active wells and inactive/destroyed wells.
9. Please update the legend in Exhibit 2.3.1, as well as the legend in Exhibits 2.3.4 through 2.3.8, to reflect the change in interpretation/nomenclature of the Antelope Creek Coal Seam and Antelope Creek Sand below B-Z, to the Hazen B Coal Seam and its associated interval. (BEB)
- The legends in Exhibits 2.3.1, 2.3.4, and 2.3.5 have been updated to change the nomenclature of “Antelope Creek” to “Hazen B”. Exhibits 2.3.6, 2.3.7, and 2.3.8 have been changed now to individually display the potentiometrics of the Schoolhouse, B-Z, and Spaer aquifers, respectively.

10. Please revise the narrative describing the flow direction of the Schoolhouse Bed on page 2.3.13. The narrative references and interprets the Schoolhouse potentiometric map and describes the flow direction to be generally south and east, and although limited data is available, it appears that the flow direction is predominantly to the south and west according to the map. (BEB)
 - The narrative has been revised to conform with the potentiometric map of the Schoolhouse Bed (Exhibit 2.3.6) which demonstrates flow in a northwesterly direction.

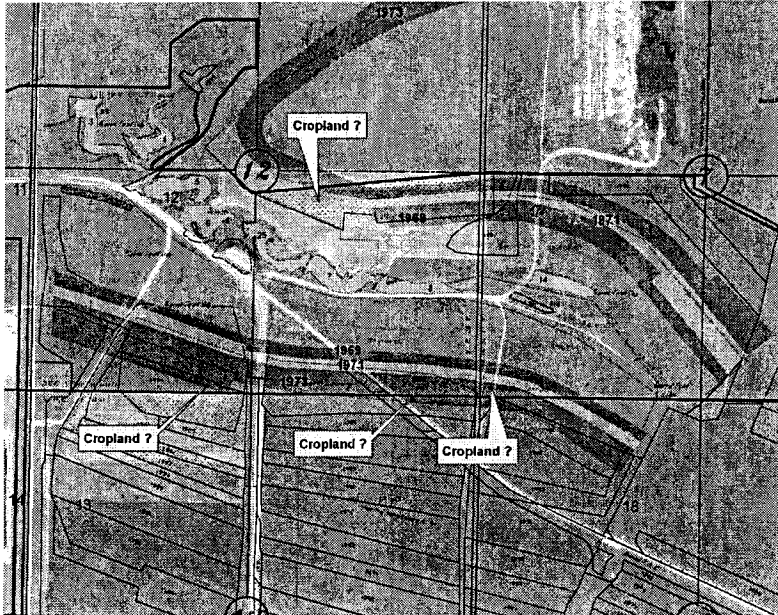
11. Please revise the narrative describing the *Spaer Bed and Other Potential Aquifers* on page 2.3.24, in which it is stated that there are no presently used wells in, or adjacent to Permits KRSB-8802 or KRSB-8603 screened between the Fox Hills and the Beulah-Zap. Since this section of the permit references both Permits KRSB-8802 and KRSB-8603, please update this section with newly acquired information obtained from completion of the Schwalbe well in Permit KRSB-8603, and any other wells that may have been screened between these two aquifer units since 1990, which represents the last revision update to this section. (BEB)
 - The narrative has been updated to include the Schwalbe well which is screened between the Fox Hills and Beulah-Zap aquifers. Also, the well was included on Table 2.3.2.

12. The *Ground Water Monitoring Plan* in Section E describes the commitment made in Revision 19 by DWC to provide additional monitoring well coverage in the E $\frac{1}{2}$ of Section 23 to provide Beulah seam and lower unit control data for mining operations in Section 24 of Permit KRSB-8802. Please update this portion of the Ground Water Monitoring Plan and any other relevant tables and exhibits, if needed, to represent the current status of the monitoring well inventory as it relates to your Revision 19 commitment. (BEB)
 - The narrative of Section 2.3 has been updated to address your concerns. DWC plans to talk about the information with the PSC during a meeting scheduled for the week of July 28th.

2.7 – Land Use

13. The post-mine land use boundary is depicted along the boundary between areas subject to the 1971 and 1973 reclamation laws as indicated on page 2.7.2 of the permit. However, this creates small irregular shaped cropland and hayland fields that do not appear practical or manageable. Please review the land use boundary breaks and update, if necessary, based upon the present actual land use, reclamation performance standards and/or ownership boundaries. We have identified areas of cropland (labeled Cropland?) on the attached image where the planned post-mine land use should probably be revised. These areas include reclaimed cropland land subject to pre- 1969 reclamation law located in the NW corner of the SE $\frac{1}{4}$ of Section 12. Reclaimed cropland subject to 1973 law located in the SW corner of the SW $\frac{1}{4}$ of Section 7 (this tract appears unmanageable as cropland given its

irregular shape and size) and, perhaps the areas identified to be reclaimed to cropland in the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of Section 12, should be classified as hayland considering the ownership boundaries and field location and size. See attached image. (GAW)



- The postmining land use of most of the small tracts you cited in your comment has been changed to hayland. However, the postmining cropland area in the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 12 has been expanded to include all of the area currently being cropped. This area, much of which is in the pre-law disturbance category, has been cropped in most years for a couple of decades or so. Exhibit 2.7.1 has been amended accordingly.

14. Since the post-mine land use of the SW $\frac{1}{4}$ of Section 13 is tame pastureland, please discuss plans for a water source to support the intended post-mine land use. Please include design plans if a dugout or dam is to be constructed as a livestock watering source. A pond maintenance agreement should be obtained from the surface owner at this time if a pond is to be constructed, and its location should be shown on the Post-Mining Land Use Map, Exhibit 2.7.1. A maintenance agreement is not needed if a well is drilled. If the surface owner no longer wants tame pastureland reclaimed, perhaps an alternate land use should be considered if the criteria in NDAC 69-05.2-23-03 can be met. (GAW)

- The nature of the water source has yet to be determined by the landowner. Recent discussions between DWC and the landowner have focused on two options: a pasture tap on the Southwest Area Pipeline or a well. DWC is waiting to see if the landowner secures the necessary water supply agreements from the Southwest Area Pipeline Project. If this option falls through, DWC is prepared to install a well. With the status quo, the permit narrative has not been changed.

15. If pre-mine wetland acreage has been impacted by mining and if the SW¼ of Section 24 is not going to be mined, the location of the created wetland that is to be placed in this tract needs to be moved to an area that will be mined. Please review and update as necessary. (GAW)
 - The postmining mitigation wetland has been relocated to the north in the SE¼ of Section 24. It appears that all reclaimed land in this quarter will be reclaimed to hayland, with the exception of the wetland. With the changes precipitated by mining cessation plans, including relocation of the wetland, we have opted to exclude cattle access to the wetland for watering. Since mining cessation maintains the status quo of the pasture, cattle will also continue to access water in the pasture to the south.
16. Please update Exhibit 2.7.1 to reflect that Pond 63 has been, or will be, removed. Please also update the exhibit if there has been a landowner decision on maintaining both Ponds 50 and 51 as permanent structures. (WTG)
 - Pond 63 was removed in the submittal for revision No. 24. The landowners have not modified the original preference for ponds 50 and 51, hence they continue to be shown as permanent structures on Exhibit 2.7.1.

2.8 – Air Quality

17. Please update the first paragraph of this section in which it is stated that Knife River's air quality permit expires on November 1, 1990. (BEB)
 - The first paragraph of section 2.8 has been updated to show the current air quality permit expiration date.

3.1 – General Mining Plan

18. Please update page 3.1.1 of Section A, *Past, Present and Future Production*. (BEB)
 - The production statistics on page 3.1.1 have been updated per your recommendation.
19. If necessary, please update the equipment list on page 3.1.6 of Section C, *Mining Methods* to identify newly acquired mining equipment by DWC since 2005. (BEB)
 - The only change made to page 3.1.6 was in the numbers of scrapers (4 scrapers to 6 scrapers); all of the other original equipment listing is still correct.
20. Please update the Extended Mine Plan Map, Exhibit 3.1.1, to meet the requirements of NDAC 69-05.2-07-03. (SAS).

- Exhibit 3.1.1 has been updated to meet the requirements of NDAC 69-05.2-07-03. Likewise, Exhibit 3.1.2 has been updated to correlate with Exhibit 3.1.1.

21. Please include a plan for the mining cessation in this permit area. This discussion should include the anticipated limits of mining, whether the cessation will be temporary (if so, indicate the length of the cessation) or permanent, anticipated date of cessation, any changes to mining and operations plans as a result of the dragline move to Permit KRSB-8603, and any other changes associated with the mining cessation in this permit area. Please be advised we will consider this change of plans to be a significant revision subject to the public notice requirements. (DKM)

- DWC does not plan to cessate mining; rather, DWC plans to reclaim the area beginning in 2010. A detailed reclamation schedule has been proposed in section 3.7.

3.2 – Water Management Plan

22. Please revise the narratives and associated tables and exhibits for Pond 69 to indicate this pond has not yet been constructed at this time (originally scheduled for construction in 2005) and indicate the date when the pond will be constructed. (BEB/MDB)

- All reference to Pond 69 has been removed from section 3.2. Pond 70 was incised in lieu of constructing Pond 69.

23. Please update the discussion of Pond 63 on page 3.2.40 to indicate that it has been removed (no longer a permanent pond) and give the date of removal. (SAS/MDB)

- The discussion of Pond 63 has been updated within the narrative of Section 3.2.

24. Please update the narrative and table on page 3.2.52 and Water Management Plan Exhibit 3.2.1 to indicate the culverts that have been removed due to reclamation. (MDB)

- Both the Section 3.2 narrative and Exhibit 3.2.1 have been updated to include culverts that have been added and removed from the permit area.

25. Please update the narratives on pages 3.2.49 (43W) and 3.2.51 (63E) to indicate these diversions have been reclaimed. (MDB)

- The narrative within Section 3.2 for Diversion 43W does state that the diversion was temporary and removed with reclamation. Conversely, the narrative for Diversion 63E was updated per your recommendation.

26. Please update Exhibit 3.2.4, showing the wetland design plans, to include the associated watershed with each wetland. (MDB)

- The wetland annual water yield analysis within the narrative of Section 3.2 has been updated along with Exhibit 3.2.4 per your recommendation.

3.4 – Suitable Plant Growth Material Handling Plan

27. Please update Exhibit 3.4.3, Material Storage, to include the Heth and Herman stockpiles located in Section 19, along with any other stockpiles which may have been added or removed. (MDB)

- Exhibit 3.4.3 was updated for revision No. 24.

3.5 – Backfilling and Grading

28. Please revise the narrative on page 3.5.4 of Section G which states that the final pits for the Orange and Charlie Pits are expected to be located in the N $\frac{1}{2}$ of Sections 25 and 30, respectively. (BEB)

- Pages 3.5.4 and 3.5.5 of Section G were changes from the N $\frac{1}{2}$ of Section 25 and 30 to the S $\frac{1}{2}$ of Sections 19 and 24 per your recommendation.

29. If DWC has decided to cease mining in the Charlie and Orange Pits, please provide a revised post-mine topography to reflect the closure of these pits. (DKM)

- Exhibit 3.5.3 was updated, providing a revised post-mine topography for closure of the Charlie and Orange pits. Also, Exhibits 3.5.1, 3.5.2c, and 3.5.5 were updated to support Exhibit 3.5.3. Page 3.5.6 was also updated to chart to new slope comparison using the new Exhibit 3.5.5.

3.6 – Revegetation Plan

30. Please include a statement under the Annual Cropland discussion on pages 3.6.7 and 3.6.8 that the information presented in Exhibit 3.6.3 are historical data and the latest productivity indices from NRCS will be used to calculate the unadjusted yield standards. (SAS)

- A statement has been added to page 3.6.9 to clarify that Exhibit 3.6.3 contains historical data and is not to be used to calculate unadjusted yield standards. Please note that new language has been added to this section of the narrative to introduce a second control area exclusive to Heth properties. The control area and the only actively cropped Heth reclaimed land are part of the same field in the SE $\frac{1}{4}$ of Section 17. Thus, cropping practices in these tracts have been identical for several years.

31. Please remove smooth brome grass from the hayland, industrial/commercial, pre-cropland, tame pastureland and wildlife habitat seed mixture on page 3.6.4, Table 3.6.1, as was done in Permit KRSB-8603. Information regarding this seed mixture

will need to be retained for historical purposes – identify when (years) this seed mixture was used. (GAW)

- We believe that the potential for contamination of native grassland, whether reclaimed or undisturbed, is somewhat limited in and near the KRSB-8802 permit area. Nevertheless, DWC is changing the seed mix to mimic the seed mix in KRSB-8603, eliminating smooth brome. We have also updated Exhibit 3.6.4 with new historical information.

32. Please include a detailed narrative discussing how DWC plans to control State and County listed noxious weeds on all disturbed and reclaimed lands, and on undisturbed lands within the permit area, owned or otherwise controlled by DWC. This discussion should include specific control methods by weed species on the various post-mine land uses, and on SPGM stockpiles, conservation shelterbelts, sediment pond embankments and haul road corridors. A statement needs to be added to the permit that all noxious weed infestations will be controlled in accordance with State noxious weed control laws. (GAW)

- A discussion of noxious weed control plans has been added to the revegetation narrative.

33. The Sandy reference area is specifically mentioned in production and cover narratives discussing native grassland revegetation success, page 3.6.8. However, it is not clear if this reference area properly represents the pre-mine soils of the areas being reclaimed to native grassland. Please review and update as necessary. (Note: An access trail and pond site in Section 12 and pond sites in Sections 11 and 12, if reclaimed, are the only areas where native grassland is to be reclaimed and it appears these areas are subject to pre-1975 reclamation laws.) (GAW)

- The existing ponds located in the postmining native grassland areas of Sections 11 and 12 are planned for permanence. The embankments of these ponds were constructed in the early to mid-1960s, placing them under pre-1975 regulations. Reclaimed pond 27 and its access road were constructed in 1984 and removed in 1989. Although a detailed soil survey was not performed in the vicinity of pond 27, the county soil survey indicates that most of the pond-related acreage is probably associated with the Sandy range site. Additionally, the range site represented by the greatest number of acres in the revision 24 area in the N½ of Section 14 is the Sandy range site. After review, we intend to continue to use the Sandy reference area to represent reclaimed native grassland.

3.7 – Time Schedules

34. Please update the discussion on the Hannover Pit area in the last paragraph on page 3.7.4 to indicate current conditions and progress. (SAS)

- Discussion of the Hannover Pit area was updated in the narrative of section 3.7 per your recommendation.

35. Please revise the narrative on page 3.7.5 to update operation activities and actual field conditions concerning reclamation of the incised sediment basin in the SW¼ of Section 13 (the Herman Hole). Also, please update the discussion schedule on page 3.7.6 to reflect current conditions. (BEB & SAS)

- Discussion of the Herman Sump was updated in the narrative of section 3.7 per your recommendation to reflect current conditions.

36. Please update the reclamation schedule for the Orange and Charlie Pits to reflect the variances or delays needed to reflect the delayed reclamation of these final pit areas. The reclamation delay areas should be clearly identified and the appropriate justification to support the delayed reclamation must be provided. (DKM)

- The reclamation schedule for the Orange and Charlie pits has been updated to reflect a delay needed for reclamation of these final pit areas. The reclamation delays have been clearly identified within the narrative by use of annual milestones that must be reached (quantity driven milestones). The milestones can be verified each year with the use of flyover topography triangulation comparisons. Justification for the delayed reclamation, as summarized, is based on the size of the mine (i.e. the level of manpower, type of equipment, size of equipment, and overall pieces of equipment).

3.8 – Reclamation Cost Estimates and Performance Bond

37. Please review and update the Worst Case Bond for the permit since the current worst case scenario was last calculated for early 2004. (MDB)

- The Worst Case Bond has been updated using the July 2008 Updated Policy Memo No. 16 "Reclamation Cost Estimating Guideline Variable Costs".

38. Page 3.8.15 indicates that there are 782.9 acres of federal coal currently leased in this permit. The total of the metes and bounds descriptions of the areas in Exhibit 3.8.4 is 787.3 acres and this is also what is listed on Surety Bond No. 64S103557522BCM that covers the bonding costs. Please review and correct where necessary. (SAS)

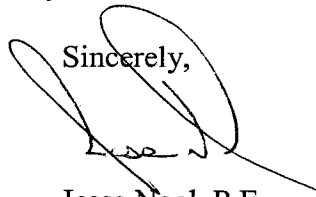
- The correct number is 787.3 acres; page 3.8.15 has been updated accordingly.

39. Page 3.8.15 also indicates that there is a total of 964.4 acres of federal coal in the permit. Please review to ensure this total is correct. (SAS)

- Given 175.5 acres of non-leased federal coal (Exhibit 3.8.1), the correct total acres of federal coal equals 962.8 acres. The narrative of section 3.8 has been adjusted accordingly.

If you have any questions, please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Jesse Noel", with a large, stylized flourish above the name.

Jesse Noel, P.E.
Manager, Environmental & Engineering
Dakota Westmoreland Corp., Beulah Mine

Cc: Paula Gores



APPLICATION FOR REVISION OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS PUBLIC SERVICE COMMISSION RECLAMATION DIVISION SFN 10562 (Rev. 12-99)

Date July 25, 2008 Revision Number 25 State ND Zip Code 58523

Name of Company, Corporation, Partnership, or Individual DAKOTA WESTMORELAND CORPORATION Permit Number KR5B-8802 Address P.O. Box 39 City BELLAH

The above named hereby makes application for the above Revision Number to: (include a brief description of the surface coal mining and reclamation operation being revised. RESPONSE TO MIDTERM REVIEW OF SURFACE MINING PERMIT KR5B-8802 DATED APRIL 30, 2008.

Attached to this Permit Revision Application are a narrative describing the proposed permit revision, reasons for requesting the revision, and appropriate maps, cross-sections, graphs, construction details, revised reclamation plans and other data which demonstrate compliance with Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and the permit conditions of the approved permit. If an incidental boundary revision involving an acreage adjustment is being requested as part of the permit revision application, the following information shall be included (attach a copy of a metes and bounds description):

Table with columns: NAME OF MINE, ACRES, LOCATION (SEC., TWP., RANGE, COUNTY), ADDRESS. Total ACRES: N/A

Based upon the proposed changes and any incidental boundary revisions to the permit as stated herein, a new or adjusted bond, or its equivalent, duly executed in accordance with Section 38-14.1-16 of the North Dakota Century Code and Chapter 69-05.2-12 of the North Dakota Administrative Code will be delivered to the Public Service Commission prior to issuance of the surface coal mining and reclamation operations permit herein requested. A check for filing fees, pursuant to Section 38-14.1-13 of the North Dakota Century Code, in the amount of \$ _____, is included with the revision application.

Name of Official Authorized to Represent the Applicant WILLIAM W. WEAVER

- I, the above named, certify that: 1. All information and documents required by Sections 38-14.1-13, 38-14.1-14, and 38-14.1-15 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, are submitted as part of this permit application; 2. Information and documentation contained in the permit application affirmatively demonstrate that: a. The permit revision application is accurate and complete and all the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code have been complied with; b. Reclamation as required by Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code can be accomplished under the reclamation plan contained in this permit revision application;

- c. An assessment of the probable cumulative impact of all anticipated mining in the general area on the hydrologic balance as specified in subdivision o of subsection 1 of Section 38-14.1-14 has been made and the proposed operation has been designed to prevent material damage to the hydrologic balance both on and off the mine site;
 - d. The area proposed to be affected is not included within an area designated unsuitable for all or certain types of surface coal mining and is not within an area under study for such designation in an administrative proceeding;
 - e. The proposed surface coal mining operation will not interrupt, discontinue or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated and will not materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors; and
 - f. The permit revision applicant has the legal right to surface mine the land for which this permit revision application is made and all of the requirements of Chapter 38-18 of the North Dakota Century Code have been complied with.
3. The area proposed to be affected is not included within an area where mining is prohibited pursuant to Section 38-14.1-07 of the North Dakota Century Code; unless specifically allowed in accordance with the provisions of Section 69-05.2-04-01 of the North Dakota Administrative Code; and
 4. The surface coal mining and reclamation operations contained in this permit revision application will be carried out at all times in a manner which ensures that all of the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, and any permit conditions attached thereto are complied with.

William W. Wean

Signature of Official

PRESIDENT AND GENERAL MANAGER

Title

VERIFICATION

I, Linda Flemmer

, being first and duly sworn, verify that the information contained in this Permit Revision Application is true and correct to the best of my knowledge and belief.

William W. Wean

Signature of Official

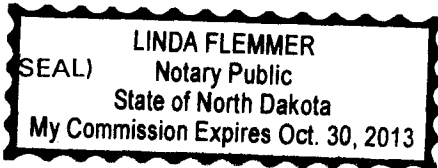
PRESIDENT AND GENERAL MANAGER

Title

Subscribed and sworn to before me this 25 day of July, 2008. My commission expires: 10-30-13.

Linda Flemmer

Notary Public



DAKOTA WESTMORELAND CORPORATION

Mine: Beulah Mine
Permit Number: KRSB-8802
Revision No.: 25
Submittal Date: July 25, 2008

Revision Summary

Pursuant to the letter dated April 30, 2008, revision summary 25 contains updated maps and narratives that meet your needs for the mid-term review of permit KRSB-8802.

In summary, Dakota Westmoreland Corporation (DWC) has updated the sections as outlined in the letter. Several sections were converted from *WordStar* to *Microsoft Word*, thus, pages numbers may have changed from the last submittal of several sections. DWC has placed an asterisk by the changes in each section narrative to facilitate a smoother review.

Listing of Revised Information

<u>Section</u>	<u>Revised Information and Instructions</u>
1.4	Updated the list of directors and officers. Updated the list of landowners and mineral owners to match R24 (Notes: Exhibit 1.4.1 was updated with revision 24; entire section included with submittal because page numbers changed with new document format).
2.1	Updated the stratographic portion of Section B on page 2.1.4.
2.2	Updated the narrative on page 2.2.7 for pond 50. Updated the narrative on page 2.2.8 for pond 63 and for the legal description of Otter Creek. Updated the narrative on page 2.2.9 of spring 13CBC-E/SP. (Note: Entire section included with submittal because page numbers changed with new document format.)
2.3	Updated Table 2.3.1 Updated Exhibit 2.3.1 with current well status and legend. Updated Exhibits 2.3.4 through 2.3.8 with current well status and legend. Updated narrative on page 2.3.14 correcting Schoolhouse flow direction. Updated narrative on page 2.3.24 and Table 2.3.2 for Schwalbe well. Updated narrative on page 2.3.39 concerning well drilling commitments. (Note: Entire section included with submittal because page numbers changed with new document format.)
2.7	Revised the postmining land use table of page 2.7.3 and removed references related to the mitigation wetland on pages 2.7.4 and 2.7.5. Revised Exhibit 2.7.1.

- 2.8 Revised first paragraph of narrative to reflect current expiration date.
- 3.1 Updated production statistics in Section A of the narrative.
Updated page 3.1.6 with a new equipment list.
Revised Exhibit 3.1.1 with the new extended mine plan.
Revised Exhibit 3.1.2 to match Exhibit 3.1.1.
- 3.2 Removed all reference to Pond 69 from narrative.
Updated the Pond 63 reclamation on page 3.2.42.
Updated culvert table in Section C on page 3.2.53 and updated Exhibit 3.2.1 with new and removed culverts.
Updated the Diversion Ditch 63E narrative to reflect its removal on page 3.2.54.
Updated wetland annual water yield analysis on page 3.2.61.
Updated wetland Exhibit 3.2.4.
(Note: Entire section included with submittal because page numbers changed with new document format.)
- 3.5 Updated narrative pages 3-5-4 through 3-5-6 with the final pit location and new slope comparison information
Updated page 3.5.4 with final Charlie/Orange pit locations.
Updated Exhibit 3.5.3 final pit topography.
Updated Exhibit 3.5.1 (Topography X-Section Location Map).
Updated Exhibit 3.5.2c (PMT Cross-Sections).
Updated Exhibit 3.5.5 (PMT Slope Map).
- 3.6 Revised Table 3.6.1, added narrative concerning noxious weed control plans on page 3.6.6, and added language for measuring the success of reclaimed cropland on page 3.6.9.
Added to the historical seed mix list of Exhibit 3.6.4.
(Note: Entire section included with submittal because page numbers changed with new document format.)
- 3.7 Added Hannover Pit narrative on page 3.7.4.
Added Herman Sump narrative on page 3.7.5.
Updated the reclamation schedule for the Orange/Charlie pits with the appropriate justification on page 3.7.6.
(Note: Entire section included with submittal because page numbers changed with new document format)
- 3.8 Updated the Worst Case Bond narrative (July 2008 Policy Memo No. 16 Costs)
Page 3.8.15 was revised with respect to the appropriate federal coal acreage leased and non-leased.
(Note: Entire section included with submittal because page numbers changed with new document format.)