

# Dakota Westmoreland Corporation

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Beulah Mine – P.O. Box 39, Beulah, North Dakota 58523-0039  
Phone: (701) 873-4333 • Fax: (701) 873-7784

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PUBLIC SERVICE COMMISSION

January 30, 2009

FROM DIRECTOR - RECLAMATION DIV.

Mr. James R. Deutsch  
Director, Reclamation Division  
Public Service Commission  
600 E Boulevard Ave, Dept 408  
Bismarck ND 58501-0480

Date: \_\_\_\_\_

Action: \_\_\_\_\_

Info. Only: \_\_\_\_\_

Info & File: \_\_\_\_\_

Dear Mr. Deutsch:

Re: Revision No. 25, KRSB-8802

The following is submitted in response to the Commission's completeness review letter of August 19, 2008. The individual deficiency comments are set forth below followed by Dakota Westmoreland's responses and a listing of revised information. Four sets of the revised information are enclosed.

1. Due to the mine plan changes, the Reclamation Division has determined that this revision application is a significant alteration to the approved operations and reclamation plan and is therefore subject to the notice, hearing and procedural requirements of chapters NDAC 69-05.2-10 and NDCC 38-14.1-18. Please include a copy of the public notice that is to be published for this revision. The notice must indicate that the revision includes final closure plans for the Orange and Charlie Pit areas east of Highway 49. (GAW/WTG)
  - The public notice is provided and has been revised per your recommendation.
2. Please revise the Contour Interval Topographic Maps, Post Mining Topography Map, Exhibit 3.5.3, Proposed Wetland Construction Maps, Exhibit 3.2.4, to show 5-foot contour intervals as required by NDAC 69-05.2-08-02(3). (MDB/GAW)
  - Exhibits 3.5.3 and 3.2.4 have been revised as requested.

A CD of the postmining topography and cross sections used for the worst case bonding and three complete sets of the revision materials are provided. If you have any questions, please contact me at extension 226, or Jesse Noel at extension 208.

Sincerely,



Paula Koble Gores  
Permit Coordinator

/s/  
Encl.