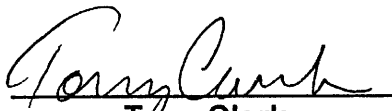
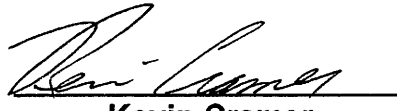


Written comments, objections, or requests for informal conferences should be addressed to the Public Service Commission, 600 East Boulevard Ave., Dept. 408, Bismarck, North Dakota 58505-0480.

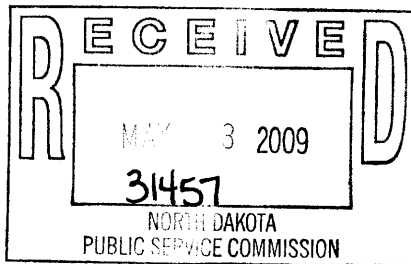
For more information you may contact the Public Service Commission at 701-328-2400.

PUBLIC SERVICE COMMISSION


Tony Clark
Commissioner



Kevin Cramer
President


Brian P. Kalk
Commissioner



U.S. FISH AND WILDLIFE SERVICE
ECOLOGICAL SERVICES
ND FIELD OFFICE

Project as described will have no significant impact on fish and wildlife resources. No endangered or threatened species are known to occupy the project area. IF PROJECT DESIGN CHANGES ARE MADE, PLEASE SUBMIT PLANS FOR REVIEW.

5-12-09 
Date Jeffrey K. Towner
Field Supervisor

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation
Revision No. 25, Permit KRSB-8802
Application

Case No. RC-08-612

NOTICE OF RECEIPT OF REVISION APPLICATION

March 25, 2009

Dakota Westmoreland Corporation has filed a revision application to Surface Coal Mining Permit KRSB-8802 at the Beulah Mine. This revision proposes to discontinue mining activities east of State Highway 49 and adds a final pit closure plan that includes significant changes to the proposed post-mine topography in portions of Sections 19, T143N, R87W, Oliver County and 24, T143N, R88W, Mercer County. The revision also updates the other information and operations and reclamation plans in response to the recent midterm review of this permit.

The revision application and surface coal mining and reclamation permit may be inspected at:

Public Service Commission
State Capitol
Bismarck, North Dakota 58505-0480

Oliver County Auditor
County Courthouse
Center, North Dakota 58530

Mercer County Auditor
County Courthouse
Stanton, ND 58571

You may submit written comments or objections on the proposed permit revision application and its effects on the environment and on surface owners of the land in the permit area. You may request an informal conference with the Commission and the applicant on the revision application. The reasons for requesting an informal conference must be stated in the request. Written comments, objections, or requests for informal conference must be made by May 11, 2009.

If there is an informal conference, you may request a formal administrative hearing on the Commission ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.