



Public Service Commission

State of North Dakota

COMMISSIONERS

Kevin Cramer
Tony Clark
Brian P. Kalk

Executive Secretary
Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
TDD 800-366-6888 or 711
Fax 701-328-2410
Phone 701-328-2400

March 19, 2009

Mr. Jeffrey Fleischman
Director
OSM Casper Field Office
PO Box 11018
150 East B Street - Room 1018
Casper, WY 82602

Dear Mr. Fleischman:

Enclosed for your review is a DVD containing the application for Revision 22 to Surface Coal Mining Permit KRSB-8603 for the Beulah Mine that was submitted by Dakota Westmoreland Corporation. This revision proposes to add 890.4 acres located in portions of Sections 15, 19, 20, and 22, T143N, R88W, Mercer County, to the existing permit area. The additional areas will be used for coal excavation and associated disturbances. The acreage added with this revision will extend mining southward in the Silver Pit Mine Area and eastward in the Red Pit Mine Area. This revision application updates all legal and pre-mine environmental resource information and operations and reclamation plans to reflect the areas being added to the permit.

The areas being added to the permit include several tracts of Federal coal. Dakota Westmoreland currently holds Lease No. NDM 041765 for the Federal coal tracts located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T143W, R88W and N $\frac{1}{2}$ of Section 22, T143W, R88W. Mining plans for these tracts are included in the Resource Recovery and Protection Plan that was submitted to the BLM in November 1999 by the Knife River Corporation, who previously owned and operated the Beulah Mine. It is our understanding that Dakota Westmoreland filed an application several months ago for a Federal coal lease on the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T143W, R88W, but a lease has not yet been issued. However, Dakota Westmoreland plans to submit a Resource Recovery and Protection Plan to the BLM for those parcels as soon as possible. As the time gets closer for the approval of Revision No. 22, the Reclamation Division will prepare some of the documents that are needed for the Federal Mine Plan approval.

Please note the enclosed DVD contains information for the entire area contained in Permit KRSB-8603, including areas that were previously permitted and mined. We ask that you submit any comments on the application for Revision 22 to this permit by May 8, 2009.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Deutsch", written in a cursive style.

James R. Deutsch
Director
Reclamation Division

Enclosure

m\Beulah\8603\Revisions\No. 22\OSM_BLM_ltrs_3-19-09



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March 19, 2009

Mr. Rick Holbrook Chief
Program Support Division
Western Regional Coordinating Center
Office of Surface Mining
PO Box 46667
Denver, CO 80202-5733

Dear Mr. Holbrook:

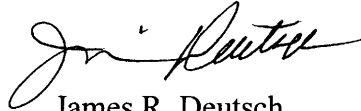
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If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "James R. Deutsch". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "Deutsch".

James R. Deutsch
Director
Reclamation Division

Enclosure

cc: Gene Hay

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March 19, 2009

Mr. Phillip Perlewitz
Chief, Branch of Solid Minerals
Bureau of Land Management
5001 Southgate Dr.
Billings, MT 59101-4669

Dear Mr. Perlewitz:

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James R. Deutsch
Director
Reclamation Division

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March 19, 2009

Mr. Lonnie Bagley
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Ave West, Suite A
Dickinson, ND 58601

Dear Mr. Bagley:

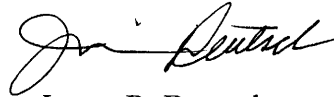
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James R. Deutsch
Director
Reclamation Division

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