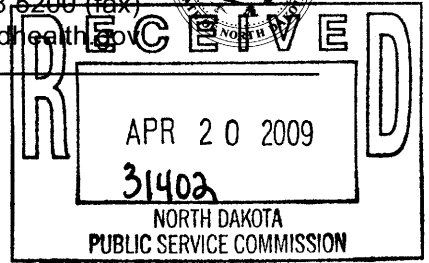




NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
www.ndhealth.gov



April 17, 2009

James Deutsch, Director
Reclamation Division
Public Service Commission
600 East Boulevard Avenue
Bismarck, ND 58505

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

RE: Revision 22 to Permit KRSB-8603

Action: _____

Info. Only: _____

Dear Mr. Deutsch:

Info & File: _____

We have reviewed Dakota Westmoreland Corporation's application for revision number 19 to mining permit KRSB-8603 which will add approximately 890 acres to the existing permit area. We have noted that the surface water management plan for the proposed mine area includes seven sedimentation ponds that will discharge off-site. Once the ponds are constructed, they must be assigned discharge point numbers and added to Dakota Westmoreland's existing NDPDES permit.

At this time, the Department has no further comments regarding this revision.

Sincerely,

Gary Bracht
Environmental Engineer
Division of Water Quality

GB:RK

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Comments filed by the Water Quality Division
ND Health Department
Gary Bracht

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