



Public Service Commission State of North Dakota

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October 22, 2009

Mr. Jeff Frohlich
Manager, Engineering & Environment
Dakota Westmoreland Corporation
Beulah Mine
P.O. Box 39
Beulah, ND 58523-0039

Dear Mr. Frohlich:

The Reclamation Division is prepared to recommend Commission approval of Revision No. 22 to Permit KRSB-8603 at the October 28th Commission meeting. However, the stipulation to increase the amount and area covered by the surety bond for this permit needs to be filed early next week for approval on October 28th. In addition, as required by NDAC 69-05.2-06-01(2), Dakota Westmoreland must also update the ownership and control (business entity) information that is listed in Section 1.4 of the permit or provide a statement that the latest update of this information is still current. Any updated information will be subject to a query on OSM's Applicant Violator System before approval of the revision. This information, along with the surety bond stipulation, needs to be filed no later than October 26th.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

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