



Public Service Commission

State of North Dakota

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January 9, 2009

Mr. Joe D. Friedlander
Environmental Manager
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523

Dear Mr. Friedlander:

The Reclamation Division has conducted a completeness review of the applications for Renewal No. 1 and Revision No. 7 to Surface Mining Permit NACT-0201. The following items must be adequately addressed prior to deeming the applications complete.

Renewal Application

1. Please include a statement of the reasons for requesting a renewal to the Renewal Application as required by NDAC 69-05.2-11-03(5)(b). (GAW/BEB)

Newspaper Notice

2. The Reclamation Division has determined that Revision No. 7 is a significant revision and therefore is subject to the notice requirements of NDAC 69-05.2-10 and NDCC 38-14.1-18. Please modify the advertisement to include Revision No. 7. (GAW/SAS/BEB)
3. Tract 7 coal owner Darlene Doffee Looper is missing from the notice. Please add. (SAS)
4. The surface owner for Tract 51 is listed as Duane Walz, but the permit lists Duane Walz and Karen Walz. Please correct. (SAS)

Section 2.0 – Environmental Resource Information

5. Follow-up to Original Deficiency No. 10: The Pedon Index on page 7 of Section 2.5.9.1 has been updated to reflect the addition of nine pedon analyses (467 to 475) conducted by Prairie Soil Consulting in 2007, but copies of the analyses have not been added to Section 2.5.9.1. Please add copies of the analyses to Section 2.5.9.1. (WTG)

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A CD or other electronic document containing the mailing addresses of all surface owners within Permit NACT-0201 would certainly help us notify the surface owners of this permit renewal and revision. If available, we would appreciate receiving a document with these addresses for our mailing.

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 written in a cursive style with a large initial "J" and a prominent flourish.

James R. Deutsch
Director
Reclamation Division