

THE COTEAU
PROPERTIES COMPANY
A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

FREEDOM MINE

204 County Road 16
Beulah, North Dakota 58523-9475
(701) 873-2281 • Fax (701) 873-7226
APR 26 2010
31965
NORTH DAKOTA
PUBLIC SERVICE COMMISSION

April 23, 2010

Mr. James R. Deutsch
Director Reclamation Division
Public Service Commission
600 East Boulevard Avenue
Department 408
Bismarck, ND 58505-0480

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

Dear Mr. Deutsch:

Enclosed are three DVD's containing revised Revision 8 to Permit NACT-0201. Responses below refer to deficiencies in your April 9, 2010 letter regarding completeness review:

1. Enclosed is a letter of certification.
2. The pages for revised tracts 25 and 91 are enclosed.
3. Coteau sent an email to the PSC dated April 13, 2010 asking that further surface owner notification be waived. Per your email response dated April 21, no further notification is necessary.
4. See revised page 8 of Section 3.1.1.3.
5. A certification letter paragraph for Revision 8 was added to the Certification Letter of Section 3.3.
6. See revised pages 5-6 of Section 3.3.1. Revision 7 remains on the bottom of each page.
7. See revised pages 1-3 and new pages 7-8 of Section 3.3.14, and the revised Details of P-W25-01 drawing of Section 3.3.14.1, which have been revised to demonstrate that the capacity of pond P-W25-01 is adequate for the modified watershed area. Also, the narrative on page 1 of Section 3.3.13 has been revised to update references to the storage capacity of pond P-W25-01.
8. See deficiency #7.

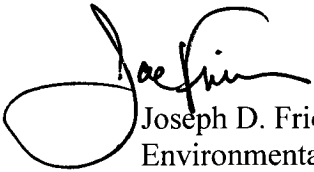
Mr. James R. Deutsch
April 23, 2010
Page 2

9. See the revised Post-Mining Topography and Land Use Map of Section 4.1.2, which has been modified to show the location and size, to scale, of the post-mining wetlands. A descriptive note pertaining to the post-mining wetlands has also been added to Sheets 1 and 2 of this map. In addition, several woodland planting symbols have been adjusted on the map to fit more appropriately to the slope aspect of the post-mining topography.

If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY

A handwritten signature in black ink, appearing to read "Joe Friedlander". The signature is fluid and cursive, with a large initial "J" and "F".

Joseph D. Friedlander
Environmental Manager

JDF:lr
Enc.

THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

FREEDOM MINE

204 County Road 15
Beulah, North Dakota 58523-9475

(701) 873-2281 • Fax (701) 873-7226

April 23, 2010

To the Reviewing Agency:

This letter serves to certify the design information contained within this surface water management plan for the Freedom Mine, which was prepared by myself, or under my direction, for the purpose of filing Revision 8 to Permit NACT-0201. I also certify that I have experience in the design of water management structures, and that the plans prepared for Revision 8 incorporate current design requirements established by the North Dakota Public Service Commission.

Sincerely,

THE COTEAU PROPERTIES COMPANY

William R. Kirk

William R. Kirk PE
Staff Mining Engineer
Registration No. PE-2328
North Dakota

WRK:lr

