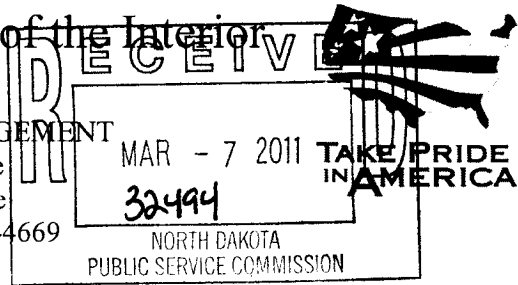




United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Montana State Office
5001 Southgate Drive
Billings, Montana 59101-4669
www.blm.gov/mt



In Reply Refer To:
3482(9210.AA)

March 3, 2011

FROM DIRECTOR - RECLAMATION DIV.

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

James R. Deutsch, Director
Reclamation Division
North Dakota Public Service Commission
600 E. Boulevard Ave., Dept. 408
Bismarck, North Dakota 58505-0480

Dear Mr. Deutsch,

Thank you for giving the Bureau of Land Management an opportunity to determine whether disturbances proposed by South Heart Coal LLC (SHC) will have substantial or adverse effects on the federal coal tracts. We have reviewed SHC's application for Surface Coal Mining Permit No. SHSH-1001 to permit 4,481.4 acres of land for a new mine in Stark County, North Dakota.

Unleased federal coal lies adjacent to proposed mining operations in T139N, R98W, Sections 14, 20, 28, and 34. It was not discussed in the permit application how the operator will prevent the federal coal bearing formations from being wasted, damaged, or degraded when the proposed mining operations approach the boundary lines adjoining federal coal. The current mining plan of operations cannot hinder the future mining of federal coal. It is BLM's determination that this discussion be included in the permit application.

If you have any questions, please call Anne Allen at 406-896-5082.

Sincerely,

Phillip Perlewitz, Chief
Branch of Solid Minerals

cc: Allen D. Klein, Director
Western Regional Coordinating Center
Office of Surface Mining
1999 Broadway, Suite 3320
Denver, CO 80202-3050