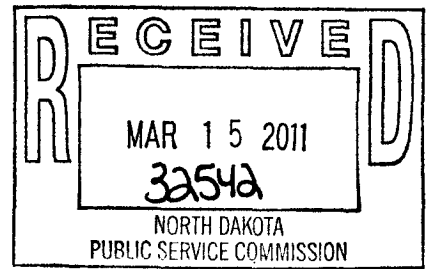


March 13, 2011



North Dakota Public Service Commission  
600 East Boulevard Ave., Dept. 408  
Bismarck, ND 58505-0480

**RE: South Heart Coal LLC Surface Coal Mining Permit No. SHSH -1001**

Dear Public Service Commissioners:

I am writing to ask that you deny the request by South Heart Coal LLC (SHC) for a mining permit to mine coal near South Heart, ND. I am also requesting that The ND Public Service Commission (PSC) hold an informal and a formal hearing on this mining permit application.

Strip mining for coal is an extremely destructive land use. It negatively impacts ground and surface water, soil productivity, and air quality. Even the best reclamation practices cannot restore the land to full productivity for native wildlife species. There is also evidence that the reclaimed land cannot be restored to full agricultural productivity.

The coal found at South Heart contains uranium. Strip mining of this coal will cause the uranium to become airborne with the potential to be breathed in by people living near the mine site. Once ingested, uranium causes cancer and kidney failure in humans. Before a permit is granted and any mining activities take place, SHC should be required to conduct a study to determine the cumulative impacts of the 24/7 human exposure to airborne uranium resulting from their operations.

Burning coal is a leading cause of smog, acid rain, global warming, and air toxics. In an average year a typical coal plant generates:

3,700,000 tons of carbon dioxide (CO<sub>2</sub>)

10,000 tons of sulfur dioxide (SO<sub>2</sub>)

500 tons of small airborne particles

10,200 tons of nitrogen oxide (NO<sub>x</sub>)

720 tons of carbon monoxide (CO)

220 tons of hydrocarbons, volatile organic compounds (VOC)

170 pounds of mercury

225 pounds of arsenic

114 pounds of lead

4 pounds of cadmium

Other toxic heavy metals

A 2004 report, "The Toll From Coal," from Clean Air Task Force (CATF) estimates that coal pollution causes about 24, 000 premature deaths annually in the U.S. The same CATF report from 2010 states that the monetized value of the adverse health impacts from coal amounts to \$100 billion per year.

North Dakota prides itself on being an energy leader. As citizens of the state our standard of living and lifestyles benefit from developing our fossil fuel resources. But we are also citizens of the world. We have an obligation to do our part to solve the global problem of climate change. We must consider the long-term goals for North Dakota. What kind of legacy do we want to leave for our grandchildren? We cannot, in good conscience, selfishly continue to mine coal to be burned to produce electricity when that process is the primary human source of global warming pollution. Coal generates 40% of the U.S CO2.

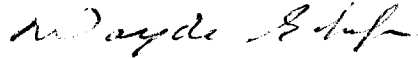
We have other options. Coal is the energy source of the Industrial Revolution of the turn of the last century. Wind, solar, geothermal all have the potential to meet our energy needs and create jobs and wealth for North Dakota. There has not been a new mine permitted in North Dakota in over 30 years. This last desperate attempt by SHC to capitalize on an asset before the use of coal is rendered obsolete should not be sanctioned. Instead, the ND Public Service Commission (PSC) should help bring North Dakota into the 21<sup>st</sup> Century by focusing its valuable time on renewable and alternative energy sources.

When making its decision in this matter the PSC must consider the social and economic impacts to the farming community of South Heart. Agricultural jobs will be lost. The lifestyles of the residents will be forever altered. The toll on infrastructure, law enforcement personnel, and emergency services will not be off-set by the additional tax income generated by this mine.

The stated purpose of the proposed coal mine is to supply coal to a proposed on-site coal gasification plant. Currently, there is a coal beneficiation plant at the site with plans for a larger one to be built later. This proposed industrial coal complex is just 13 miles from Theodore Roosevelt National Park, North Dakota's premiere tourist attraction. The sight of this industrial operation is so close to the Park that it will serve to diminish visitor enjoyment for travelers from the east. The project will also impact the air quality of the Park.

Thank you for the opportunity to comment on this mining permit application. The environmental and social impacts to the community of South Heart and Theodore Roosevelt National Park from this proposed project are too great to allow it to move forward. I respectfully request that the surface coal mining permit be denied for South Heart Coal LLC's proposed mine at South Heart, ND.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wayde Schafer".

Wayde Schafer  
3305 Hillside Road  
Mandan, ND 58554