

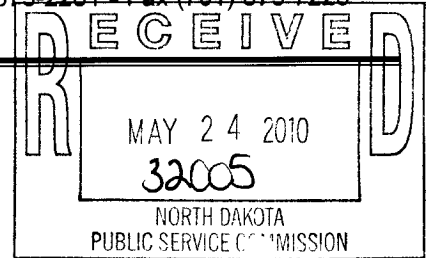
THE COTEAU PROPERTIES COMPANY

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION

FREEDOM MINE

204 County Road 15
Beulah, North Dakota 58523-9475

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May 21, 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 Revision 15 to Permit NACT-0401, the original revision application form, the original renewal application form, and a proposed newspaper publication. This revision updates the permit for renewal #1, and adds the 2008-2009 Wildlife Monitoring Report to the Consolidated Wildlife and Habitat Monitoring Plan. Three DVD's containing this plan are also enclosed.

Responses below refer to deficiencies in your March 26, 2010 letter:

1. See revised Section 1.3.1.
2. See revised pages 2-5 of Section 1.2.6
3. See revised Section 1.3.2.
4. See revised Section 1.3.3.
5. See revised Section 1.3.5.
6. See revised Sections 1.5.1, 1.5.2, and the revised Surface and Coal Ownership Map of Section 1.5.3.
7. See revised Section 1.5.1.
8. See revised page 1 of Section 2.2.7.
9. See revised page 4 of Section 3.1.1.2.
10. See revised page 2 of Section 3.1.1.3. The variances were reviewed, and no other changes are necessary at this time. The boundary of the variance area, as shown on the Pit Layout and Facilities Map of Section 3.1.3, was revised to match actual coal loading.
11. See the revised Pit Layout and Facilities Map of Section 3.1.3.
12. See the revised Extended Mining Plan Map of Section 3.1.4.
13. See revised page 1 of Section 3.1.1.4.
14. See revised pages 1-3 of Section 3.1.1.5.
15. See revised page 1 of Section 3.3.4.
16. See the revised Surface Water Management Plan Map of Section 3.3.2.

Mr. James R. Deutsch
May 21, 2010
Page 2

17. See revised page 2 of Section 4.3.1.
18. Coteau believes that the current worst-case scenario is adequate, considering the significant amount of reclamation work to be done in 2010, 2011, and 2012.

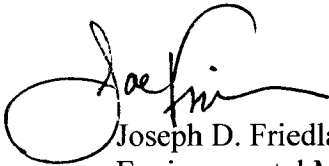
In addition, the following sections were revised:

1. Page 2 of Section 3.1.1 was revised to provide additional clarification of prebenching off coal and stockpiling of overburden.
2. Page 2 of Section 3.1.1.2 was revised to provide additional clarification of prebenching off coal and stockpiling of overburden.
3. Page 2 of Section 3.2.1 was revised to address the construction in 2009 of a temporary dragline deadhead trail and excavated sump in the western half of the permit area. These facilities are also shown on the Pit Layout and Facilities Map of Section 3.1.3.
4. The 2008-2009 Wildlife Monitoring Report was added to Appendix A of the Consolidated Wildlife and Habitat Monitoring Plan.

If you have any questions, please contact me.

Sincerely,

THE COTEAU PROPERTIES COMPANY



Joseph D. Friedlander
Environmental Manager

JDF:lr
Enc.