

**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

September 17, 2009

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

Dear Mr. Deutsch:

In accordance with NDAC 69-05.2-24-03(1) and PSC Policy Memorandum No. 23, I am submitting the primary road certification for the Mine Area 4 North Conveyor haulroad that lies within the boundary of Permits NACT-8102, NACT-8203 and NACT-8401. This haulroad was constructed during the time period of May through September of 2009. The haulroad begins at the new truck dump facility in the NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 24, T145N, R88W, at station 0+00, and ends at station 125+91 located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 8, T145N, R87W. Narrative, design information, and design drawings of the haulroad are presented in Sections B-1, B-2, B-3, and B-4 of Revision 50 to Permit NACT-8102, Sections B-1, B-2, B-3, and B-4 of Revision 28 to Permit NACT-8203, and Sections C-1, C-2, C-3, and C-4 of Revision 18 to Permit NACT-8401.

Construction of the MA4N Conveyor haulroad began on the morning of May 8, 2009 with topsoil removal operations at the eastern end of the haulroad corridor. All topsoil removed from the haulroad corridor during construction was placed on existing topsoil stockpiles located adjacent to the corridor. Haulroad construction, including culvert installations, proceeded to the west in intervals. On the morning of September 3, 2009, haul trucks transporting coal from Mine Area 2 began using the completed haulroad. However, final grading of some segments of haulroad ditch and installation of articulated concrete mats at the outlets of several culvert installations was still underway.

Mr. James R. Deutsch  
September 17, 2009  
Page 2

I conducted a final inspection of the haulroad on the afternoon of September 15, 2009. The only work that remains consists of the installation of storm water best management practices, such as disking and seeding of road ditch bottoms and slopes, and installation of silt fence adjacent to culvert installations to control erosion. However, the MA4N Conveyor haulroad is fully functional, and has been constructed according to the approved design plans and the applicable requirements of NDAC 69-05.2-24. Accordingly, the MA4N Conveyor haulroad has been certified and the certification form is enclosed.

Sincerely,

THE COTEAU PROPERTIES COMPANY

*William R. Kirk*

William R. Kirk PE  
Staff Mining Engineer

WRK:lr  
Enc.

bcc: w/enc.  
J. D. Friedlander  
K. J. Link

PRIMARY ROAD CERTIFICATION FORM

Primary road designation Mine Area 4 North Conveyor Haulroad

Primary road location Sections 8, 17 & 18, T145N, R87W &

Design Certification

Section 24, T145N, R88W

The design certification for this constructed or reconstructed primary road is contained in the following document: Rev 50 to Permit NACT-8102, Rev 28 to Permit

Final Certification

NACT- 8203 & Rev. 18 to Permit NACT- 8401

I certify that this primary road meets or exceeds the design specifications set forth in the appropriate section of the above-referenced document. I further certify that, to the best of my knowledge, this primary road was constructed in accordance with sound construction methods and procedures.



William R. Kirk  
(Signature)

PE-2328  
(N.D.P.E. Stamp Number)

09/16/09  
(Date)

NOTE: Any deviation from, or variance associated with, the design specifications for this primary road should be fully documented on a separate page.