



Public Service Commission

State of North Dakota

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April 17, 2012

Mr. Donn Steffen
Environmental Manager
Coteau Properties Company
204 County Rd. 15
Beulah, ND 58523

Dear Mr. Steffen:

The Reclamation Division has reviewed Coteau's April 10th response to our initial review of Renewal No. 5 to Permit NACT-8601. The renewal application has been deemed complete (the accompanying revision application is an insignificant revision). All of the issues identified in our letter have been appropriately addressed and Coteau may begin publication of the newspaper notice.

Although not mentioned in our April 10th review letter or specifically required by regulation, we believe a sentence should be added to the public notice that indicates why the permit is being renewed. Please consider adding a sentence that states that coal removal has been completed in the permit area but the permit is being renewed because portions of the permit area are being used to support active mining operations that are occurring elsewhere. The purpose of the public notice requirements is to inform the public what is occurring with the permit.

Please be reminded that Coteau will need to submit affidavits showing proof of publication as required by NDCC 38-14.1-18 (1).

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

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