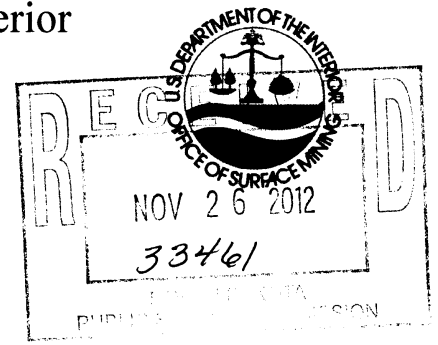




United States Department of the Interior

OFFICE OF SURFACE MINING
Reclamation and Enforcement
Casper Field Office
PO Box 11018
150 East B Street, RM 1018
Casper, WY 82602



Nov. 20, 2012

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

Dear Mr. Deutsch:

This letter is to acknowledge receipt of your November 14, 2012 letter regarding formal submittal of North Dakota's formal Program Amendment XL package, which addresses revised surface coal mining and reclamation operations rules in North Dakota Administrative Code (NDAC) Article 69-5.2. The required changes relate to the use of OSM's Applicant Violator System (AVS) prior to the approval of permits, renewals and certain revisions. Two other rule changes are also included in this amendment. One adds a new subsection to an existing rule with general requirements on the format of electronic applications. The other change makes a minor correction to a provision that should have been changed when another rule was amended to no longer require renewal of a permit once lands in that permit are no longer being mined or used in support of mining.

The Surface Mining Control and Reclamation Act (PL 95-87) requires the solicitation and public disclosure of the views of other Federal agencies and parties having an interest in or special expertise relevant to the formal program amendment. Therefore, copies of the program amendment package will be distributed to other interested parties and Federal agencies on our distribution list for review and consideration.

If you have any questions regarding the status of this amendment, please contact John Sieving at (307) 261-6541.

Sincerely,


Jeff Fleischman, Director
Casper Field Office

