



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

August 11, 2014

Todd Sando, P.E.
State Engineer
North Dakota State Water Commission
900 East Boulevard Avenue Dept 770
Bismarck, ND 58505-0850

Dear Mr. Sando:

The Dakota Westmoreland Corporation has filed an application for Revision 29 to Surface Coal Mining Permit KRSB-8802 to revise the postmining land use from agricultural to industrial for 30 acres of reclaimed cropland/hayland located in the SE $\frac{1}{4}$ of Section 11 and the NE $\frac{1}{4}$ of Section 14 of T143N, R88W, in Mercer County. The postmine land use change will facilitate development of a proposed transload multi-use facility located in portions of Sections 10, 11, and 14. Figure 1 depicts the proposed transloading rail loop, the 30 acre postmine land use change parcel, and the locations of sedimentation ponds 1, 10, 15, 17, and 30 for which designs are being updated with the revision.

Enclosed is a copy of the permit revision application for your agency's review. Design updates for sedimentation ponds 1, 10, 15, 17, and 30 are located in Section 3.2 of the revision application. As a member of our Advisory Committee, please review your agency's areas of interest and responsibility for the revision application, and provide us with any written comments that you may have on the revision application by September 11, 2014.

Please contact this office if you have any questions.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure

Minedata/Beulah/Permits/KRSB-8802/Revisions/No.29/Rev29_advry_rvw_rqst_ltr_8-11-14



Figure 1. Revision 29 to KRSB-8802 proposed transloading rail loop, 30 acre postmine land use change parcel, and locations of sedimentation ponds 1, 10, 15, 17, and 30 for which designs are updated with the revision. Aerial photography is courtesy of Dakota Westmoreland Corporation is dated November 2013.



Public Service Commission

State of North Dakota

COMMISSIONERS

Brian P. Kalk
Randy Christmann
Julie Fedorchak

Executive Secretary
Darrell Nitschke

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

August 11, 2014

David Glatt, Chief
Environmental Health Section
North Dakota Department of Health
918 East Divide Avenue
Bismarck, ND 58501-1947

Dear Mr. Glatt:

The Dakota Westmoreland Corporation has filed an application for Revision 29 to Surface Coal Mining Permit KRSB-8802 to revise the postmining land use from agricultural to industrial for 30 acres of reclaimed cropland/hayland located in the SE $\frac{1}{4}$ of Section 11 and the NE $\frac{1}{4}$ of Section 14 of T143N, R88W, in Mercer County. The postmine land use change will facilitate development of a proposed transload multi-use facility located in portions of Sections 10, 11, and 14. Figure 1 depicts the proposed transloading rail loop, the 30 acre postmine land use change parcel, and the locations of sedimentation ponds 1, 10, 15, 17, and 30 for which designs are being updated with the revision.

Enclosed is a copy of the permit revision application for your agency's review. Design updates for sedimentation ponds 1, 10, 15, 17, and 30 are located in Section 3.2 of the revision application. As a member of our Advisory Committee, please review your agency's areas of interest and responsibility for the revision application, and provide us with any written comments that you may have on the revision application by September 11, 2014.

Please contact this office if you have any questions.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure



Figure 1. Revision 29 to KRSB-8802 proposed transloading rail loop, 30 acre postmine land use change parcel, and locations of sedimentation ponds 1, 10, 15, 17, and 30 for which designs are updated with the revision. Aerial photography is courtesy of Dakota Westmoreland Corporation is dated November 2013.