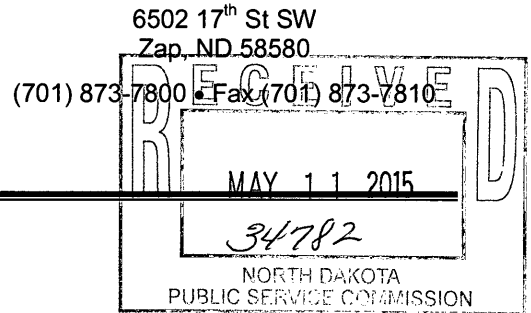


# COYOTE CREEK MINING COMPANY, L.L.C.

A SUBSIDIARY OF THE NORTH AMERICAN COAL CORPORATION



May 8, 2015

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

RE: Permit No. NACC-1302

Dear Mr. Deutsch:

Notice of Violation (NOV) Number 1501 was issued to Coyote Creek Mining Company, L.L.C. (Coyote Creek), on April 24, 2015. Abatement must be addressed by May 12, 2015, fifteen days after Coyote Creek received the notice. Please consider this letter Coyote Creek Mining Company's response to the NOV.

In accordance with our approved Permit NACC-1302, Coyote Creek will continue to remove and protect topsoil in all cases of disturbance, except for those situations allowed by NDAC 69-05.2-15-02(2)(b) and (4).

This same protection of topsoil applies to work done by contractors and subcontractors. With regard to future mine related projects that involve the removal or protection of topsoil, work performed by contractors will be frequently reviewed by Coyote Creek personnel to verify compliance with topsoil removal and protection requirements. Coyote Creek will continue to emphasize to our contractors the special requirements for material handling and protection of topsoil when conducting work that supports mining activities.

Sincerely,

COYOTE CREEK MINING COMPANY, L.L.C.



Donn R. Steffen  
Engineering and Environmental Manager

SJF:lr