



Public Service Commission State of North Dakota

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July 2, 2015

Mr. Jeff Frohlich
Manager, Engineering & Environment
Dakota Westmoreland Corporation
Beulah Mine
P.O. Box 39
Beulah, ND 58523-0039

Dear Mr. Frohlich:

The Reclamation Division has conducted a completeness review of the applications for Revision No. 30 and Renewal No. 5 to Permit KRSB-8802 at the Beulah Mine. The following items must be adequately addressed before the applications can be deemed complete and approval is granted to begin publication of the permit revision and renewal newspaper notice. Please respond in a timely manner so that publication of the newspaper notice can begin as soon as possible.

Newspaper Notice

1. As required by NDAC 69-05.2-10-01(1)(c), please revise the fifth paragraph of newspaper notice as follows: *"Any persons with an interest which is or may be adversely affected may file written comments, objections, or request an informal conference on the **revision and renewal applications** with the North Dakota Public Service Commission, **600 East Boulevard, Dept. 408 Bismarck, ND 58505-0480** within 30 days of the last publication of this notice.* Please add the following statement to the end of this paragraph *"Any request for an informal conference must include the reasons for the request."*
NDAC 69-05.2-10-02(1)(a) (WTG\ZAB)
2. Please remove the following sentence from the second paragraph of the newspaper notice. *This revision also addresses several administrative changes required as a result of the Public Service Commission's pre-renewal review of the permit. (ZAB)*

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3. In the newspaper notice, please remove Rose Heth from the list of surface and coal owners for the NE1/4 of Section 19, Oliver County, T143N, R87W, to be consistent with the ownership listed in the permit. (ZAB)
4. As required by NDAC 69-05.2-10-01(1)(b), please revise the newspaper notice map to label Highway 49 as ND Highway 49 rather than US Highway 49. (WTG\BEB)
5. As required by NDAC 69-05.2-10-01(1)(b), please increase the font size of the county and township-range boundary labels to match that of the font for labels used for 13th and 16 Street SW on the newspaper notice map. The font used for existing county and township-range boundaries was also used for the Revision No. 29 newspaper notice map and it was difficult to read as published in the Bismarck Tribune in July and August of 2014. (WTG\ZAB)

If you have any questions, please contact this office.

Sincerely,



James R. Deutsch
Director
Reclamation Division