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February 22, 2010

Erika Durr
Clerk of the Board
United States Environmental Appeals Board
Suite 600
1341 G Street NW
Washington DC 20005

Re: Peabody Western Coal Company
Permit Number: NN-OP 08-010
Appeal Number: CAA 10-01

Dear Ms. Durr,

Please be advised that the Navajo Nation Environmental Protection Agency is represented by counsel — not only in the above-referenced appeal currently before the Environmental Appeals Board, but in any other matters that might arise in the future. Kindly ensure that any correspondence sent to Mr. Stephen B. Etsitty, Executive Director of the Navajo Nation Environmental Protection Agency, is also sent (cc'd) to the following individuals:

Anthony Aguirre
Assistant Attorney General
Navajo Nation Department of Justice
Post Office Box 2010
Window Rock AZ 86515

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Very truly yours,

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cc: Stephen B. Etsitty
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