

DKM



Public Service Commission State of North Dakota

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INSPECTION REPORT

DATE OF INSPECTION: December 10, 2008
TYPE OF INSPECTION: Partial
PERMITTEE - MINE: Dakota Westmoreland Corporation – Beulah Mine
PERMITS INSPECTED: KRSB-8603, KRSB-8802
PERSONS ACCOMPANYING INSPECTOR: Jeff Frohlich and Commissioner Wefald



INSPECTION CONDITIONS: The inspection was conducted between 9:45 a.m. and 12:20 p.m., CST. Skies were cloudy with the wind from the northwest at approximately 15-20 mph. The temperature was near 40° F. Access was good early in the day but roads got slippery as the temperature rose.

OVERBURDEN/COAL REMOVAL

Mr. Frohlich indicated that overburden from the Gold Pit area in Section 15 was being removed and used to widen the West Brush Creek haulroad which was approved in Revision 21 to Permit KRSB-8603.

The 777 truck/shovel fleet was removing overburden from the top of coal in the SW¼ of Section 15, Permit KRSB-8603, where the dragline could not be used. Dozers were working on uncovering coal in the SW¼ of Section 17 in the same permit.

The 480 dragline was removing overburden in the SE¼ of Section 17, Permit KRSB-8603, and the 1570 dragline was down for maintenance in the NW¼ of Section 19, Permit KRSB-8802.

Coal was being removed from the Middle Silver Pit in Section 17, Permit KRSB-8603, and from the Charlie Pit in the SE¼ of Section 19, Permit KRSB-8802.

SURFACE WATER MANAGEMENT

Several ponds were viewed during the inspection. The following ponds were reviewed and their relative elevations to the Permanent Pool Elevation (PPE) were noted.

Pond	Elevation	Comments
86	2 feet below PPE	
93	10 feet below PPE	

Pond	Elevation	Comments
87	5 feet below PPE	
84	Dry	
50	6 feet below principal spillway	
30	12 feet below PPE	

In a previous inspection report, it was noted that a drainageway above Pond 92 still had topsoil located in it. When the pond was initially constructed, the watershed going down through this drainageway was minimal and could be controlled by a silt fence. However, since that time the spoil has been leveled and the watershed has increased in size to a point in which it would have been hard to control with a silt fence so the drainageway has been stripped of topsoil.

BLASTING

A coal shot was fired at approximately 10:45 a.m., CST in the Middle Silver Pit, in the S½ of Section 17. Inspectors were located approximately 300 yards northeast of the blast site at the time of blast detonation. The pre-blast warning signal and the all-clear signal were not heard although the inspectors were well within the half mile radius of the blast, the required distance an audible warning and all-clear signal must be heard. As a result NOV-0804 will be issued to DWC.

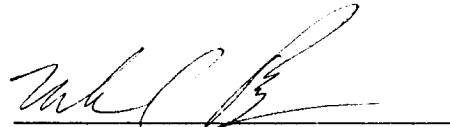
SUITABLE PLANT GROWTH MATERIAL REMOVAL/RESPREAD

SPGM was being stripped along the section line between Sections 16 and 17, Permit KRSB-8603. The area in Section 16 has been previously mined and the SPGM was being stripped to tie into the initial box cut that had been previously reclaimed.

The valley fill area in Section 16, Permit KRSB-8603, was viewed during the inspection. Respread has been completed to the second rock check dam. The area appeared stable and in excellent condition.

STOCKPILES

Topsoil and subsoil stockpiles in Section 19, Permit KRSB-8802, were being mulched and crimped at the time of the inspection.


Michael Berg P.E.
Environmental Engineer

cc: Jesse Noel
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OSM Casper Field Office
Mercer County Auditor
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