

**PUBLIC SERVICE COMMISSION**

**Reclamation Division**

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**Memorandum**

**TO:** Commissioners Fedorchak, Christmann, and Kalk  
Darrell Nitschke, Executive Secretary  
Illona Jeffcoat-Sacco and John Schuh

**FROM:** Jim Deutsch, Dean Moos and Zanna Brinkman

**DATE:** October 8, 2015

**SUBJECT:** Application for Renewal No. 5 to Permit No. KRSB-8802 held by Dakota Westmoreland Corporation, Case No. RC-15-425

On June 25, 2015, Dakota Westmoreland Corporation filed the application for Renewal No. 5 to Permit No. KRSB-8802. This renewal will extend the permit term another five years until October 23, 2020. The Reclamation Division has reviewed this application and respectfully recommends its approval.

Permit No. KRSB-8802 contains 4,905.9 acres located in all or portions of Sections 10, 11, 12, 13, 14, 15 and 24, T143N, R88W, Mercer County and Sections 7, 8, 17, 18, 19 and 20, T143N, R87W, Oliver County. Approval of this renewal is necessary in order for Dakota Westmoreland to continue mining related activities and reclamation operations within the permit area until October 23, 2020. Coal removal has been completed from this permit area but this permit area also contains the shop-office complex, coal hauling facility and haulroads that support active mining operations in Permit KRSB-8603. Dakota Westmoreland also filed Revision No. 30 to update plans and information for the next five-year term.

Dakota Westmoreland has submitted evidence that the required levels of liability insurance continue to remain in effect. Surety Bond No. 64S103557522BCM covers this permit and the current bond amount of \$10,382,986 is sufficient to cover the current worst-case reclamation condition of this permit.

Dakota Westmoreland published notices of the renewal and revision applications in the Bismarck Tribune, Center Republican and Hazen Star. We also sent notices to the appropriate agencies and landowners as required. No objections to the application have been received.

Attached are the motion and renewal award form for your consideration at the October 14, 2015 Commission meeting.

Minedata/Beulah/Permits/KRSB-8802/Revisions/No.5/Ren5\_memo\_10-8-15

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Public Service Commission Staff  
Jim Deutsch, Dean Moos, Zanna Brinkman