

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

**Dakota Westmoreland Corporation**  
**Revision No. 30, Permit KRSB-8603**  
**Approval**

**Case No. RC-16-146**

**REVISION OF PERMIT TO ENGAGE IN**  
**SURFACE COAL MINING AND RECLAMATION OPERATIONS**

**July 20, 2016**

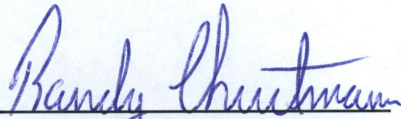
Based on the application for **Revision Number 30 to Permit Number KRSB-8603 received March 30, 2016**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

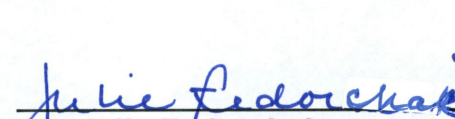
1. The revision application submitted on March 30, 2016, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code.
2. With regard to changes to the reclamation schedule proposed with Revision No. 30, the applicant requested additional variances from the contemporaneous reclamation requirement that normally requires all reclamation efforts through the initial seeding be completed within three years of completion of mining activities, NDCC 38-14.1-24(14). These variance areas, which are related to the reclamation of final pits, are identified in the revision application and staff determined they are justified. Variances from the three year seeding requirements were previously granted for portions of the permit area as allowed by NDCC 38-14.1-24(14) and the Commission is approving the additional variances as proposed by Revision No. 30.
3. Performance bonds in the total amount of \$9,485,270.70 are sufficient for mining and reclamation operations in the permit area as proposed by this revision. A second surety bond in the amount of \$1,316,376.00 has been provided by the applicant due to changes made with Revision No. 30.
4. The Commission's other findings that were made when the permit and other revisions were approved remain applicable to the revised operation and reclamation plans.

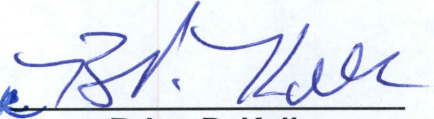
**Revision Number 30 to Permit Number KRSB-8603 is hereby granted to Dakota Westmoreland Corporation to identify the next five-year coal removal subarea and to update business entity and right of entry information, monitoring plans, mining plans and reclamation plans and schedules for the next permit term as described in the permit revision application received March 30, 2016.**

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

**PUBLIC SERVICE COMMISSION**

  
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**Randy Christmann**  
Commissioner

  
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**Julie Fedorchak**  
Chairman

  
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**Brian P. Kalk**  
Commissioner