



Public Service Commission

State of North Dakota

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INSPECTION REPORT

DATE OF INSPECTION: June 29, 2018

TYPE OF INSPECTION: Partial

PERMITTEE - MINE: Dakota Westmoreland - Beulah Mine

PERMITS INSPECTED: KRSB-8603

PERSONS ACCOMPANYING INSPECTORS: John Wang-DWC, Matt Fischer-PSC

INSPECTION CONDITIONS: The inspection was conducted between 11:45 a.m. to 2:00 p.m. CDT. Skies were mostly clear with calm winds. The temperature was near 70° F. Access was limited due to recent rainfall.

AREAS PROHIBITED - BUFFER ZONES

During a partial inspection conducted on June 27, the distance between the topsoil stripping edge and north boundary of the cemetery was estimated to be 85 feet. This inspection was a follow-up inspection to measure the actual distance between the topsoil stripping edge in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, and Emmaus Cemetery in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29.

Measurements were taken from the stripping edge to the north cemetery boundary with a steel tape and also a survey-grade RTK (Real Time Kinetic) GPS (Global Positioning System). Both methods of measurement confirmed topsoil had been removed within 85 to 88 feet of the north boundary of the Emmaus Cemetery.


NDCC 38-14.1-07(5) prohibits surface coal mining operations within one hundred feet [30.48 meters] of a cemetery. As a result of this inspection, NOV-1801 was issued to Dakota Westmoreland Corporation for conducting mining operations within 100 feet of a cemetery.

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Photographs and a GPS track log taken during the inspection are on file with the Reclamation Division.



Bruce A. Johnson P.E.
Environmental Engineer

cc: Jeff Provenza
John Wang
Jesse Noel
OSM Casper Field Office
Mercer County Auditor
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Minedata/Beulah/InspectionReports/2018/180629