



# Public Service Commission

## State of North Dakota

### COMMISSIONERS

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*Sent via email only*

March 16, 2021

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Mr. Terence Schmidt  
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Dear Mr Schmidt:

This is in follow-up to your October 12, 2020 objections regarding Revision 32 to Surface Coal Mining Permit KRSB-8603 and our meeting and written response to you dated October 22, 2020.

The Reclamation Division has received DWC's response to our technical review of pending Revision 32 to Permit KRSB-8603.

DWC responded to our concerns regarding changes to the post-mining topography by stating that they are withdrawing their request to change the post-mining topography of the Gold Pit area and will instead be reclaiming the Gold Pit to the previously approved post-mining topography (Revision 31). However, DWC has previously stated that there is a spoil material balance deficit in the Gold Pit which will likely require topographic changes. The Reclamation Division conducted a spoil volumetric analysis of the Gold Pit using the best information we have available and we do not believe there is enough spoil available to achieve the approved post-mining topography. The attached map identifies the land encompassed by the Gold Pit and other pit / mine area in Permit KRSB-8603.

The Reclamation Division will be working with DWC to further evaluate the spoil material balance situation in the Gold Pit and will keep you apprised of any significant changes to the approved post-mining topography. Unfortunately, reclamation will be delayed in the Gold Pit area until this post-mining topography material balance issue has been resolved.

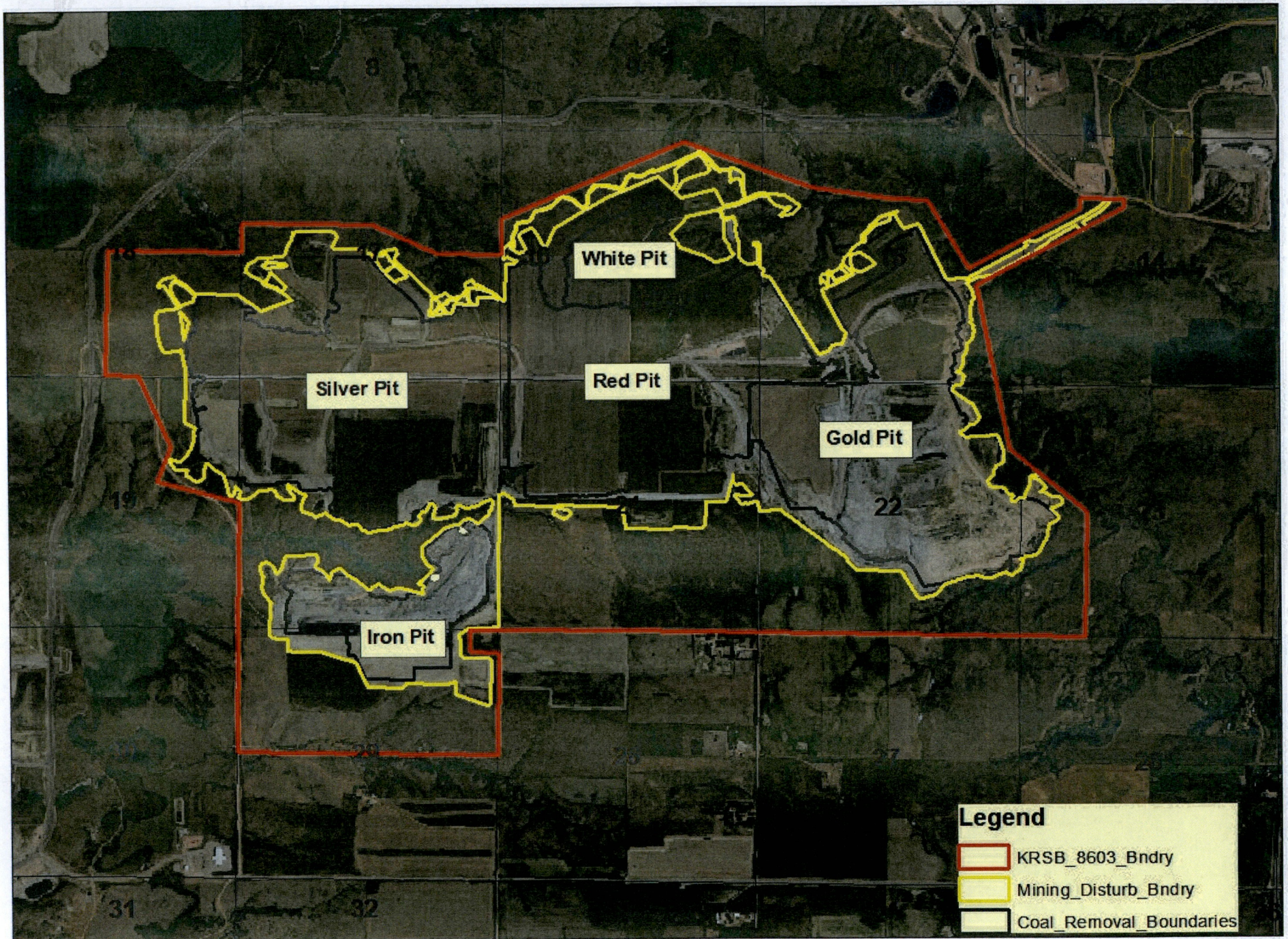
If you have any questions, please contact this office.

Sincerely,

Dean K. Moos  
Director  
Reclamation Division

Attachment

cc w/attachment via email only: Jesse Noel ([jnoel@westmoreland.com](mailto:jnoel@westmoreland.com))  
Scott Aberle ([saberle@westmoreland.com](mailto:saberle@westmoreland.com))



White Pit




Silver Pit

Red Pit

Gold Pit

Iron Pit

**Legend**

-  KRSB\_8603\_Bndry
-  Mining\_Disturb\_Bndry
-  Coal\_Removal\_Boundaries