

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

**Dakota Westmoreland Corporation**  
**Revision No. 32 to Permit KRSB-8603**  
**Application**

**Case No. RC-18-431**

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

**August 4, 2021**

Based on the application for **Revision Number 32 to Permit Number KRSB-8603 received December 27, 2018**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted December 27, 2018, and as subsequently modified, 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. A variance to the contemporaneous reclamation requirement of NDCC 38-14.1-24(14) that normally requires all reclamation work through the initial seeding be completed within three years of completion of mining activities, has been justified. Under the reclamation schedule being approved, the final Gold Pit must be backfilled and graded by the end of 2022 and all topsoil and subsoil in this final pit area must be respread and seeded by the end of 2023. A variance from contemporaneous reclamation is related to reclamation of final pit areas.
3. Performance bonds in the total amount of \$14,516,993.00 are sufficient for mining and reclamation operations in the permit area as proposed by this revision.
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.

**Subject to the right of any person with an interest that is or may be adversely affected to request a formal hearing, Revision Number 32 to Permit Number KRSB-8603 is hereby conditionally granted to Dakota Westmoreland Corporation to revise mining and reclamation plans and to make updates to the permit that were required following midterm review as described in the permit revision application initially received December 27, 2018.**

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**

  
Randy Christmann  
Commissioner

  
Julie Fedorchak  
Chair

  
Brian Kroshus  
Commissioner

Beulah Mine (Dakota Westmoreland)\Permits\KRSB - 8603\Revisions\No. 32\Rev32\_Apprvl\_Award\_8-4-21