



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Brian Kroshus

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

Sent via email only

May 17, 2021

Mr. Scott Aberle
General Manager
Westmoreland Beulah Mining LLC
Beulah Mine
P.O. Box 39
Beulah, ND 58523-0039
saberle@westmoreland.com

Dear Mr. Aberle:

The Reclamation Division has reviewed the permit transfer application for Permit KRSB-8603 at the Beulah Mine submitted by Westmoreland Beulah Mining LLC (WBM) on May 11, 2021. The following items relate to the organization of the application, including adding bookmarks, moving pages to their appropriate locations, and removing over 100 duplicate pages. We recommend that you retain a copy of the May 11th application for your reference since our deficiencies identify pages that need to be moved or removed by the page number in the pdf document submitted May 11th.

The following items must be addressed before the application can be deemed complete.

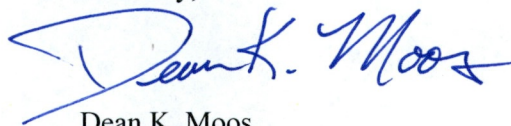
1. The Secretary's Certificate that identifies the officers of WBM and verifies their authority to sign application SFN 10579 is currently located on page 333 of the pdf document. This document needs to be located with the transfer application SFN 10579. The Secretary's Certificate can be inserted after the metes and bounds description on pages 4-17 or after the excerpts of bankruptcy documents 1457 and 1522 on pages 18-25. (ZAB)
2. Add a bookmark for the Transfer Application, SFN 10579. The the metes and bounds descriptions attached to the application, the Secretary's Certificate discussed in item No. 1, and the excerpts of bankruptcy documents 1457 and 1522 that verify Jeffery Stein's authority to sign for DWC should all be included under the Transfer Application bookmark. (ZAB)
3. The Officer's Certificate on page 183 verifies that some of the information required in the Supporting narrative of the permit transfer is already included in Permit KRSB-8603 and is incorporated by reference. Therefore, the officer's certificate needs to be moved and included in the Supporting Narrative currently found on pages 325-330. (ZAB)
4. Remove the extra surety bond page that follows the AVS information (page 211). (ZAB)

Mr. Scott Aberle
May 17, 2021
Page 2 of 2

5. Remove pages 212 through 302 because these pages are duplicates of the Certificate of Liability Insurance and the Imperium insurance policy. (ZAB)
6. Remove the Certificate of Good Standing on pages 303-304 because they are duplicates of pages 331-332. (ZAB)
7. Remove the Metes and Bounds section currently found on pages 310 through 324 because these pages are duplicates of pages 4-17 of the application. (ZAB)
8. Review the Certificate of Liability insurance and the insurance policy on pages 335 through 424 and ensure all pages of the policy are included. Remove pages 423 and 424. Page 423 is not the approved endorsement and page 424 is a duplicate of page 336. (ZAB)
9. Review all documents in the pdf and organize the bookmarks appropriately. (ZAB)

If you have any questions, please contact this office.

Sincerely,



Dean K. Moos
Director
Reclamation Division

cc via email only: Jesse Noel (jnoel@westmoreland.com)
Dicki Peterson (dpeterson@westmoreland.com)

Beulah Mine (Dakota Westmoreland)\Permits\KRSB - 8603\Permit
Transfer\Permit_Transfer_4th_Submittal_4th_Completeness_Rvw_Ltr_5-17-21