



# WESTMORELAND BEULAH MINING LLC

A Subsidiary of WESTMORELAND MINING LLC

PO Box 39 • Beulah, ND 58523-0039 • Phone: (701) 873-4333 • Fax: (701) 873-7784

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May 18, 2021

Dean Moos  
Reclamation Division  
Public Service Commission  
600 E. Boulevard, Dept 408  
Bismarck, ND 58505-0480

Permit ID: KRSB-8603  
Revision Type:  
Permitting Action: Deficiency Response  
Subject: Transfer Permit

Dear Mr. Moos:

The purpose of this letter is to respond and address the deficiency comments received on May 17, 2021 pertaining to the permit transfer of KRSB-8603:

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)

**Response:** The Secretary's Certificate has been inserted after the "Metes and Bounds Description", please see page 18.

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)

**Response:** The Transfer of Application has been bookmarked appropriately. Also, the Secretary's Certificate and the excerpts from the bankruptcy documents are included in the appropriate locations, and bookmarked.

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)

**Response:** The Officer's Certificate has been moved to the Supporting Narrative section, please see page 224. The Officer's Certificate has been bookmarked appropriately.

4. Remove the extra surety bond page that follows the AVS information (page 211). (ZAB)

**Response:** The extra surety bond page following the AVS document has been removed from the document. Please see page 183.

5. Remove pages 212 through 302 because these pages are duplicates of the Certificate of Liability Insurance and the Imperium insurance policy. (ZAB)

**Response:** The duplicate pages of the Certificate of Liability Insurance have been removed. The Certificate of Liability Insurance can be found on page 225.

6. Remove the Certificate of Good Standing on pages 303-304 because they are duplicates of pages 331-332. (ZAB)

**Response:** The duplicate pages of the Certificate of Good Standing have been removed. The Certificate of Good Standing can be found on page 210.

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)

**Response:** The duplicate pages of the Metes and Bounds have been removed. The Metes and Bounds Description can be found on page 4.

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)

**Response:** The approved endorsement can be found on page 227. The requested pages have been removed.

9. Review all documents in the pdf and organize the bookmarks appropriately. (ZAB)

**Response:** The document has been revised as requested and bookmarked appropriately consisting of 16 different bookmarks.

If you have any questions, please contact me at (406) 748-5124.

Sincerely,



Dicki Peterson  
Permit Coordinator  
Westmoreland Rosebud Mining LLC  
Phone: (406) 748-5124  
Fax: (406) 748-5202  
dpeterson@westmoreland.com

cc: Jesse Noel, Scott Aberle