



# Public Service Commission

## State of North Dakota

---

### COMMISSIONERS

Brian Kroshus  
Julie Fedorchak  
Randy Christmann

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

August, 14, 2020

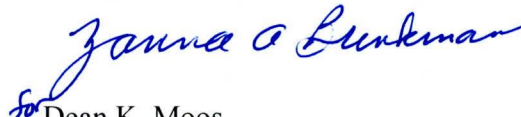
Dennis Neuberger  
417 Front Street  
Beulah, ND 58523

Dear Mr. Neuberger:

In response to your telephone request on August 14, 2020, enclosed you will find a copy of the application for Renewal No. 6, Permit KRSB-8802 for the Beulah Mine. Also enclosed is a copy of the Notice of Receipt of Renewal Application.

If you have any questions, please contact our office.

Sincerely,

  
for Dean K. Moos  
Director  
Reclamation Division

Enclosures



**APPLICATION FOR RENEWAL OF PERMIT TO ENGAGE IN SURFACE COAL MINING AND RECLAMATION OPERATIONS**  
 PUBLIC SERVICE COMMISSION  
 RECLAMATION DIVISION  
 SFN 10566 (1-2004)

COPY

RECEIVED  
 MAY 14 2020  
 3738  
 NORTH DAKOTA  
 PUBLIC SERVICE COMMISSION

|                                                      |             |                            |
|------------------------------------------------------|-------------|----------------------------|
| Name of Permittee<br>Dakota Westmoreland Corporation |             | Date<br>May 13, 2020       |
| Address<br>P.O. Box 39                               |             | Permit Number<br>KRSB-8802 |
| City<br>Beulah                                       | State<br>ND | Zip Code<br>58523          |

The above named hereby makes application for Renewal Number 6 of the above Permit Number in order to continue to engage in surface coal mining and reclamation operations within the area described below in the permit during the period from October 23, 2020 to October 23, 2025.

The reasons for requesting the renewal is attached and any changes to the matters set forth in the approved Permit are particularly described in the accompanying revision application.

The applicable public notice provisions of Section 38-14.1-18 of the North Dakota Century Code have been complied with. A copy of the advertisement is attached and affidavits of publications will be furnished to the Commission prior to issuance of the Permit Renewal.

Bond for surface coal mining and reclamation operations and liability insurance will be provided for the proposed period of renewal. Attached is a statement evidencing that the bond is sufficient and will continue in full force for the renewal period and that liability insurance will be provided for the renewal period.

| LOCATION           |          |       |        | ACRES          |
|--------------------|----------|-------|--------|----------------|
| SECTION            | TOWNSHIP | RANGE | COUNTY |                |
| 10 to 15, 24       | 143N     | 88W   | Mercer | 2,197.0        |
| 7, 8, 17 to 20     | 143N     | 87W   | Oliver | 2,708.9        |
|                    |          |       |        |                |
|                    |          |       |        |                |
| <b>TOTAL ACRES</b> |          |       |        | <b>4,905.9</b> |

|                                                      |                    |
|------------------------------------------------------|--------------------|
| Signature of Official<br><i>Joseph E. Micheletti</i> | Title<br>President |
|------------------------------------------------------|--------------------|

**VERIFICATION**

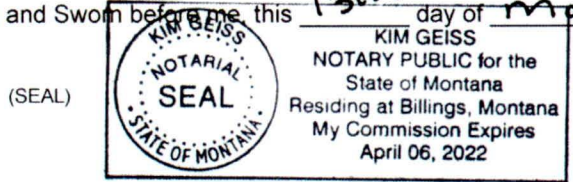
|                                          |
|------------------------------------------|
| Name of Official<br>Joseph E. Micheletti |
|------------------------------------------|

I, the above named, being first and duly sworn, verify that the information contained in the Permit Renewal Application is true and correct to the best of my knowledge and belief.

|                                                      |                    |
|------------------------------------------------------|--------------------|
| Signature of Official<br><i>Joseph E. Micheletti</i> | Title<br>President |
|------------------------------------------------------|--------------------|

STATE OF Montana )  
 ) ss.  
 COUNTY OF Yellowstone )

Subscribed and Sworn before me this 13th day of May, 2020.



*Kim Geiss*  
 Notary Public  
 My Commission Expires: 4/6/2022

# DAKOTA WESTMORELAND CORPORATION

Mine: Beulah Mine  
Permit Number: KRSB-8802  
Renewal Number: 6  
Submittal Dates: April 27, 2020

## Renewal Request Narrative

Coal removal has been completed from the permit area. Renewal number 6 will allow for the final reclamation of portions of the permit area to be completed during the five-year period commencing October 23, 2020.

## Surface Coal Mining and Reclamation Bond Narrative

Surface coal mining bond 64S103557522 for permit KRSB-8802 is issued on a continuous basis and shall maintained and remain in full force and effect during the ensuing five-year renewal term, in accordance with the provisions of Section 38-14.1-16 of the North Dakota Century Code. The bond amount is sufficient to perform the required work for the worst-case reclamation condition in the permit area.

Dakota Westmoreland Corporation's bonding agent is AON Risk Solutions, 200 East Randolph St., Chicago, IL, 60601.

## Liability Insurance Narrative

A certificate of Liability Insurance has been provided to the Public Service Commission for the Beulah Mine and will be maintained during the ensuing five-year renewal term.

COPY

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Dakota Westmoreland Corporation  
Renewal No. 6, Permit KRSB-8802  
Application

Case No. RC-20-209

NOTICE OF RECEIPT OF RENEWAL APPLICATION

July 23, 2020

Dakota Westmoreland Corporation has filed an application for Renewal No. 6 to Surface Coal Mining Permit No. KRSB-8802 at the Beulah Mine covering lands located in:

**All or portions of Sections 7, 8, 17, 18, 19, and 20 of T143N, R87W, Oliver County; and, Sections 10, 11, 12, 13, 14, 15, and 24 of T143N, R88W, Mercer County, containing 4,905.9 acres.**

The five-year permit renewal will allow Dakota Westmoreland Corporation to continue operating under approved operation and reclamation plans until October 23, 2025. All coal has been removed from the permit area. The permit area east of ND Highway 49 is in reclamation status, but the permit area west of ND Highway 49 contains long-term facilities, haul roads, stockpiles, and sedimentation ponds used to support mining in another Beulah Mine permit area.

Due to the COVID-19 pandemic, a copy of the permit renewal application will not be available for inspection at the Public Service Commission, State Capitol, Bismarck, ND, or the Mercer or Oliver County Auditor's offices. Those wishing to inspect the renewal application may request a copy by contacting the Public Service Commission at 701-328-2400 (877-245-6685 toll free) or [ndpsc@nd.gov](mailto:ndpsc@nd.gov), or by sending a written request to: Public Service Commission, 600 East Boulevard Avenue, Dept. 408, Bismarck, North Dakota 58505-0480.

You may submit written comments or objections regarding the proposed permit renewal application and its effect on the environment and on surface owners of land in the permit area. You may request an informal conference with the Commission and the applicant on the renewal application. The reasons for requesting an informal

conference must be stated in the request. Written comments, objections, or requests for an informal conference must be made by **September 14, 2020**.


If there is an informal conference, you may request a formal administrative hearing on the Commission's ruling on the application. Your request for a formal hearing must be made within thirty days of the Commission ruling on the application.

Written comments, objections, or requests for an informal conference should be addressed to the Public Service Commission, 600 East Boulevard, Dept. 408, Bismarck, North Dakota 58505-0480. For more information you may contact the Public Service Commission at 701-328-2400; toll-free at 877-245-6685; or TDD at 800-366-6888 or 711.

**PUBLIC SERVICE COMMISSION**

  
Julie Fedorchak  
Commissioner

  
Brian Kroshus  
Chairman

  
Randy Christmann  
Commissioner