

**PUBLIC SERVICE COMMISSION**  
**Reclamation Division**  
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**Memorandum**

**TO:** Commissioners Fedorchak, Christmann and Kroshus  
Steve Kahl, Executive Director  
John Schuh

**FROM:** Dean Moos, Zanna Brinkman and Guy Welch

**DATE:** July 28, 2021

**SUBJECT:** Application for Revision No. 33 to Permit No. KRSB-8603 held by The Dakota Westmoreland Company, Case No. RC-21-94

On February 12, 2021, the Dakota Westmoreland Corporation filed the application for Revision No. 33 to Surface Coal Mining Permit KRSB-8603. This revision identifies the next five-year coal removal subarea and addresses items needing updating during our pre-renewal review of the permit. This revision also updates business entity and right of entry information, and operation and reclamation plans. The Reclamation Division has completed its review of this permit revision application and respectfully recommends its approval.

Mining and reclamation plans and other information needed to be updated for the next permit term that is proposed by Renewal No. 7. Revision No. 33 was considered a significant revision because mine closure will happen sooner than previously planned and the life of the mine is being shortened. Mining in this permit is expected to continue until March, 2022. DWC supplies coal to MDU's Heskett Power Station north of Mandan.

Dakota Westmoreland submitted affidavits of publication for the newspaper notices. We also notified the appropriate agencies, affected landowners, and the advisory committee members. No objections to this revision application were received. Evidence of adequate liability insurance is currently on file. Revision No. 32, which will be approved simultaneously with Revision No. 33, updates the worst case reclamation liability and addresses other pre-renewal items. Surety bonds in the amount of \$14,516,993.00 will cover the current worst-case reclamation condition in this permit.

Attached for your consideration are the proposed motion for the August 4<sup>th</sup> Commission meeting, the revision approval form, and notice that we must publish in newspapers.

Attachments