



Westmoreland Beulah Mining - *Beulah Mine*
A Subsidiary of Westmoreland Mining LLC

July 22, 2022

Zanna Brinkman
Director Reclamation Division
North Dakota Public Service Commission
600 E Boulevard Ave, Dept. 408
Bismarck, ND 58505-0480

Permit ID: KRSB-8603
Subject: NOV 2201-Ponds 112 and 113

Dear Ms. Brinkman:

The following is in response to Notice of Violation #2201, dated May 25, 2022, regarding the certification of Pond 112 in 90 days and the certification of Pond 113 within 180 days of the receipt of the NOV.

Westmoreland Beulah Mining (WBM) respectfully requests that the timeframe for certification on Ponds 112 and 113 be switched. Hydrologically, the capacity of Pond 113 is of more importance during construction of the Ponds than the capacity of Pond 112. WBM requests that the *Time for Abatement* within the violation reads as follows:

Pond 112 must be completed and certified within 180 days and Pond 113 must be constructed within 90 days.

Essentially, the only change within the *Time for Abatement* is a switch in order of Pond construction and certification. Thank you for your consideration of the request, and please let me know if you have any questions.

Sincerely,

Jesse Noel, P.E.
Director, Environmental & Regulatory Affairs
Westmoreland Mining LLC

Cc: Jerry Gillespie

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Request to modify timeframe for certification - electronic only
Westmoreland Beulah Mining LLC

