

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Westmoreland Beulah Mining LLC
Notice of Violation 2301
Violation

Case No. RC-23-355

AFFIDAVIT OF SERVICE BY
CERTIFIED MAIL

STATE OF NORTH DAKOTA

COUNTY OF BURLEIGH

Jill Miller deposes and says that she is over the age of 18 years and not a party to this action and on, **the 30th day of January, 2024**, she deposited in the United States Mail, Bismarck, North Dakota, **1** certified mail envelope, postage prepaid, all securely sealed and each containing:

NOTICE OF INFORMAL CONFERENCE

The envelope was addressed as follows.

Jesse Noel
Westmoreland Beulah Mining LLC
PO Box 39
Beulah, ND 58523
Cert. No. 7022 3330 0000 7993 3438

To the best of affiant's knowledge each address shown is the respective addressee's last reasonably ascertainable post office address.

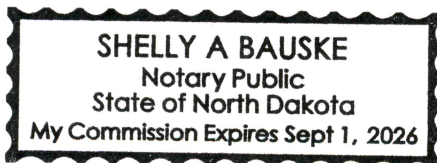


Subscribed and sworn to before me
this 30th day of January, 2024



Notary Public

S E A L



STATE OF NORTH DAKOTA
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January 18, 2024

Preliminary Statement


Westmoreland Beulah Mining LLC was issued Notice of Violation (NOV) 2301 by the Reclamation Division on December 11, 2023 for failure to install appropriate measures to prevent and control water erosion in a portion of a reclaimed drainageway in Section 22, T143N, R88W of Surface Coal Mining Permit KRSB-8603 which resulted in a loss of Suitable Plant Growth Material (SPGM). On January 9, 2024, Westmoreland Beulah Mining LLC requested an informal conference on this matter.

Notice of Informal Conference

Notice is hereby given that the captioned matter is set for an Informal Conference, commencing at 9:00 a.m., CST, on February 8, 2024, in the Public Service Commission Hearing Room, 12th Floor, State Capitol, Bismarck, North Dakota. The issue to be considered is whether a violation exists since erosion control measures were in place.

If you require any auxiliary aids, such as readers, signers, or Braille materials, please notify the Commission, at (701) 328-2400, or Relay North Dakota TTY: 1-800-366-6888 at least 24 hours prior to the hearing.

PUBLIC SERVICE COMMISSION



Steve Kahl
Executive Director