



Public Service Commission

State of North Dakota

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PSC-07

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INSPECTION REPORT

DATE OF INSPECTION: September 6, 2023

TYPE OF INSPECTION: Partial

PERMITTEE - MINE: Westmoreland Beulah Mine - Beulah Mine

PERMITS INSPECTED: KRSB-8603, KRSB-8802

PERSONS ACCOMPANYING INSPECTORS: Ike Michaelson and Ethan Sharp

INSPECTION CONDITIONS: The inspection was conducted between 1:30 p.m. and 3:30 p.m.
Skies were sunny with haze. The temperature was near 70° F.
Access was restricted due to muddy conditions.

OVERBURDEN/COAL REMOVAL

Mining operations have ceased. No overburden or coal was being removed.

SURFACE WATER MANAGEMENT

The permit area received about 1.5 inches of precipitation a few days prior to this inspection and sediment ponds captured surface water runoff. The ponds listed in the table below were briefly observed and the pond water elevation was estimated in relation to permanent pool elevation (PPE) or spill elevation in instances where the PPE marker was not observed.

Sediment Pond	Comment(s)
P113	Water about two inches below spill elevation. Discharge being pumped to P102.
P112	Water about 1 foot below spill elevation.
P106	Water about 3 feet below spill elevation.
P85	Water about 3 feet below spill elevation
P5	Embankment removed last winter. Water at spill elevation.
P1	Water about 4 feet below riser spill elevation.

Surface water pooling on a ramp in the Iron Pit was being pumped into P104. Runoff from the diversion north of the West Iron Pit is being directed to P104. The watershed above this pond is cut off by the pit.

SUITABLE PLANT GROWTH MATERIAL REMOVAL/RESPREAD

No SPGM was being removed or respread. Topsoil has been respread on Dennis Neuberger's property in the SW¼ of Section 7, Permit KRSB-8802. Special Condition No. 1 to Revision 31 to Surface Coal Mining Permit No. KRSB-8802 required WBM to respread at least 6 inches of topsoil on areas subject to 1973 reclamation law and rules located in the SW¼ of Section 7, T143N, R87W, Oliver County. The former haul road in the SW¼ of Section 7 was used to support current law mining activities and is therefore subject to the requirements of NDAC 69-05.2-22-07(4)(i). Revision 31 was approved on July 22, 2019. It had been reported on a previous inspection that WBM used topsoil from stockpile 1-02-1 to comply with this special condition.

STOCKPILES

Permit KRSB-8603: Subsoil stockpile 23-02-2 appears depleted. This stockpile has been respread on the Schmidt et. al. property west of the drainage that passes through this property. The drainageway and the portion of this property east of the drainageway have not been respread with subsoil. It appears that subsoil respread west of the drainageway will need to be salvaged and respread on Schmidt et. al. land east of the drainage.

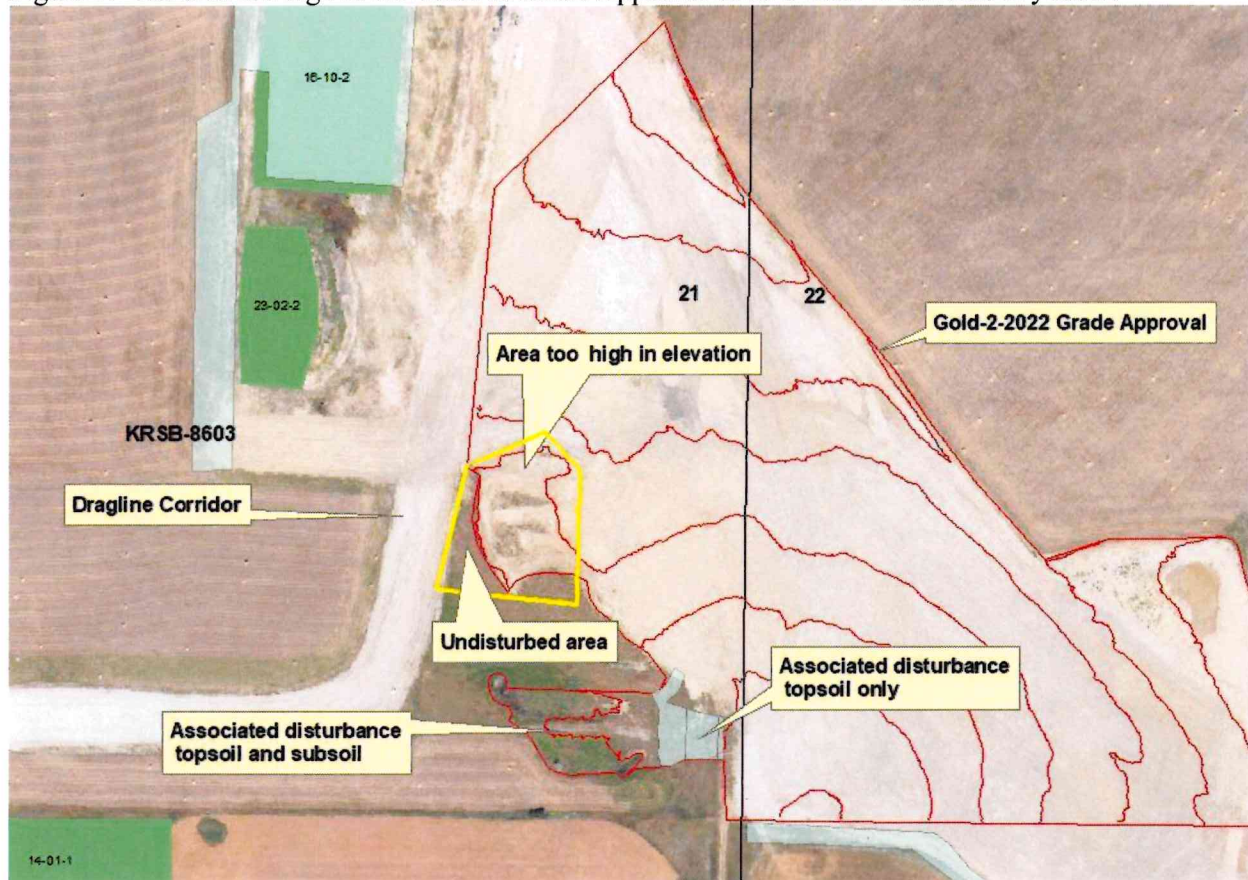
BACKFILLING & GRADING

The dragline and 1250 excavator were moving spoil in the final Iron Pit. The western portion of the Iron Pit has been backfilled and rough graded. The PC2000 excavator was idle in Section 20 of the Iron Pit.

Muddy conditions limited access to Gold-2-2023 grade approval request. Most of this grade approval request area has been disked. The grade approval area has been shaped as depicted on the topographic map accompanying the request. Additional spoil is needed in areas where two feet of SPGM will not allow the reclaimed land to blend appropriately into adjacent reclaimed lands. The west side of this grade approval is located at the base of subsoil stockpile 16-10-2. This may hinder equipment access to the dragline corridor, and it is not clear how runoff from the dragline corridor will pass northward if this area is respread with SPGM.

Additional shaping is needed on a portion of this grade approval in the southeast corner of the NE¼ of Section 21. Figure 1 below depicts this area. Undisturbed land between the grade approval request and the dragline corridor is several feet higher in elevation than the grade approval area to the north. This area needs to be lowered in elevation to blend the grade approval request area and dragline corridor into adjacent undisturbed lands. WBM could make a written request to remove topsoil and subsoil from this undisturbed area. The topsoil could be placed on that portion of the grade approval area requiring topsoil only in the southeast corner of the NE¼ of Section 21. This could be accomplished prior to grade approval because the grade approval process does not apply to areas affected by associated mining disturbance, which is the case in this instance. Subsoil from this area could then be placed on the associated disturbance area requiring subsoil and topsoil in the southeast corner of the NE¼ of Section 21. Overburden under the subsoil could then be used where needed along the north and south sides of the grade approval request area. A corridor would need to be maintained through the area requiring topsoil only to maintain access to the area requiring both topsoil and subsoil located to the west. The pre-mine soils map, Exhibit 2.4.7 in the permit, indicates that there is 12 to 20 inches of topsoil and 40 to 48 inches of subsoil in this area. The topsoil and subsoil respread depths on areas of associated disturbance are to be determined by the depths present prior to disturbance (detailed soil survey).

Figure 1: The area too high in elevation in Grade Approval Gold-2-2023 is outlined in yellow.



REVEGETATION

Permit KRSB-8802: A rill/gully has formed in the reclaimed haul road corridor in the SW¼ of Section 7 and another was noticed along the edge of a reclaimed haul road corridor in the SW¼ of Section 12. These features need to be repaired and stabilized.

Vegetation has not established on the Pond 5 embankment removal area. The slopes adjacent to the drainage need to be reseeded. The bottom of the drainage has been lined with 1-to-2-inch rock and larger rock to stabilize the drainage at the north end of the embankment removal area where the slope increases.

Sunflowers were maturing on reclaimed cropland in the N½NW¼ of Section 13 of Permit KRSB-8802. All observed reclaimed hayland and cropland, being managed as hayland, have been cut and baled.

ROADS

It was mentioned that WBM should consider removing the poor-quality spoil on the dragline corridor in Section 21 at this time to ensure that it can be buried deep enough to comply with the toxic spoil burial requirements of NDAC 69-05.2-21-03. The dragline corridor is discussed on pages 16, 17, and 18 of Section 3.1.11 of the permit and the subsoil under this spoil has been waived which means that WBM will be able to haul soil from stockpiles 14-01-1 and 14-02-2 on this corridor after the spoil has been removed. This spoil originated from the Gold Pit.

GENERAL

A GPS tracklog of the route traveled is on file with the Reclamation Division as are photographs taken.


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Permit Administrator

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