



June 13, 2023

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

Dear Ms. Brinkman:

Subject: Final Grade Approval Request, Permit KRSB-8603  
SW¼ Section 22, T. 143 N., R. 88 W., Mercer County  
Reference ID: Gold-01-2022 Rev. 2

Westmoreland Beulah Mining LLC (WBM) requests final grade approval on 7.6 acres of leveled spoil located in the Gold Pit area in Westmoreland Beulah Mining, LLC permit KRSB-8603. The enclosed maps include a figure with sample locations, equipment access route, slope analysis map from the permit, and a field post-mining contour map. The contours shown on the map are based on field engineering data obtained by actual field surveys and reflect elevations of the leveled spoil. The tract is coded Schmidt et al. on the maps and information in this package. The approximate coordinates of the tract are as follows:

|          |         |         |          |
|----------|---------|---------|----------|
| S 7,982  | S 7,880 | S 8,667 | S 7,926  |
| W 10,505 | W 9,187 | W 9,048 | W 10,069 |

If you have questions concerning the final topography or mapping of these tracts, feel free to contact me.

Sincerely,

Nettie Johnston Ore  
Manager, Environmental & Regulatory Affairs  
Westmoreland Mining LLC

Cc: Guy Welch (email [gwelch@nd.gov](mailto:gwelch@nd.gov))  
Jonathan Emmer (email [jemmer@nd.gov](mailto:jemmer@nd.gov))  
David Traverso (email [dtraverso@westmoreland.com](mailto:dtraverso@westmoreland.com))  
Jesse Noel (email [jnoel@westmoreland.com](mailto:jnoel@westmoreland.com))

33 RC-23-355 Filed 02/12/2024 Pages: 6  
Exhibit 8 - Grade Approval Request Dated 06/13/23  
Public Service Commission





Schmidt et al. SW<sup>1</sup>/<sub>4</sub> Section 22, T. 143 N

**Slope Analysis Grade Approval Request**

**Post-Mining**

**As Submitted in Permit KRSB-8603**

| <u>Slope %</u> | <u>Average</u> | <u>Area</u> |
|----------------|----------------|-------------|
| 0-3%           | (1.5)          | 2.0         |
| 3-6%           | (4.5)          | 2.85        |
| 6-9%           | (7.5)          | 0.80        |
| 9-15%          | (12.0)         | 0.86        |
| >15%           | (15.0)         | 1.1         |
| Average %      | 6.4            | 7.6         |

**Post-Mining**

**As In-Field**

| <u>Slope %</u> | <u>Average</u> | <u>Area</u> |
|----------------|----------------|-------------|
| 0-3%           | (1.5)          | 1.65        |
| 3-6%           | (4.5)          | 2.74        |
| 6-9%           | (7.5)          | 1.1         |
| 9-15%          | (12.0)         | 1.51        |
| >15%           | (15.0)         | 0.6         |
| Average %      | 6.6            | 7.6         |





**Westmoreland Beulah Mine**  
A Subsidiary of WESTMORELAND COAL COMPANY

This tract of land belongs entirely to Schmidt et al. landowners and requires the respread of the entirety of topsoil and subsoil piles 23-02-1 and 23-02-2, respectively. The requirement to use the entire stockpile volume in this area corresponds to a subsoil thickness of 2.9ft (35in) and a topsoil thickness of 1.2ft (14in). A small corridor at the southwest section of the property totaling 1.2 acres had topsoil removed from the surface but was not disturbed beyond that. 14 inches of topsoil respread is proposed for this corridor. This corridor is depicted on Figure 1.

The regraded spoil has been tested for quality as required by the Commission. Samples from a depth of 12 inches were taken on 400 foot centers over the area. Analyses of these samples for sodium absorption ratio, pH, and texture were made, and the results are tabulated on the accompanying table. The location of these samples are shown on Figure 1.

A corridor of approximately 100ft in width had allowed for the dragline to retreat from the area and remains in place for equipment access. This corridor has been depicted on Figure 1. This corridor will be reclaimed at a later date and will be included in a future regrade approval request.

Access to SPGM stockpiles 14-02-02 and 14-01-1 will be retained and will not be impacted by this regrade approval request. Additionally, the re-establishment of the county road is planned for a later date and will be addressed in subsequent applications.

Tract Smidt et. al contains 7.6 acres, more or less (not including the 1.2 acre corridor).

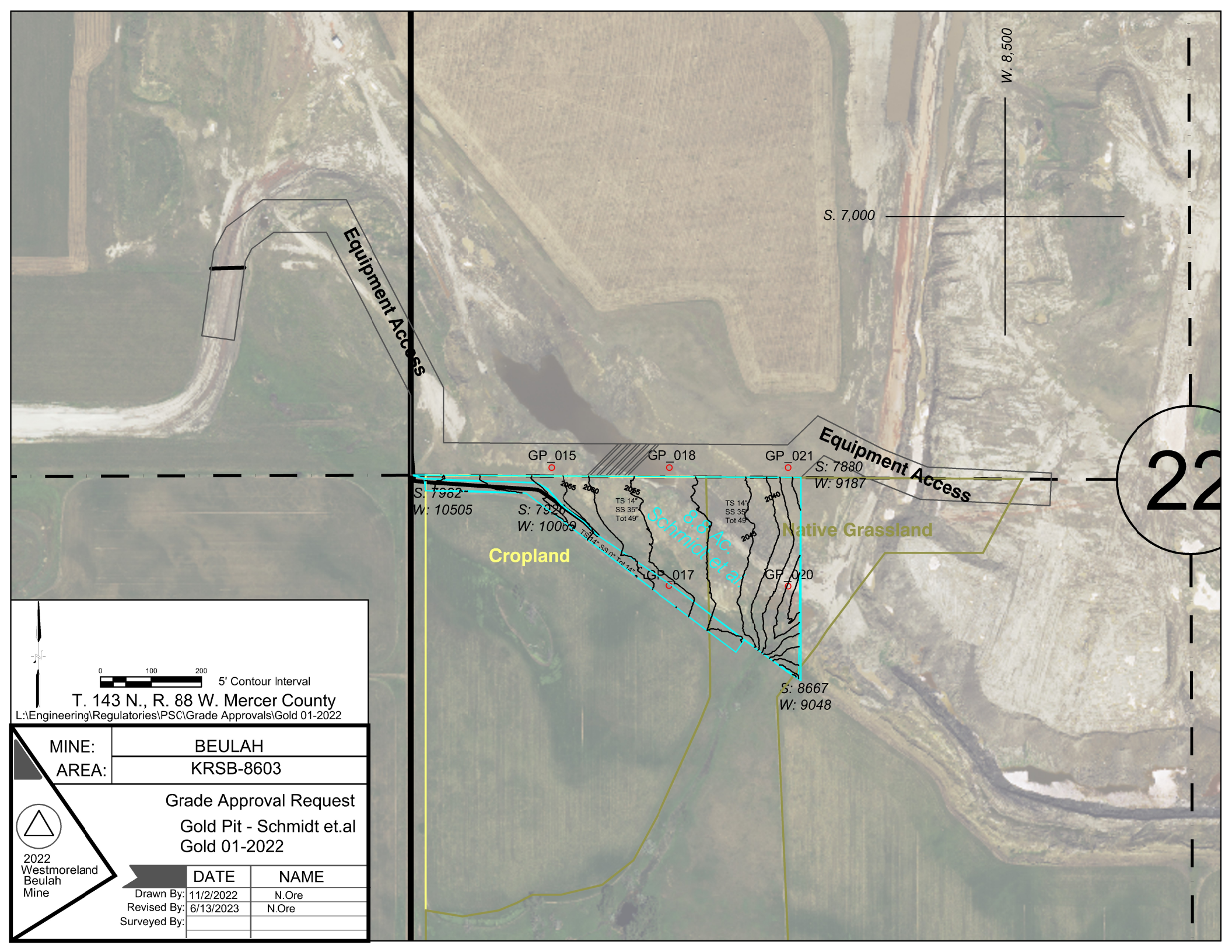
**SAMPLE RESULTS**

| Sample ID | pH  | SAR  | Sand (%) | Silt (%) | Clay (%) | Texture    |
|-----------|-----|------|----------|----------|----------|------------|
| GP_015    | 7.7 | 10   | 22.5     | 37.5     | 40       | CLAY       |
| GP_017    | 6.9 | 1.49 | 77.5     | 12.5     | 10       | SANDY LOAM |
| GP_018    | 7.2 | 7.21 | 32.5     | 27.5     | 40       | CLAY       |
| GP_020    | 7.7 | 6.95 | 30       | 32.5     | 37.5     | CLAY LOAM  |
| GP_021    | 7.4 | 3.31 | 22.5     | 35       | 42.5     | CLAY       |

**ACRES-RESPREAD TABLE**

| Land Classification         | Cropland (Main) | Cropland (Corridor) | Native Grassland |
|-----------------------------|-----------------|---------------------|------------------|
| Acres                       | 3.44            | 1.2                 | 4.13             |
| <b>TOTAL Respread Depth</b> | 49              | 14                  | 49               |
| <b>Topsoil (inches)</b>     | 14              | 14                  | 14               |
| <b>Subsoil (inches)</b>     | 35              | 0                   | 35               |





GP\_015 GP\_018 GP\_021  
 S: 7880 W: 9187  
 S: 7962 W: 10505  
 S: 7920 W: 10069  
 S: 8667 W: 9048

Cropland

Native Grassland

Schmidt et.al

22

Equipment Access

Equipment Access

S. 7,000

W. 8,500



0 100 200 5' Contour Interval

T. 143 N., R. 88 W. Mercer County

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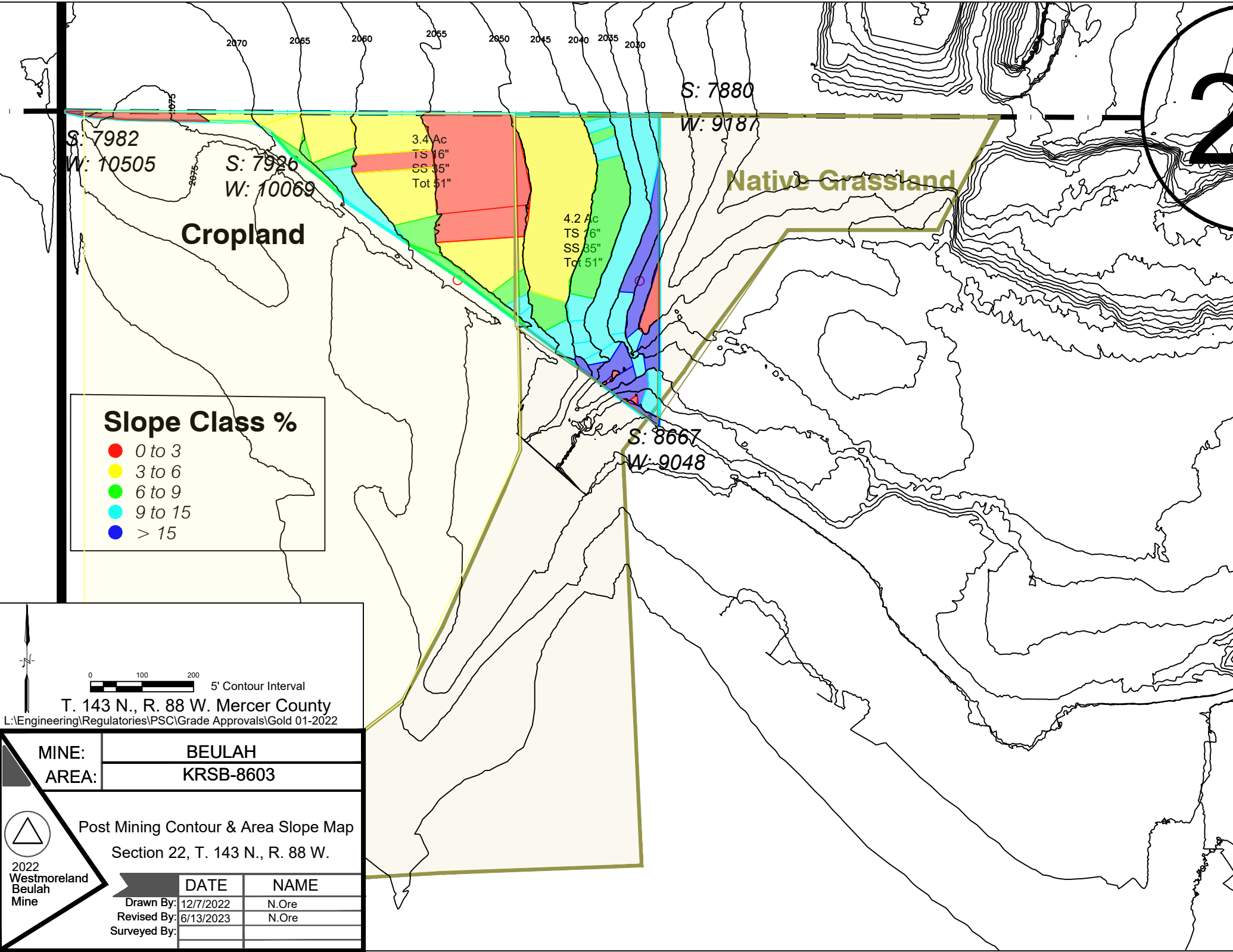
MINE: BEULAH  
 AREA: KR5B-8603

Grade Approval Request  
 Gold Pit - Schmidt et.al  
 Gold 01-2022



2022  
 Westmoreland  
 Beulah  
 Mine

|              | DATE      | NAME  |
|--------------|-----------|-------|
| Drawn By:    | 11/2/2022 | N.Ore |
| Revised By:  | 6/13/2023 | N.Ore |
| Surveyed By: |           |       |



**Slope Class %**

- 0 to 3
- 3 to 6
- 6 to 9
- 9 to 15
- > 15

3.4 Ac  
 TS 16"  
 SS 35"  
 Tot 51"

4.2 Ac  
 TS 16"  
 SS 35"  
 Tot 51"

0 100 200  
 5' Contour Interval  
 T. 143 N., R. 88 W. Mercer County  
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MINE: **BEULAH**  
 AREA: **KRSB-8603**

Post Mining Contour & Area Slope Map  
 Section 22, T. 143 N., R. 88 W.



|              | DATE      | NAME  |
|--------------|-----------|-------|
| Drawn By:    | 12/7/2022 | N.Ore |
| Revised By:  | 6/13/2023 | N.Ore |
| Surveyed By: |           |       |



Dragline Path

S. 7,000

W. 8,500

Dragline Path

S: 7880

W: 9187

S: 7982  
W: 10505

S: 7926  
W: 10069

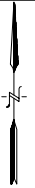
S: 8667  
W: 9048

Cropland

Native Grassland

- < 3
- 3 to 6
- 6 to 9
- 9 to 15
- > 15

22



0 100 200 5' Contour Interval

T. 143 N., R. 88 W. Mercer County

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**MINE:** BEULAH  
**AREA:** KRSB-8603

Post Mining Contour & Areas Slope Map

As Submitted in Permit KRSB-8603

Sec. 22, T. 143N. R88 W.



2022  
Westmoreland  
Beulah  
Mine

|              | DATE       | NAME  |
|--------------|------------|-------|
| Drawn By:    | 11/2/2022  | N.Ore |
| Revised By:  | 12/23/2022 | N.Ore |
| Surveyed By: |            |       |