



WESTMORELAND BEULAH MINING LLC

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June 4, 2024

JUN 4 2024

Jonathan Emmer
Director, Reclamation Division
Public Service Commission
600 E. Boulevard Ave. Dept. 408
Bismarck, ND 58505-0480

NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Mr. Emmer:

Enclosed please find the Application for Partial Release of Bond for Surface Coal Mining and Reclamation Operations for the Westmoreland Beulah Mine, Permit KRSB-8802.

Please feel free to contact me at (406)-740-0242 should you need any further information.

Cordially,

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



APPLICATION FOR PARTIAL RELEASE OF BOND FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS
PUBLIC SERVICE COMMISSION
RECLAMATION DIVISION
 SFN 19812 (1-2004)

RECEIVED

JUN 4 2024

Date	6/4/24
Permit Number	KRSB-8802
State	ND
Zip Code	58523

Name of Permittee	Westmoreland Beulah Mining LLC	Bond Release Number	4
Post Office Address	PO Box 39		

	NORTH DAKOTA
	Beulah
	PUBLIC SERVICE COMMISSION

Pursuant to the provisions of NDCC 38-14.1-17, the above named Permittee hereby makes Application for Partial Release of Bond for Surface Coal Mining and Reclamation Operations for the above Bond Release Number and Permit Number.

Partial release of bond is requested for the tracts clearly delineated on the attached map, **Attachment I**, which are particularly described by the attached metes and bounds descriptions, **Attachment II**, and as follows:

TRACT NUMBER	ACRES	LOCATION			
		SEC.	TWP.	RANGE	COUNTY
Bond Release Area Stage 1	3,268	7, 8, 17-20	143N.	87W.	Oliver
		12, 13, 24	143N.	88W.	Mercer
Bond Release Area Stage 2	3,268	7, 8, 17-20	143N.	87W.	Oliver
		12, 13, 24	143N.	88W.	Mercer
TOTAL ACRES	3,268				

Release of bond for completion of backfilling and grading (stage 1) on 3,268 acres and suitable plant growth material respread (stage 2) on 3,268 acres

(include the stage(s) of reclamation completed as described in NDCC 38-14.1-17(7) and acreage requested for each stage) in the amount of \$ 6,271,338.60 for the above-described tracts is requested for the following reasons (identify each tract number and provide separate reasons and the amount for each tract):

Bond Release Area Stage 1: Completion of reclamation requirements for backfilling and grading in accordance with the mining permit and state regulations. The bond penal amount reduction is \$4,180,892.40, pro-rated by acreage.

Bond Release Area Stage 2: Completion of reclamation requirements for suitable plant growth material respread in accordance with the mining permit and state regulations. The bond penal amount reduction is \$2,090,446.20, pro-rated by acreage.

Attached to this partial bond release application is the following information:

- Attachment III is a copy of the proposed advertisement required by NDCC 38-14.1-17(1)(a). (The affidavit of publication must be submitted within 30 days of this request.)
- Attachment IV consists of copies of all letters sent pursuant to NDCC 38-14 1-17(1)(b).
- Attachment V is an aerial photo based map (or other pre-approved map) that delineates and identifies each tract contained in the bond release application
- Attachments VI through VII, which contain the detailed information for each tract as listed on the Addendum to this application form. (Include separate attachments for each tract contained in the bond release application.)

VERIFICATION

Name of Official Juris Ore

I, the above named official, am authorized to represent the Permittee for the foregoing bond release application, have read the complete application and certify that all applicable reclamation activities have been accomplished in accordance with North Dakota Administrative Code Article 69-05.2, North Dakota Century Code Chapter 38-14.1, and the approved reclamation plan. All statements contained in the bond release application and attachments are true and correct to the best of my knowledge and belief.

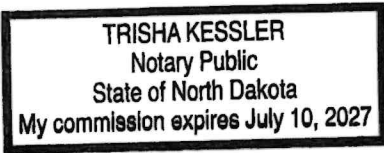
Dated and signed this June 4, 2024 (date).

By 	Title Site Manager
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STATE OF North Dakota)
)ss.
 COUNTY OF Mercer)

The foregoing instrument was acknowledged before me this June 4, 2024 (date) by Juris Ore
 known to me to be the Site Manager of Westmoreland Beulah Mining LLC
 a corporation, on behalf of the corporation.

(SEAL)



Trisha Kessler
 Notary Public
 My Commission Expires July 10, 2027

ADDENDUM TO PARTIAL BOND RELEASE APPLICATION

ATTACHMENT 1

Bond Release Number 4	For Permit Number KRSB-8802	Tract Number Bond Release Area Stage 1, Stage 2
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NOTE: When bond release is requested for any combination of the release stages detailed below, the application must contain all the information required for each release stage.

Attached is the following information for the above Bond Release Tract Number (check applicable types of information that is attached):

- A brief history of the approximate dates of: a) initial mining related disturbance, b) coal removal, c) grading within the tract, and d) law liability period. If more than one law liability period occurs in a tract, delineate the different reclamation law liability lines on a map and refer to the attachment.
- If bond release for backfilling and grading (Stage 1) is requested, a postmining topographic map of the tract (**attach a separate map or refer to the attachment containing this information**).
- If bond release for suitable plant growth material respread (Stage 2) is requested, a map that delineates the topsoil and subsoil respread thicknesses and respread dates for the tract (**attach a separate map or refer to the attachment containing this information**).
- If bond release for vegetation establishment (Stage 3) is requested, the following information:
 - 1) A postmining topographic map and a map showing the topsoil and subsoil respread thicknesses in the tract (**attach a separate map or refer to the attachment containing the information**).
 - 2) Dates of initial and any subsequent seedings.
 - 3) Species seeded and rates.
 - 4) History of all management on the tract, including:
 - a) Fertilizer use - types, rates and date of application.
 - b) Herbicide and other pesticide use - types, rates and date of application.
 - c) Grazing history - number of head and dates grazed.
 - d) Breaking of pre-cropland grass/legume stand - date and type of equipment used.
 - e) Crops harvested - types of crops and dates harvested.
 - 5) Documentation that vegetation has become established on the tract. Ground cover data and an aerial photo based map (or other pre-approved map) showing sampling locations must be included for any native grassland, tame pastureland, fish and wildlife habitat with grassland vegetation and wetland vegetation types, previously mined areas, recreation land uses, and areas to be developed to industrial and commercial uses (**attach a separate map or refer to the attachment containing this information**).
 - 6) Documentation that suspended solids are not being contributed to stream flow or runoff outside the permit area in excess of that allowed by NDAC 69-05.2-16-04.
 - 7) If any prime farmlands are included in the tract, documentation that the productivity has been restored, including specific standards and methods used for obtaining crop yields.
 - 8) If a permanent impoundment is included in the tract, a discussion of how plans for sound future management of the impoundment have been implemented by the landowner or permittee as required by NDAC 69-05.2-12-12(7)(c). Include a written commitment from the landowner to follow a sound management plan for the impoundment.