



Public Service Commission

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sent via email only

June 2, 2025

Mr. Rylan Sundsbak
Environmental Supervisor
Westmoreland Beulah Mining, LLC
Beulah Mine
P.O. Box 39
Beulah, ND 58523-0039
rsundsbak@westmoreland.com

Dear Mr. Sundsbak:

The Reclamation Division has reviewed Westmoreland Beulah Mining LLC's (WBM) abatement and remediation plan, which was received on May 28, 2025 for Notice of Violation (NOV) 2501. It should be noted that the letter is dated May 29, 2024. The plan needs to be revised to clarify the procedures and methodology that will be used to sample the remaining topsoil in the affected area. The revised plan should include a map depicting the location where topsoil has been removed, the locations where soil samples will be taken, the proposed topsoil sampling depth, soil properties that will be analyzed to determine topsoil quality, and clarify if WBM is planning to mix any of the soil samples prior to laboratory testing. Sodium adsorption ratio, electrical conductivity, and organic matter percentage should be analyzed in accordance with NDAC 69-08.2-08-10(1)(a).

WBM previously proposed collecting samples on a fifty-foot grid over the affected area in email correspondence with Mr. Jesse Noel on May 9, 2025 and May 12, 2025. The Reclamation Division recommends sampling the area where topsoil has been removed separately from the area where topsoil has not been removed. In addition, the Reclamation Division advises that topsoil thicknesses be documented at each sample location so it can be determined if an adequate amount remains on site. Furthermore, Reclamation Division staff will need to inspect the affected area after it has been tilled prior to concurring with WBM's proposal to not replace the removed yardage of topsoil on the area where topsoil was removed.

If you have any questions, please contact this office.

Sincerely,

Jonathan Emmer
Director
Reclamation Division

cc via email only: Jesse Noel (jnoel@westmoreland.com)
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Beulah Mine (Dakota Westmoreland)\Violations\2025\NOV-2501_Abatement_Item_2&3_rvw_itr_6-2-25