



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
701-328-2400
ndpsc@nd.gov

sent via email only

August 28, 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's (WBM) August 22, 2025 revised Notice of Violation (NOV) 2501 - Remediation Plan submitted in response to the Reclamation Division's August 20, 2025 deficiency letter. WBM is now proposing to remove all topsoil within the 3.35-acre NOV area and later use it as subsoil on WBM-owned property. WBM also indicates that the topsoil removed from the NOV area will be replaced with topsoil from the Christianson/Gunsch stockpiles 16-11-1 and 16-13-1.

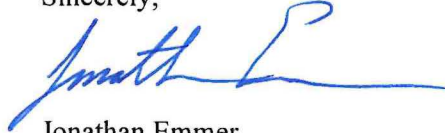
The Reclamation Division does not approve this remediation plan and requests that WBM submit a revised plan that addresses the following items:

1. As outlined in Item No. 4 of our August 20, 2025 deficiency letter, please include a map showing the boundaries of areas that do not meet the topsoil requirements of NDAC 69-05.2-08-10(1)(a).
2. Please develop a remediation plan that maximizes the salvage of uncontaminated topsoil after addressing Item No. 1 above. The current plan should be revised to state that WBM will only remove the topsoil that does not meet the requirements of NDAC 69-05.2-08-10(1)(a) based on the sample results provided in the submittal. The removal areas can be delineated similar to how grade approval respread depth boundaries are determined based on sample results, i.e., removing contaminated topsoil 25 feet around each sample point that does not meet the requirements of topsoil if each sample point was plotted on a 50-foot grid. The Reclamation Division recognizes that some topsoil that is not contaminated may need to be affected, removed, or waived to provide equipment access to isolated contaminated areas.
3. Please provide a narrative describing how WBM will alleviate compaction during and after the remediation process.

Mr. Rylan Sundsbak
August 28, 2025
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If you have any questions, please contact this office.

Sincerely,



Jonathan Emmer
Director
Reclamation Division

cc via email only: Juris Ore (jore@westmoreland.com)
 Dave Kuzara (DKuzara@westmoreland.com)
 Todd Briggs (tbriggs@westmoreland.com)

Beulah Mine (Dakota Westmoreland)\Violations\2025\NOV-2501_Sample_Results_rsp_ltr_8-28-25