

August 28, 2025

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

RE: Notice of Violation (NOV) 2501 – Remediation Plan

Dear Mr. Emmer:

Westmoreland Beulah Mining LLC (WBM) acknowledges your August 28, 2025, correspondence and provides the following responses to items requested for revision to the remediation plan.

Notice of Violation (NOV) 2501 – Remediation Plan

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).

A map showing the boundaries of areas that do not meet the topsoil requirements of NDAC 69-05.2-08-10(1)(a) as Figure 1.

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.

The remediation plan has been revised to maximize the salvage of uncontaminated topsoil.

3. Please provide a narrative describing how WBM will alleviate compaction during and after the remediation process.

The remediation plan has been revised to address and alleviate compaction.

Should you have any questions, please feel free to contact me.

Sincerely,



Rylan Sundsbak



Environmental Supervisor
Westmoreland Beulah Mining LLC

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