



6204 13th Street SW
Beulah, ND 58523

701.380.9166

www.westmoreland.com

Ju 15, 2025

Beulah Mine (Dakota Westmoreland)\Permits\KRSB - 8603\Revisions\Rev_36
Rev36_complete_rsp_ltr_7-15-25 (40432)

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

Dear Mr. Emmer:

The following is in response to your review letter dated July 8, 2025, regarding the midterm review of Permit KRSB-8603. The updated permit has been electronically copied (via *Dropbox*) for your review. Please feel free to contact me should you have any questions.

Sincerely,

David Kuzara

Manager, Environmental and Regulatory Affairs

Westmoreland Mining, LLC

1601 Lewis Ave., Suite 112 | Billings, MT 59102

Direct: (406) 281-7954 | Mobile: (406) 690-9069

Email: dkuzara@westmoreland.com

Cc: Juris Ore
Jesse Noel
Todd Briggs

July 15th, 2025

Comment/Response to July 8, 2025 PSC Letter
Revision 36

Section 1.1 – Application and Supporting Documents

1. Please repair the Revision 36 Revision Summary and Listing of Revised Information bookmarks in Section 1.1 (Application and Supporting Documents) so that one can readily navigate and realize the changes being proposed. (GAW)

Revision 36 Summary and Listing bookmarks in section 1.1 (Application and Supporting Documents) have been revised as requested.

2. Please revise the Revision 36 application form (SFN 10562) on page 78 of Section 1.1 (Application and Supporting Documents) to include an informative description of the changes being proposed to the various sections of the permit. (GAW/AAC)

Revision 36 application form (SFN 10562) on page 78 of section 1.1 has been updated as requested.

Section 1.4 – Business Entity Information

3. Please provide meaningful, descriptive bookmarks with hyperlinks in Section 1.4 (Business Entity Information) to allow one to navigate to each subsection listed in the table of contents. (GAW)

Bookmarks in section 1.4 (Business Entity Information) has been updated as requested.

4. Please delete the “Permit Renewal” verbiage in the heading of the Notice of Application on page 62 of Section 1.4 (Business Entity Information). (GAW)

The words “Permit Renewal” have been removed from the heading of the Notice of Application.

5. Please revise the first paragraph of the Notice of Application on page 62 of Section 1.4 (Business Entity Information) to include a description of the surface coal mining and reclamation operations being revised with Revision 36. This would include updates to surface ownership and updates to the various corporate management lists in the Business Entity Information section, updated surface and ground water hydrology information, updates to the threatened and endangered species list, post-mining land uses changes in the NE¼ of Section 19, depicting overburden stockpiles and the dragline dismantling area on the pit layout and facilities map, changes to the surface water management plan, post-mining topographical changes in the Iron and Gold Pit areas, revegetation plan changes, and changes to the reclamation timeline. (WWS/GAW)

The first paragraph of the Notice of Application on Page 62 (61) of Section 1.4 has been revised to include a description of the surface coal mining and reclamation operations being revised with Revision 36.

6. Please include a scale bar on the public notice map on page 65 of Section 1.4 (Business Entity Information). (WWS)

“Not to Scale” has been added to the legend.

7. Please review and revise the ownership listings in the Revision 36 Notice of Application and/or Exhibit 1.4.1 (Surface and Coal Ownership Map) to correct the following discrepancies: (GAW/AAC/JAR)

- The Notice of Application indicates Charles and Joan Miller are surface owners of the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16 and the NE $\frac{1}{4}$ of Section 21 but Exhibit 1.4.1 lists only J. Miller as the owner of these tracts.

Exhibit 1.4.1 has been revised to remove the first initial of the landowner(s).

- The Notice of Application indicates Sharon and Leeroy Winkler are surface owners of the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 16 and the NW $\frac{1}{4}$ of Section 21 but Exhibit 1.4.1 lists only S. Winkler as the owner of these tracts.

Exhibit 1.4.1 has been revised to remove the first initial of the landowner(s)

- The Notice of Application indicates Claire and Donald Schwalbe are surface owners of the N $\frac{1}{2}$ of Section 17 while Exhibit 1.4.1 lists only C. Schwalbe as the owner.

Exhibit 1.4.1 has been revised to remove the first initial of the landowner(s)

- The Notice of Application indicates that the Faye Keogh Revocable Trust is the surface owner of the S $\frac{1}{2}$ of Section 17 but Exhibit 1.4.1 lists the ownership as F. Keogh Trust.

Exhibit 1.4.1 has been revised to remove the first initial of the landowner(s)

- The Notice of Application indicates Casey and Julie Voigt are surface owners of the NE $\frac{1}{4}$ of Section 19 but Exhibit 1.4.1 indicates that Voigt owns the property.

- The Notice of Application indicates Michael and Tina Schirado are surface owners of the S $\frac{1}{2}$ of Section 21 but Exhibit 1.4.1 lists Fetch et. al. as owners of the property.

Michael and Tina Schirado are the surface owners of the S $\frac{1}{2}$ of section 21. Fetch Et. al. are the mineral owners of the S $\frac{1}{2}$ of section 21. No changes were made to Exhibit 1.4.1.

- The Notice of Application indicates Ronald and Janice Gunsch, Janice and Marvin Sigman, and Sylvia and Dalton Zeiszler are surface owners of the NW $\frac{1}{4}$ of Section 22 but Exhibit 1.4.1 indicates the tract is owned by Gunsch.

Exhibit 1.4.1 has been revised to remove the first initial of the landowner(s) and added Et al.

- The Notice of Application indicates that Ronald and Janice Gunsch are surface owners of the SE $\frac{1}{4}$ of Section 16, the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, and the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 22 but Exhibit 1.4.1 indicates that either R. Gunsch or Gunsch et. al. own these tracts, respectively.

Exhibit 1.4.1 has been revised to remove the first initial of the landowner(s)

- The Notice of Application indicates that Terence Schmidt is the surface owner of the W $\frac{1}{2}$ of Section 23 while Terence Schmidt and Tammy Schmidt are the coal owners. However, Exhibit 1.4.1 indicates T & T Schmidt are the coal owners of the NW $\frac{1}{4}$ of Section 23 while Weigel et. al. is the coal owner of the SW $\frac{1}{4}$ of Section 23.

Exhibit 1.4.1 has been revised to show Schmidt as the coal owner of the SW $\frac{1}{4}$ of Section 23.