



Public Service Commission

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sent via email only

August 8, 2025

Mr. David Kuzara
Manager, Environmental & Regulatory Affairs
Westmoreland Beulah Mining LLC
Beulah Mine
PO Box 39
Beulah, ND 58523-0039
dkuzara@westmoreland.com

Dear Mr. Kuzara:

The Reclamation Division has conducted a second completeness review of Westmoreland Beulah Mining LLC's (WBM) Revision 36 to Surface Coal Mining Permit KRSB-8603 at the Beulah Mine. The following items will need to be resolved before the application can be deemed complete and approval is granted to begin publication of the newspaper notice for the permit revision. Please note that follow-up items reference the item number in our July 8, 2025 completeness review letter.

General

1. As required by NDAC 69-05.2-05-02(6), any changes to the original submittal must be displayed in an underline-strikethrough format. Please submit all future responses in this manner. (WWS/PJR)

Section 1.1 – Application and Supporting Documents

2. Follow-up to item No. 2: Please revise the Revision 36 application form (SFN 10562) on page 77 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)

Section 1.4 – Business Entity Information

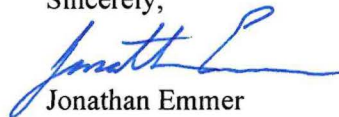
3. Follow-up to item No. 3: Please provide meaningful, descriptive bookmarks with hyperlinks in Section 1.4 (Business Entity Information) to allow one to navigate to each subsection listed in the table of contents. (GAW/PJR)
4. Follow-up to item No. 4: Please delete the word "Application" in front of the word "Revision" in the heading of the Notice of Application on page 61 of Section 1.4 (Business Entity Information). (GAW)
5. Follow-up to item No. 5: Please revise the first paragraph of the Notice of Application on page 61 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. Simply listing sections of the permit being updated does not provide a description of the changes proposed with the revision. (WWS/GAW/PJR)

6. Follow-up to item No. 7: As required by NDAC 69-05.2-10-01(1)(b)(4), please review and revise the ownership listings in the Revision 36 Notice of Application in Section 1.4 (Business Entity Information) and Exhibit 1.4.1 (Surface and Coal Ownership Map) to ensure both provide the name(s) of every legal or equitable surface and subsurface owner of record in the permit area. In addition, please review the addresses provided on pages 1.4.21 and 1.4.22 of Section 1.4 to ensure they are correct as the Commission must send a notice of receipt for Revision 36 as required by NDCC 38-14.1-18(4) to each surface owner. (GAW/AAC/JAR/PJR)

If you have any questions, please contact this office.

Sincerely,



Jonathan Emmer
Director
Reclamation Division

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