



December 4, 2015

Sent via electronic mail

Ms. Dicki Peterson
Western Energy Company
Rosebud Coal Mine Area B
P.O. Box 99
138 Rosebud Lane
Colstrip, MT 59323-0099

Permit ID: C1984003B
Revision Type: Amendment
Permitting Action: Approval
Subject: Approval of Amendment AM4; Application 00184, Additional 49 acres to the current permit area.

Dear Dicki:

The Department of Environmental Quality (DEQ) has completed preparation of its Written Findings, including the Cumulative Hydrologic Impact Assessment, for Amendment Application AM4. Based on the information in AM4, the Written Findings, and the receipt of the updated bond in the amount of \$73,650,000, DEQ approves AM4.

Enclosed for your records is a copy of the updated SMP C1984003B, which will expire on December 8, 2015

A copy of the updated materials has been forwarded to the OSM offices in Casper and Denver.

DEQ's Written Findings are enclosed.

Sincerely,

A handwritten signature in blue ink that reads "Chris Yde".

Chris Yde, Supervisor
Coal and Uranium Program
Industrial and Energy Minerals Bureau
Phone: 406-444-4967
Fax: 406-444-4988
Email: CYde@mt.gov

C: Jeff Fleischman, Office of Surface Mining
Lauren Mitchell, Office of Surface Mining

FC: 620.112 (AM4)

Gilbert, Sharona

From: Gilbert, Sharona
Sent: Friday, December 04, 2015 12:55 PM
To: Peterson, Dicki; dmunoz@westmoreland.com
Cc: jfleischman@osmre.gov; lmittchell2@osmre.gov; Gene Hay (ghay@osmre.gov); Bartlett, Franklin P (fbartlett@osmre.gov); Giovetti, Debbie (dgiovetti@osmre.gov); mcalles@osmre.gov; DEQCoal
Subject: C1984003B AM4 Approval
Attachments: AM_Approval_AM4_December42015.pdf

Please see attached electronic correspondence. The Written Findings is too large to send through regular email so I will upload it to the file transfer service for you. Have a great day, Dicki!

Sharona Gilbert

Administrative Assistant
Coal & Uranium Program
Industrial & Energy Minerals Bureau
Ph: 444-4966
Fax: 444-4988

*The best laid schemes o' Mice an' Men,
Gang aft agley ~Robert Burns*

SURFACE/UNDERGROUND MINING PERMIT

STATE OF MONTANA
Department of Environmental Quality
PO Box 200901
Helena, Montana 59620-0901
Phone (406) 444-4970

SURFACE MINING PERMIT NO. C1984003B
Pursuant to Title 82, Chapter 4, Part 2, MCA

Pursuant to Application for Coal Mine Permit Amendment No. AM4 received by the Department of Environmental Quality (DEQ) on June 15, 2009, Coal Mine Permit No. C1984003B issued to Western Energy Company on December 8, 1980 is hereby amended as follows:

Legal Description of Amendment Area:	Change in Permitted Acres:	Amount of Change in Bond:
N/A	49	\$25,246,304

THIS PERMIT, WHEN EXECUTED BY THE CHIEF, INDUSTRIAL AND ENERGY MINERALS BUREAU, DEPARTMENT OF ENVIRONMENTAL QUALITY, SHALL AUTHORIZE THE OPERATOR TO COMMENCE COAL MINING ACTIVITIES AS SPECIFIED HEREIN AND AS SHOWN ON MAPS, PLANS, SPECIFICATIONS AND APPLICATIONS SUBMITTED BY THE OPERATOR.

Name and Address of Operator:	Mineral to be mined:	County:
Western Energy Company P.O. Box 99 Colstrip MT 59323	Coal	Rosebud

Total Bond Level: \$73,650,000	Total Permitted Acreage: 6,231, more or less
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Legal Description:

T1N, R40E; Sections 8, 9, 11, 12, 13, 14, 15, 16 and 17
T1N, R41E; Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 17 and 18

Acreage Breakdown	Permit Acreage Mineral	Permit Acreage Surface
Federal:	2,656	0
Tribal:	0	0
State:	559	559
Private:	3,016	5,623
County:	0	0
Total:	6,231	6,231

THIS PERMIT AUTHORIZES THE PERMITTEE TO CONDUCT MINING ACTIVITIES AS SPECIFIED IN:

1. The mining and reclamation permit numbered C1984003B covering this mine or mine complex approved by the Commissioner, Department of State Lands, or Director, Department of Environmental Quality on December 8, 1980, and any approved amendments, revisions, and renewals.
2. The application for amendment of Surface/Underground Coal Mine Permit numbered C1984003B, received by DEQ on June 15, 2009 and revised through March 10, 2015.

Conditions:

17.24.302, 318, 1131: Treatment of cultural resources within SMP C1984003B and the amendment area is covered by a MOA developed under the provisions of Section 106 of the National Historic Preservation Act and pursuant regulations (36 CFR 800). Treatment of all cultural resources, including incidental discoveries during the course of mining, must be handled according to the provisions of this MOA.

17.24.304(1)(e); 17.24.417(1): The stream bottom of all named drainages must be surveyed in a manner acceptable to DEQ. The data must be submitted by the operator via a minor revision for incorporation into the

permit by June 30, 2016.

17.24.645(3); 17.24.646(1): Groundwater monitoring must be expanded in order to adequately determine the potential effects of mining to the hydrologic balance outside the permit area. Additional monitoring wells will be required to monitor potential down gradient movement of the affected water to ensure that it does not leave the permit boundary. Additional monitoring wells are also required inside the south permit boundary of Area B to monitor the quality of spoil water once the backfill becomes saturated and follows the natural flow direction to the southeast. This must be accomplished via a minor revision to the MQAP that is approvable by DEQ. The minor revision must be submitted to DEQ for review within 90 days of permit issuance.

17.24.646(1) and (3): Surface water monitoring must be expanded at all streams downstream of mining in order to adequately determine the effects on mining on the hydrologic balance inside and outside the permit area. This must be accomplished via a minor revision to the MQAP that is approvable by DEQ. The minor revision must be submitted to DEQ for review within 90 days of permit issuance.

17.24.723(1) and (2): Macroinvertebrate monitoring on all intermittent reaches of all streams affected by mining must be performed on a schedule approved by the DEQ (every five years to be submitted with renewal). The proposed monitoring plan must be submitted to DEQ via a minor revision for incorporation into the wildlife monitoring plan

THIS PERMIT IS ISSUED PURSUANT TO AND SUBJECT TO THE PROVISIONS OF TITLE 82, CHAPTER 4, PART 2, MCA, AND RULES ADOPTED PURSUANT TO TITLE 82, CHAPTER 4, PART 2, MCA.

THIS PERMIT IS APPROVED AND ISSUED BY:


Chief, Industrial and Energy Minerals Bureau
Department of Environmental Quality

Effective Date: December 4, 2015

Expiration Date: December 8, 2015

This permit is valid for 5 years and is subject to renewal, suspension or revocation as deemed necessary by DEQ.

Date: 12/4/2015