



138 Rosebud Ln.
Colstrip, MT 59323
406-748-5100
www.westmoreland.com

November 21, 2023

Dan Walsh
Mining Bureau, Bureau Chief
Department of Environmental Quality
1520 East Sixth Ave
PO Box 200901
Helena, MT 59620

Permit ID: C1984003B
Revision Type: Bond Release
Permitting Action: N/A
Subject: SL 22; Bond Release Application

Dear Mr. Walsh:

Westmoreland Rosebud Mining LLC (WRM) is requesting a Phase I Bond Release on approximately 69.4 acres within the Rosebud Mine – Area B (C1984003B) permit located near Colstrip, Montana. The request is specifically for liability release for Phase I reclamation and meets the requirement for a bond release application as committed to within Section 17.24.313 (1)(c) of the permit. Present bond liability for Area B of the Rosebud Mine is \$86,650,000. The purpose of this bond release request is to document the progress of reclamation by WRM at the Rosebud Mine. Further information regarding this bond release can be found in the attached Bond Release Application dated November 15, 2023.

Please contact Noelle Boyer at (720) 440-6369 or NBoyer@westmoreland.com for any questions or concerns.

Sincerely,

Russ Batie, P.E.
Environmental Manager
Westmoreland Rosebud Mining LLC
Phone: (406) 748-5179
Fax: (406) 748-5181
Email: RBatie@westmoreland.com

Attachment

BOND RELEASE

APPLICATION

SL22

AREA B

Phase I

C1984003B

November 2023

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BOND RELEASE APPLICATION FORM

DEQ COAL SECTION • PO BOX 200901 • HELENA MT 59620-0901 • PHONE: 406-444-4970 • FAX: 406-444-4988 • EMAIL: DEQCoal@mt.gov

Montana Department of Environmental Quality Coal Section's Application for Bond Release of Strip or Underground Mining Permit

INSTRUCTIONS-See rules and regulations pursuant to the following: This application form is pursuant to Title 82, Chapter 4, Part 2, MCA requiring permits for mining coal and uranium.

The applicant agrees to:

1. If federal minerals or surface are involved, send 1 complete copy to OSM, Casper Field Office Director and 1 complete copy to OSM, Denver Program Support Division Manager. Yes N/A
2. If there are no federal acres involved, send 1 complete copy of this application and attachments to OSM, Casper Field Office Director. Yes N/A
3. File application during the appropriate time or season pursuant to ARM 17.24.1111(2). Yes
4. Submit Affidavit of Publication following the publication of Public Notice. Yes

Attach any support documents that are referenced in this application and check the appropriate boxes below to indicate those attached.

1. Copies of letters sent to landowners
2. Appropriate narrative and/or tables addressing 82-4-232(6)(a) and (b) MCA, ARM 17.24.1111 and 17.24.1116
3. Proposed Public Notice pursuant to 82-4-232(6)(a) MCA
4. Maps (as necessary to evaluate the reclamation)
5. Other (Please describe): _____

SECTION A – APPLICANT INFORMATION

A1.

1. Permit ID Number: [C1984003B](#)
 Site Name: [Rosebud Mine - Area B](#)
 Date Permit Approved: [October 26, 1984](#)
2. Name of Applicant: [Westmoreland Rosebud Mining LLC](#)
 Address: [PO Box 99](#)
 City: [Colstrip](#) State: [MT](#) Zip Code: [59323](#)

SECTION B – BOND RELEASE

B1.

1.

Name of Bonding Agent	Address	City	State	Zip Code	Bond No(s)
Travelers Casualty and Surety Company of America	One Tower Square	Hartford	CT	06183	106649093
Argonaut Insurance Company	PO Box 469001	San Antonio	TX	78246	SUR0052333
Zurich American Insurance Company	1299 Zurich Way	Schaumburg	IL	60196-1056	09316507

2. Current bond amount in effect: [\\$86,650,000.00](#)
3. Total amount of bond requested for release: [\\$0](#)
4. Bond Remaining if total release is granted: [\\$86,650,000.00](#)
5. Type of Disturbance : Mine Level Associated Facilities

DEQ COAL SECTION • PO BOX 200901 • HELENA MT 59620-0901 • PHONE: 406-444-4970 • FAX: 406-444-4988 • EMAIL: DEQCoal@mt.gov

6.

Phase	Acres *no decimals	Legal Description	Dollar Amount Requested
Phase I: (Defined in ARM 17.24.1116(6)(a))	69	See Attachment #2	\$0.00
Phase II: (Defined in ARM 17.24.1116(6)(b))	0		\$0.00
Phase III: (Defined in ARM 17.24.1116(6)(c))	0		\$0.00
Phase IV: (Defined in ARM 17.24.1116(6)(d)) <input type="checkbox"/> Check box if Phase IV includes undisturbed acres. If so, how many acres are undisturbed: 0	0		\$0.00
Acres to be Released *no decimals	Permit Acreage Mineral	Permit Acreage Surface	
Federal:	50	0	
Tribal:	0	0	
State:	0	0	
Private:	19	69	
County:	0	0	
Total:	69	69	

7. Check all that apply:

Mineral Ownership

Federal State Tribal Private County Other

Surface Ownership

Federal State Tribal Private County Other

SECTION C – CERTIFICATION *MUST BE CONSISTENT WITH DESIGNATION OF AGENT FORM

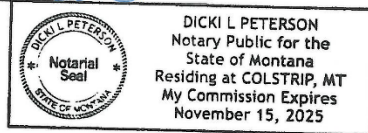
Pursuant to ARM 17.24.1111(4), I, the undersigned, hereby certify that all applicable reclamation requirements have been achieved in accordance with the Act, and the approved reclamation plan.

Signature: 


Title: Environmental Manager

Date: November 15, 2023

Subscribed and sworn to before me, the undersigned, a Notary Public for the State of Montana this 15th day of November, 2023.



(SEAL)



Notary Public for the State of: _____
 Residing at: _____
 My Commission expires: _____

LEGAL DESCRIPTION

Legal Description				Surface Owner
T1N, R41E	Sec.	10	N½	WPP LLC
T1N, R40E	Sec	13	NW¼	WPP LLC
T1N, R40E	Sec	14	W½NE¼, N½SW¼	Booth Land & Livestock

Surface Owners	Address	City	State	Zip Code
WPP LLC	PO Box 1745	Miles City	MT	59301
Booth Land & Livestock	PO Box 72	Lucerne	CO	80646
City of Colstrip	PO Box 1902	Colstrip	MT	59323
Rosebud County Commissioners	PO Box 47	Forsyth	MT	59327
Westmoreland Rosebud Mining LLC	PO Box 99	Colstrip	MT	59323

INTRODUCTION

Westmoreland Rosebud Mining LLC (Westmoreland), owns and operates the Rosebud Mine, located in Rosebud County, Montana, under Surface Mining Permit No. C1984003B (renewed 12/8/2020) issued by the Montana Department of Environmental Quality. The Area B permit of the Rosebud Mine is located southwest of Colstrip, Montana.

This document is a request by Westmoreland for Phase I Partial Release on approximately 69.4 acres of Rosebud Mine – Area B near Colstrip, Montana. The request is specifically for liability only release of approximately 69.4 acres for reclaimed lands in the permit area. Present bond liability for Area B of the Rosebud Mine is \$86,650,000. The purpose of this bond release request is to document the progress of reclamation by Westmoreland at the Rosebud Mine.

This application was prepared in compliance with the Montana Strip and Underground Mine Reclamation Act and the Permanent Regulatory Program pursuant to the Act. The submittal specifically addresses the portions of ARM 17.24.1111 through 17.24.1116, which apply to bond release applications.

Reclamation Phase I [ARM 17.24.1116(6)(a)] shall be deemed completed when all drill holes not approved for retention or completely mined are plugged and backfilling, regrading, and drainage control has been finished in accordance with the approved reclamation plan. It is Westmoreland Rosebud's belief that it has met these requirements.

Enclosed is narrative describing the types of reclamation work, which were completed to meet the requirements of Phase I bond release. An exhibit showing the requested area, approximately 69.4 acres, is included. The reclamation work described was completed in accordance with the approved reclamation plan described in C1984003B.

REQUEST FOR PARTIAL BOND RELEASE

This request for partial release was prepared in compliance with the Montana Strip and Underground Mine Reclamation Act and the Permanent Regulatory Program pursuant to the Act. The submittal specifically addresses the portions of ARM 17.24.1111 through 17.24.1116, which apply to bond release applications.

17.24.1111 BONDING: BOND RELEASE APPLICATION CONTENTS

- (1) Westmoreland Rosebud files this application for partial release from the permit liability for the completion of approved reclamation plans and included but was not limited to drill hole plugging, backfilling, regrading, drainage control, soil placement, and seeding.
- (2) The time of filing will allow the Department to properly evaluate the completed reclamation operations.
- (3) The application includes a copy of a letter to be sent to the following adjoining property owners, surface owners, local government bodies, planning agencies and sewage and water treatment facilities: WPP LLC, Booth Land & Livestock, the City of Colstrip, Rosebud County, and Westmoreland Rosebud Mining LLC. They will be notified of Westmoreland Rosebud's intention to seek partial bond release once the application is found complete. A copy of the draft notification letter is on page 7.
- (4) Notarized statement is on the application form.
- (5) A copy of the draft public notification is shown on page 8. Proof of publication of the advertisement will be submitted within 30 days of the final printing of the public notification.
- (6) Prospecting bond release is not applicable to this application.

17.24.1112 BONDING: ADVERTISEMENT OF RELEASE APPLICATIONS AND RECEIPT OF OBJECTION

- (1) (a) - (h) The public notification will be submitted to the Independent Press office in Forsyth, MT for advertisement in four consecutive weekly publications following the completeness review. It contains all the required items listed in sub-paragraphs (b) - (h).
- (2) The deadline for written objections, requests for informal conferences or requests for public hearings by affected persons related to this proposed bond release application is 30 days following the last advertisement.

17.24.1116 BONDING: CRITERIA AND SCHEDULE FOR RELEASE OF BOND

- (1) It is Westmoreland's belief that the requirements of the approved reclamation plans have been met. Therefore, Westmoreland requests liability release on approximately 69.4 acres of Phase I. The bond release fields are shown on Exhibit 1, as described in the application form.
- (2) Westmoreland recognizes that it would remain responsible for any corrective actions necessary to comply with the Act, sub-chapters 3 - 13 of the rules, and the permit until final bond release.
- (3) Westmoreland is requesting release from the bond liability on the application parcels for completion of backfill, regrade, drainage control, soil placement, seeding and land use in accordance with the approved alternate reclamation plan. All drill holes have been properly abandoned. Soils have been replaced, revegetation has been established, and noxious weeds are controlled in accordance with the approved alternate reclamation plan.
- (4) Westmoreland is requesting liability release of approximately 69.4 acres of Phase I reclamation at this time.
- (5) Westmoreland is not seeking a monetary reduction in the reclamation bond at this time. The total amount of bond in effect for the Area B permit is \$86,650,000.00.
- (6) This application is for Phase I reclamation acres.
 - (a) reclamation phase I is deemed to have been completed when the permittee completes backfilling, regrading, and drainage control in accordance with the approved reclamation plan and when all drill holes that are not approved to be retained as monitoring wells or that were not completely mined have been plugged in accordance with ARM 17.24.1005;
 - (b) Phase II bond release will be applied for in future applications.
 - (c) Phase III bond release will be applied for in future applications.
 - (d) Phase IV bond release will be applied for in future applications.
- (7) Information from annual reports and monitoring data, generated pursuant to ARM 17.24.645, 17.24.646, 17.24.723, and 17.24.1129, and from department inspection reports may be used or referenced to support applications for bond release.
- (8) Following final bond release, the department shall reassert jurisdiction under the Act and this chapter if it is demonstrated that the bond release or statement of reasons made pursuant to ARM 17.24.1114(4) was based upon fraud, collusion, or misrepresentation of a material fact.

DRAFT LANDOWNER NOTIFICATION LETTER

Dear Sir:

Westmoreland Rosebud Mining LLC has applied for partial release of its reclamation bond to the Department of Environmental Quality. This request is for plugging of drill holes and completion of backfill and regrade under ARM 17.24.1116(6)(a) Reclamation Phase I of Montana's Permanent Program, Strip and Underground Reclamation Rules and Regulations.

The specific permit number and acreages are shown in the following table:

Mine Area	Phase I
B	69.4

The proposed release area, containing 69.4 acres more or less, is located within portions of the following legal descriptions:

Area B – Rosebud County

Phase I	
T1N, R41E	Sec. 10
T1N, R40E	Sec. 13 and 14

The application is available for inspection at the Department of Environmental Quality office in Helena (1520 E 6th Avenue). Electronic copies of the application may be requested by visiting the website <https://deq.mt.gov/mining/Programs/coal>.

Written comments, objections and/or requests for informal conference on this application may be submitted to the Department of Environmental Quality, Coal Section, P.O. Box 200901, Helena, MT 59620-0901 or by emailing DEQCoal@mt.gov within 30 days of receipt of this notice.

This letter is being sent to fulfill the requirements of ARM 17.24.1111(3) of Montana's Permanent Program, Strip and Underground Reclamation Rules and Regulations.

Sincerely,



Russell Batie
Environmental Manager

DRAFT PUBLIC NOTICE

PUBLIC NOTICE

Notice is hereby given that Westmoreland Rosebud Mining LLC, a Montana corporation with offices west of Colstrip, Montana, has filed a request for partial bond release for Phase I reclamation work in Area B (C1984003B) of the Rosebud Mine, Colstrip, Montana under the Montana Strip and Underground Mine Reclamation Act and Permanent Regulatory Program. The Area B Surface Mine Permit was originally approved on October 26, 1984.

The proposed release area, containing 69.4 acres, more or less, is located within portions of the following legal descriptions:

The area for which partial release is requested is located in portions of the following sections:

Area B – Rosebud County

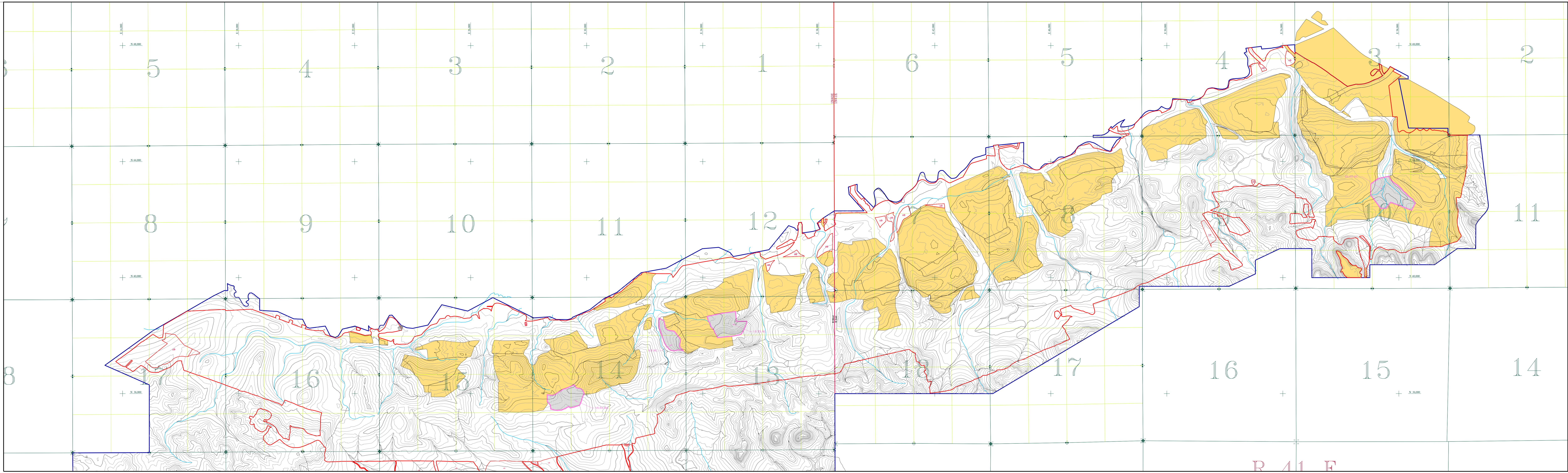
Phase I	
T1N, R41E	Sec. 10
T1N, R40E	Sec. 13 and 14

Westmoreland Rosebud is not requesting liability only reduction of the reclamation bond. The total amount of bond in effect for the permit area is \$86,550,000. All backfill and regrade was completed prior to and during 2020 in accordance with the approved plan. All drill holes have been properly abandoned.

The application is available for inspection at the Department of Environmental Quality office in Helena (1520 E 6th Avenue). Electronic copies of the application may be requested by visiting the website <https://deq.mt.gov/mining/Programs/coal>.

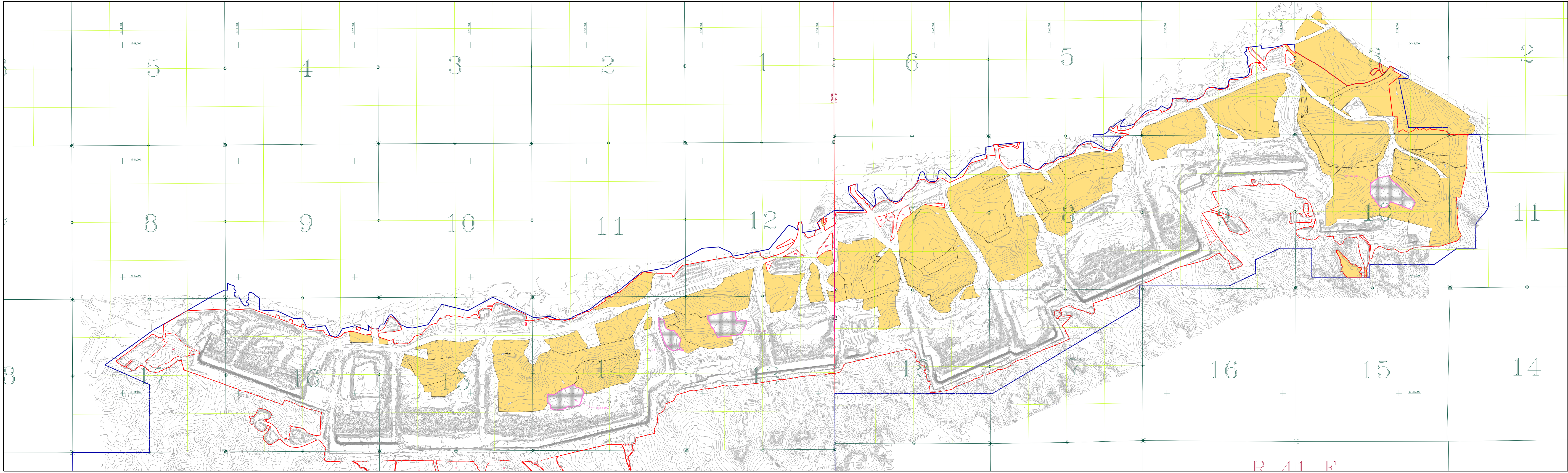
Written comments, objections and/or requests for informal conference on this application may be submitted to the Department of Environmental Quality, Coal Section, P.O. Box 200901, Helena, MT 59620-0901 or by emailing DEQCoal@mt.gov within 30 days of receipt of this notice.

Date,



PMT
Scale: 1"=1000'

- KEY**
- Permit Boundary
 - Disturbance
 - Quarter Section Lines
- Area/Year/Quarter/Field Number
+ Found Corner Monument
+ Corner Position As Established By
 Western Energy Company Or
 Protracted From Old Records



Existing Topo 07-2023
Scale: 1"=1000'

- PHASE 1**
- Phase 1 SL22 Area B (69.4 acres)
 - Phase 1 Released & Pending Releases. Includes Areas of final bond release inside and outside our current Permit Boundary

REVISION	DESCRIPTION	DATE	CAD DESIGNER	CHECKER

Westmoreland Rosebud Mining LLC
 A Subsidiary of WESTMORELAND MINING, LLC
 P.O. Box 99 Colap, MT 59223 (406) 46-5100

Area B EXHIBIT 1
Bond Release
Phase 1 SL22

GRAPHIC DESIGNER: TO	DATE COMPLETED: 11/2023
DESIGNED BY: RS	Base: Post Mine and Existing Logo
SCALE: 1"=1000'	Date Approved: -
CAD DRAWING: B Bond Release Phase 1 SL22.dwg	