



WESTMORELAND ROSEBUD MINING LLC

A Subsidiary of WESTMORELAND MINING HOLDINGS LLC

P.O. Box 99 • 138 ROSEBUD LANE • Colstrip, MT 59323 • Phone: (406) 748-5100

June 17, 2021

Robert Smith
Department of Environmental Quality
Coal and Opencut Mining Bureau
PO Box 200901
Helena, MT 59620-0901

Permit ID: C1985003C
Revision Type: Bond Release
Permitting Action: Submittal
Subject: SL20: Phase I – III

Dear Bob:

Westmoreland (WRM) hereby submits bond release application SL20 for partial release of 95.0 acres Phase I, 20.0 acres Phase II, 1,071.0 acres Phase III of partial liability release within Area C of the Rosebud Mine.

Traditionally, WRM has sent out landowner notification letters to the current landowners when the application has been filed. WRM is implementing new protocol and will notify the landowners upon receiving completeness of the application.

Monetary reduction of the reclamation bond associated with this bond release application is requested in the amount of \$1,130,000.

If you have any questions, please feel free to contact me at (406) 748-5124.

Sincerely,

Dicki Peterson
Permit Coordinator
Rosebud Mine – Area C
Phone: (406) 748-5124
Fax: (406) 748-5181
Email: dpeterson@westmoreland.com

Gilbert, Sharona

From: Transfer Service
Sent: Thursday, June 17, 2021 4:00 PM
To: DEQ AEMD Coal
Subject: State of Montana File Transfer Service

FILE TRANSFER SERVICE

STATE OF MONTANA

**The following file has been sent to you
through the State of Montana File Transfer Service:**

FILE NAME: C1985003C SL20 Electronic Deliverables.zip

SENT TO: deqcoal@mt.gov

SENT FROM: Dicki Peterson (dpeterson@westmoreland.com)

MESSAGE: Electronic deliverables for C1985003C SL20 Dicki Peterson Permit Coordinator
Rosebud Mine – Area C Phone: (406) 748-5124 Fax: (406) 748-5181 Email:
dpeterson@westmoreland.com

**To download this file,
click on the link below:**

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From: Transfer Service
Sent: Thursday, June 17, 2021 3:54 PM
To: DEQ AEMD Coal
Subject: State of Montana File Transfer Service

FILE TRANSFER SERVICE

STATE OF MONTANA

**The following file has been sent to you
through the State of Montana File Transfer Service:**

FILE NAME: C1985003C SL20 Phase I-III Submittal 2021-06.pdf

SENT TO: deqcoal@mt.gov

SENT FROM: Dicki Peterson (dpeterson@westmoreland.com)

MESSAGE: Please see C1985003C SL20 Phase I-III bond release application. If you have any question, please let me know. Dicki Peterson Permit Coordinator Rosebud Mine – Area C Phone: (406) 748-5124 Fax: (406) 748-5181 Email: dpeterson@westmoreland.com

**To download this file,
click on the link below:**

<http://transfer.mt.gov/transfer/ReceivedFileReport?TransferID=2468e581-0946-41b8-ba55-d3394037b4f8>

Replies to this email are not monitored.

<https://transfer.mt.gov/>

April 17, 2025

Eric Dahlgren
Coal Program, Acting Supervisor
Department of Environmental Quality
1520 East Sixth Ave
PO Box 200901
Helena, MT 59620

Permit ID: C1985003C
Revision Type: Bond Release
Permitting Action: Deficiency
Subject: SL 20; Round 1 Completeness Deficiency

Dear Eric:

In response to the Montana Department of Environmental Quality's first round completeness deficiency for SL 20 in area C dated April 19, 2021, Westmoreland Rosebud Mining has the following response:

The total amount of bond requested for release on the application form is stated as \$1,130,000.00 however the breakdown by phase totals as \$622,911.00. Please resolve or explain the discrepancy.

Westmoreland Rosebud Mine, would like to change the requested financial release to a liability release.

The legal description for Phase I is missing the following areas: T1N R40E Section 3 N ½, Section 5 S½, and Section 6 SE ¼. Please update the legal to include those areas.

Westmoreland Rosebud Mine has updated the legal descriptions in the Phase I area.

The 11.47 acre-area differs from the PMT by being much flatter and not including the small ridge shown in the PMT. Please resolve or explain the discrepancy.

After further review of this acreage, the built surface has a small ridge in it. The constructed surface may not be as pronounced as suggested in the Approximate Post Mine Topography, but WRM feels that what has been constructed not only matches the surrounding acreage, but also closely resembles the premine topography.

There is an additional bond value reduction in the direct costs portion of the bond calculation that is unrelated to this bond release in the amount of \$3,977 for Phase I, \$48,785 for Phase II, and \$41,852 for Phase III for a total of \$74,614 from direct costs. Please resolve or explain the discrepancy.

Westmoreland Rosebud Mine would like to change the requested financial release to a liability release.

The application does not contain a discussion of how the results of the completed reclamation satisfy the requirements of the approved reclamation plan regarding contributions of suspended sediment outside the permit area. Please include a description, supported by appropriate data

and analyses, of how the sediment yields from the bond release area meet the requirements in the Act, the rules, and the permit.

Westmoreland Rosebud Mine acknowledges that sediment sampling is not included in this current request, as sediment sampling is not required for Phase I-III. WRM is requesting that the bond release be reviewed as is.

Should you require any additional information or documentation to facilitate your review, please do not hesitate to contact Noelle Boyer at (720) 440-6369 or NBoyer@westmoreland.com directly. We are fully committed to providing any necessary assistance to ensure the prompt and complete evaluation of this bond release request.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RBatie', is positioned above the typed name.

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

Gilbert, Sharona

From: Transfer Service
Sent: Thursday, April 17, 2025 2:15 PM
To: DEQ AEMD Coal
Subject: State of Montana File Transfer Service

FILE TRANSFER SERVICE

STATE OF MONTANA

**The following file has been sent to you
through the State of Montana File Transfer Service:**

FILE NAME: Westmoreland Rosebud Mine Area C SL 20.zip

SENT TO: DEQCoal@mt.gov

SENT FROM: Noelle Boyer (nboyer@westmoreland.com)

MESSAGE:

Please see the attached Westmoreland Rosebud Mine Area C SL 20 first round acceptability deficiency response letter. Should you require any additional information or documentation to facilitate your review, please do not hesitate to contact Noelle Boyer at (720) 440-6369 or NBoyer@westmoreland.com directly. We are fully committed to providing any necessary assistance to ensure the prompt and complete evaluation of this bond release request. Thank you, Noelle

**To download this file,
click on the link below:**

<http://transfer.mt.gov/transfer/ReceivedFileReport?TransferID=d7e16f6e-273f-411a-8dea-0a76393e0072>

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BOND RELEASE

APPLICATION

SL20

AREA C

Phase I, II, & III

C1985003C

Revised: April 2024

ATTACHMENT #1 – BOND RELEASE APPLICATION FORM

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: C1985003C
Site Name: Rosebud Mine - Area C
Date Permit Approved: August 20, 1982
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)
Zurich American Insurance Company	1299 Zurich Way	Schaumburg	IL	60196-1056	09316506

2. Current bond amount in effect: \$41,250,000.00
3. Total amount of bond requested for release: \$0.00
4. Bond Remaining if total release is granted: \$41,250,000.00
5. Type of Disturbance: Mine Level ☒ Associated ☐ Facilities ☐

6. Bond Release Phases

Phase	Acres *no decimals	Dollar Amount Requested
Phase I: (Defined in ARM 17.24.1116(6)(a))	95	\$0.00
Phase II: (Defined in ARM 17.24.1116(6)(b))	20	\$0.00

Phase III: (Defined in ARM 17.24.1116(6)(c))	1071	\$0.00
Phase IV: (Defined in ARM 17.24.1116(6)(d))	0	\$0.00
Undisturbed Acres	0	\$0.00

7. Breakdown of Final Bond Release Acres
(Only applies to Phase IV, Undisturbed, or Pre-1989 Phase III)

	Permit Acreage Mineral	Permit Acreage Surface
Federal:	0	0
Tribal:	0	0
State:	0	0
Private:	0	0
County:	0	0
Total:	0	0

8. Legal Description of Bond Release Area: [See Legal Description Table on Pg 4](#)

9. 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 PERMIT COORDINATOR

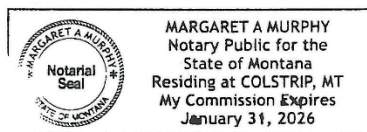
Pursuant to ARM 17.24.1111(4), I, the undersigned, hereby certify that all applicable reclamation requirements have been achieved in accordance with the Act, and the approved reclamation plan.

Signature: 

Title: Environmental Manager

Date: April 24, 2024

Subscribed and sworn to before me, the undersigned, a Notary Public for the State of Montana
this 25th day of April, 2024.



(SEAL)

Margaret A. Murphy
Notary Public for the State of: Montana
Residing at: Colstrip
My Commission expires: 01/31/2026

ATTACHMENT #2 – LEGAL DESCRIPTION

Legal Description			Surface Owner
Phase I			
T1N, R40E			
Sec.	3	N½	WPP LLC
	5	N½; S½	WPP LLC
	6	N½; SE¼	WPP LLC
T2N, R40E			
Sec.	29	SE¼	WPP LLC Great Northern Properties LTD Partnership
	31	E½	WPP LLC Great Northern Properties LTD Partnership
	32	S½; NW¼	Westmoreland Rosebud Mining LLC WPP LLC
	33	W½	WPP LLC Great Northern Properties LTD Partnership
Phase II			
T1N, R40E			
Sec.	5	N½	WPP LLC
	6	N½	WPP LLC
T2N, R40E			WPP LLC
Sec.	31	SE¼	WPP LLC Great Northern Properties LTD Partnership
	32	N½; SE¼	Westmoreland Rosebud Mining LLC WPP LLC
Phase III			
T1N, R40E			
Sec.	5	N½	WPP LLC
	6	N½	WPP LLC
T2N; R40E			
Sec.	28	SW¼	Westmoreland Rosebud Mining LLC WPP LLC
	29	S½	WPP LLC Great Northern Properties LTD Partnership
	31	S½; NE¼	WPP LLC Great Northern Properties LTD Partnership
	32	N½; S½	Westmoreland Rosebud Mining LLC WPP LLC
	33	W½	WPP LLC Great Northern Properties LTD Partnership

Attachment #3 – INTRODUCTION

This document is a request by Westmoreland Rosebud Mining LLC for Partial Bond Release for Area C Reclamation. The request is specifically for release of liability for approximately 95.0 acres of Phase I, 20.0 acres of Phase II, and approximately 1,071.0 acres of Phase III of reclaimed lands for Rosebud Mine Area C near Colstrip, Montana. C1985003C permit bond amount would remain \$41,250,000. The application site is defined as a portion of Area C pastures C16, C21, C24, and C25.

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.

Exhibit 1 Phase I Bond Release Map, Exhibit 2 Phase II Bond Release Map, and Exhibit 3 Phase III Bond Release Map shows the requested bond release polygons and associated reclamation fields. Reclamation work was completed in accordance with the approved permit C1985003C reclamation plan.

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's belief that it has met these requirements.

Reclamation Phase II [ARM 17.24.1116(6)(b)] is deemed to have been completed when: soil replacement and spoil and soil tillage have been completed in accordance with the approved reclamation plan; at least 2 growing seasons have elapsed since seeding or planting of the affected area; soils are protected from accelerated erosion by the established vegetation; and noxious weeds are controlled. It is Westmoreland's belief that the requirements of the approved reclamation plan have been met.

Reclamation Phase III [ARM 17.24.1116(3)(c)] is deemed to have been completed when: the applicable responsibility period (which commences with the completion of any reclamation treatments as defined in ARM 17.24.725) has expired and the revegetation criteria in ARM 17.24.711, 17.24.716, 17.24.717, 17.24.724, 17.24.726, 17.24.728, 17.24.730 through 17.24.733, 17.24.815, and 17.24.825 are met; a stable landscape has been established; and the lands are not contributing suspended solids to stream flow or runoff outside the permit area in excess of the requirements of the Act, ARM 17.24.633, or the permit. It is Westmoreland's belief that the requirements of the approved reclamation plan have been met.

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 files this application for partial release from the permit liability for the completion of approved reclamation plans for wildlife usage and livestock grazing. The reclamation was completed in accordance with the approved alternate 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, Great Northern Properties LTD Partnership, the City of Colstrip, Rosebud County, and Westmoreland Rosebud Mining LLC. They will be notified of Westmoreland's intention to seek partial bond release. A copy of the notification letter is shown in Attachment 6.
- (4) Notarized statement is on the application form.
- (5) A copy of the public notification is shown in Attachment 7. 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 located 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 95.0 acres of Phase I, 20.0 acres of Phase II, and 1,071.0 acres of Phase III reclamation. The bond release fields are shown on Exhibit 1 Phase II and III Bond Release as described in the application form, Attachment #1.
- (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 95.0 acres of Phase I, 20.0 acres of Phase II, and 1,071.0 acres of Phase III at this time.
- (5) Westmoreland is requesting a zero-liability release from the bond. The bond would remain \$41,250,000.
- (6) This application is for 95.0 acres of Phase I, 20.0 acres of Phase II, and 1,071.0 acres of Phase III reclamation.
- (6) (a) The following items briefly address the methods used by Westmoreland to complete backfilling, regrading, and drainage control requirements for Reclamation Phase I.

All drill holes not retained as water wells were properly abandoned and released by the Department.

Following coal extraction, each pit was backfilled with overburden materials generated by the dragline from the successive pit. The excavation of each pit created a spoil ridge, which was graded to the approved approximate post-mine topography with the following exceptions:

- The ridge elevation and shape in the 43.24-acre area in T1N, R40E Section 6 approximates the premining elevation of the ridge in this same area. This departure from post-mine topography allows for more dirt to be used in the final pit area and more closely approximates approximate original contours. This does not preclude us from tying in the ridge to the south as it is an isolated hill that does not tie directly into the highwall ridge.

- The incised channels in the 43.24-acre area in T1N, R40E Sections 5 and 6 increase the diversity of this area and allow for more dirt to be used in the final pit area. This does not preclude us from tying in the channel downstream and has no contributing channels upstream.

None of the final graded slopes exceed a 5:1 gradient unless approved by the Department. All final spoils regrading was done on the contour (ARM 17.24.501).

During the final phases of spoils regrading, surface drainages were reconstructed to approximate premine drainage patterns (ARM 17.24.634). Appropriately sized sedimentation ponds were constructed at the lowest end of reconstructed concave longitudinal drainages to prevent untreated runoff from exiting the disturbed area (ARM 17.24.638). Ditches and traps were also used to control sediment (ARM 17.24.639).

- (6) (b) The following items briefly address the methods used by Westmoreland to complete soiling, vegetation establishment, and noxious weed control requirements for Reclamation Phase II.

The majority of regraded spoils were sampled to a depth of 4 feet at an approximate density of one hole per 1,000 feet. The samples were analyzed for pH, EC, saturation percentage, and percent sand, silt, and clay according to approved procedures. No unsuitable spoil materials were detected in the bond release area according to sampling results.

Prior to redistribution of soil materials (ARM 17.24.702), the regraded spoil surfaces were prepared in accordance with the approved permit. Either direct haul or stockpiled soil was placed with scrapers.

At least two growing seasons have elapsed since the first seeding dates for the requested fields. Seed mixes and supplemental plantings were in accordance with the approved permit. The seeding history for the 20.0 Phase II acres is documented in the Annual Mining Reports. Table 1 (page 14) shows the application fields by their acreages and year. The appropriate seed was planted either by drilling or broadcasting (ARM 17.24.716) while containerized or bare-root shrub and tree seedlings were planted either by hand or utilizing a three-point hitch tree planter (ARM 17.24.717). These sites have been incorporated into Westmoreland's Revegetation Monitoring program. The results of the monitoring program, which include species, composition, cover, production, density, diversity, and utilization data, are reported annual and can be found in the Vegetation Resource Reports. Slopes were mulched and crimped or hydro-mulched as needed to ensure effective soil protection (ARM 17.24.714). All unstable rills and gullies identified as needing stabilization were repaired (ARM 17.24.721) utilizing a variety of approved methods depending on the severity of the erosion, including placement of straw bales, matting, supplemental seedings and tree and shrub plantings.

The seeding dates for the reclaimed fields submitted for Phase II relief are given in Table 1 (page 14). Please refer to the annual reports for seed mixes and supplemental plantings (if any) for each field. The appropriate seed mixes were planted either by drilling or broadcasting (ARM 17.24.716). Shrub and tree species were planted as indicated in the annual reports. All unstable rills and gullies identified by the Department and/or by Westmoreland as needing stabilization were repaired (ARM 17.24.721) utilizing a variety of approved methods depending on the severity of the erosion, including placement of straw bales, matting, supplemental seeding.

Noxious weeds have been controlled through mowing, pulling, and application of chemicals in accordance with the approved plan (ARM 17.24.726). It is Westmoreland's belief that it has met the Phase II requirements as they apply to the approved reclamation plans and that the normal practices can be expected to continue by post-mine landowners.

- (6) (c) The following items briefly address the methods used by Westmoreland to complete requirements for Reclamation Phase III. These items address the methods used by Westmoreland to complete the applicable responsibility period (which commences with the completion of any reclamation treatments as defined in ARM 17.24.725) and the revegetation criteria in ARM 17.24.711, 17.24.713, 17.24.714, 17.24.716 through 17.24.718, 17.24.721, 17.24.723 through 17.24.726, 17.24.731 and 17.24.815. Table 2 (page 15) shows the Phase III bond release field data including the last seeding date.

Livestock grazing has occurred in Area C pastures and has been reported in the various annual reports. A summary of the last 9 years of grazing is shown in Table 3 (page 16). A modified rest-rotation system was used with the pastures alternating between early, late and no grazing regimes. While AUM's varied over the years, the utilization target of 65% (+/- 10%) remained constant and was routinely met.

Vegetation parameter studies have been conducted by Cedar Creek Associates since 2000. The annual monitoring studies have been reported in the Vegetation Resource Reports. Bond release scale studies were conducted in 2019 and 2020. Their final report *Western Energy Company's Rosebud Mine Phase III Revegetation Success Evaluation – 2019 & 2020 Area C-North, December 2020* is included in this application as Appendix A (Appendix A – PH III Bond Release Evaluation – Area C-North – 2020.pdf).

It is Westmoreland's belief that the Phase III requirements of the approved reclamation plans have been met and that the normal practices for grazing land and wildlife habitat management can be expected to be continued by the post-mine landowners. Westmoreland believes that these practices will not reduce the probability of permanent revegetation success within the post-mine pastures. Westmoreland also believes that a stable landscape has been established and the lands are not contributing suspended solid to stream flow or runoff outside the permit area in excess of the requirements of the Act, ARM 17.24.633.

- (6) (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 application for bond release.

(8) Westmoreland understands following bond release, the Department shall reassert jurisdiction under the Act and this chapter if it 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 material fact.

Attachment #5 – **TABLES**

TABLE 1. Phase II Bond Release Field Data

Field	Soil Depth (ft)*			Last Seeding Date
	Top	Sub	Total	
C08224	0.5	0.7	1.2	5/29/2008
C08225	0.4	0.4	0.8	5/29/2008
C08226	County Road No Samples			
C08228	County Road No Samples			
C08227	0.3	0.3	0.6	6/2/2008
C10337	0.3	0.3	0.6	9/13/2010
C15204	0.9	0.8	1.3	6/10/2015
C15207	0.8	0.9	0.9	6/11/2015

TABLE 2. Phase III Bond Release Field Data

Field	Last Seeding Date		Field	Last Seeding Date		Field	Last Seeding Date
C00402	Nov-00		C06407	12/12/2006		C07416	3/13/2008
C01201	May-01		C07201	10/8/2007		C07417	5/22/2008
C01202	May-01		C07202	10/8/2007		C07418	5/22/2008
C01203	May-01		C07203	10/8/2007		C07419	1/17/2008
C01401	Apr-02		C07204	10/8/2007		C07420	3/13/2008
C02304	Sep-02		C07205	10/23/2007		C07421	2/8/2008
C02305	Sep-02		C07301	10/17/2007		C08101	2/8/2008
C02306	Oct-02		C07302	10/17/2007		C08201	6/2/2008
C02401	Nov-16		C07303	10/10/2007		C08202	6/2/2008
C02402	Apr-03		C07304	10/8/2007		C08203	5/20/2008
C03102	Apr-03		C07305	10/13/2007		C08204	5/20/2008
C03103	Apr-03		C07306	10/8/2007		C08205	6/2/2008
C03104	Apr-03		C07307	10/8/2007		C08206	5/8/2008
C03201	5/13/2004		C07308	10/10/2007		C08207	6/19/2008
C03202	10/2/2003		C07309	10/23/2007		C08208	5/20/2008
C05101	4/11/2005		C07310	10/23/2007		C08209	5/29/2008
C05102	4/14/2005		C07311	10/17/2007		C08210	6/2/2008
C05401	2/16/2006		C07312	10/17/2007		C08211	1/12/2012
C05402	2/15/2006		C07401	3/13/2008		C08212	6/2/2008
C05403	1/30/2006		C07402	10/6/2010		C08213	5/20/2008
C05404	1/31/2006		C07403	3/13/2008		C08214	6/20/2008
C06301	11/2/2006		C07404	3/13/2008		C08215	5/28/2004
C06302	11/2/2006		C07405	10/7/2010		C08216	5/28/2008
C06303	11/2/2006		C07406	2/22/2008		C08217	9/10/2008
C06304	11/2/2006		C07407	2/22/2008		C08218	6/2/2008
C06305	10/31/2006		C07408	2/27/2008		C08219	5/20/2008
C06306	11/3/2006		C07409	2/22/2008		C08220	Cropland 2015
C06401	11/3/2006		C07410	5/20/2008		C08221	5/28/2008
C06402	12/12/2006		C07411	5/22/2008		C08222	5/29/2008
C06403	10/31/2006		C07412	5/22/2008		C08223	10/15/2009
C06404	12/12/2006		C07413	2/27/2008		C08224	5/29/2008
C06405	12/8/2006		C07414	2/27/2008		C08225	5/29/2008
C06406	12/12/2006		C07415	2/12/2008		C08226	County Road

• WM = Wet Meadow, WE = Wildlife Enhancement, NR = Natural Revegetation, NA = Not Available

TABLE 2. Phase III Bond Release Field Data

Field	Last Seeding Date		Field	Last Seeding Date		Field	Last Seeding Date
C08227	6/2/2008		C10325	10/15/2010		C16303	8/17/2016
C08228	County Road		C10326	9/13/2010		C16304	8/17/2016
C09403	12/17/2009		C10327	10/15/2010		C16305	WE
C10204	6/21/2010		C10328	10/15/2010		C16306	8/17/2016
C10205	6/11/2010		C10329	9/13/2010		C16307	8/17/2016
C10206	6/30/2010		C10330	8/3/2010		C16308	8/17/2016
C10207	6/21/2010		C10331	8/4/2010		C16309	9/20/2016
C10208	7/13/2010		C10332	8/30/2010		C16310	9/20/2016
C10209	7/13/2010		C10333	8/30/2010		C16311	9/20/2016
C10210	6/21/2010		C10334	10/29/2011		C16312	9/20/2016
C10211	8/3/2010		C10335	8/30/2010		C16313	9/20/2016
C10212	6/30/2010		C10336	9/13/2010		C16314	9/19/2016
C10213	7/13/2010		C10337	9/13/2010		C16315	9/20/2016
C10214	7/1/2010		C10338	9/18/2010		C16327	9/20/2016
C10215	7/8/2010		C10339	9/18/2010		C16328	WM
C10216	7/13/2010		C10340	10/15/2010		C17209	4/19/2017
C10217	7/13/2010		C10341	NS			
C10218	10/5/2010		C10342	NS			
C10219	6/30/2010		C10343	NS			
C10220	6/11/2010		C10344	NS			
C10309	10/15/2010		C10346	8/3/2010			
C10311	10/15/2010		C10347	10/5/2010			
C10312	10/6/2010		C11301	10/3/2011			
C10313	9/13/2010		C11308	10/3/2011			
C10314	10/7/2010		C11309	10/3/2011			
C10316	10/15/2010		C15101	3/31/2015			
C10317	NS		C15102	3/31/2015			
C10318	NS		C15103	4/2/2015			
C10319	NS		C15104	4/1/2015			
C10320	9/13/2010		C15203	6/10/2015			
C10321	10/15/2010		C15204	6/10/2015			
C10322	10/6/2010		C15207	6/11/2015			
C10323	9/13/2010		C16301	8/17/2016			
C10324	9/13/2010		C16302	8/17/2016			

• WM = Wet Meadow, WE = Wildlife Enhancement, NR = Natural Revegetation, NA = Not Available

TABLE 3. Pastures Grazing History

Year	Pasture	Grazing Period	AU'S	Usage %
2011	C16	7/6 - 8/25	230	62
2012	C16	4/12 - 5/30	70	72
2014	C16	6/9 - 9/6	100	78
2014	C24	8/30 - 9/13	50	50
2015	C16	6/7 - 8/1	108	85
2015	C21	4/18 - 8/15	16	78
2015	C25	8/15 - 9/11	16	30
2016	C24	8/20 - 10/8	70	60
2017	C16	4/25 - 5/31	105	78
2017	C21	4/21 - 7/18	20	70
2018	C16	5/2 - 7/21	105	75
2019	C24	8/18 - 9/25	79	70
2019	C25	7/24 - 10/21	79	65

Attachment #6 – **LANDOWNER NOTIFICATION LETTER**

Dear Sir:

Westmoreland has applied for partial bond release to the Department of Environmental Quality. This request is for completion of reclamation as approved in C1985003C. The reclamation also includes plugging of drill holes and completion of backfill, regrade, drainage control, topsoil placement and seeding as detailed under ARM 17.24.1116(7)(a)-(d) Reclamation Phase I, II, and III of Montana's Permanent Program, Strip and Underground Reclamation Rules and Regulations.

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

Permit No.	Phase I	Phase II	Phase III
C1985003C	95.0	20.0	1,071.0

The application is for release of approximately 95 acres of Phase I, 20.0 acres of Phase II, and 1,071.0 acres of Phase III reclamation liability. No monetary reduction in the reclamation bond is being requested. The total amount of bond remaining in effect for the Area C permit would remain \$41,250,000. The lands are located within portions of the following legal descriptions:

Area C – Rosebud County

Phase I		Phase II	
T1N, R40E	Sec. 5 and 6	T1N, R40E	Sec. 5 and 6
T2N, R40E.	Sec. 29, 31, 32, and 33	T2N, R40E.	Sec. 31 and 32
Phase III			
T1N, R40E	Sec. 5 and 6		
T2N, R40E.	Sec. 28, 29, 31, 32, and 33		

The application is available for inspection at the Department of Environmental Quality office located at 1218 East 6th Ave., Helena, Montana. Electronic copies of the application may be requested by emailing DEQCoal@mt.gov.

Written comments, objections, or requests for informal conferences maybe submitted by any person with an interest that is or may be adversely affected within 30 days of the last published announcement to the Montana Department of Environmental Quality, Coal and Opencut Mining Program, PO Box 200901, Helena, Montana 59620-0901 or by emailing DEQCoal@mt.gov.

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
Environmental Department

Attachment #7 – **PUBLIC NOTICE****PUBLIC NOTICE**

Notice is hereby given that Westmoreland, a Montana corporation with offices west of Colstrip, Montana, has filed a request for bond release. The request by Westmoreland is for partial bond liability release. The request is for approximately 95.0 acres of Phase I, 20.0 acres of Phase II, and approximately 1,071.0 acres of Phase III reclamation release of Rosebud Mine Area C near Colstrip, Montana under the Montana Strip and Underground Mine Reclamation Act and Permanent Regulatory Program. Surface Mine Permit C1985003C was originally issued on August 20, 1982.

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

Area C – Rosebud County

Phase I		Phase II	
T1N, R40E	Sec. 5 and 6	T1N, R40E	Sec. 5 and 6
T2N, R40E.	Sec. 29, 31, 32, and 33	T2N, R40E.	Sec. 31 and 32
Phase III			
T1N, R40E	Sec. 5 and 6		
T2N, R40E.	Sec. 28, 29, 31, 32, and 33		

Westmoreland is requesting no monetary reduction in the reclamation bond. The total amount of bond remaining in effect for the Area C permit would remain \$41,250,000. Westmoreland has completed all reclamation as approved. All backfill, regrade, drainage control has been done; all soils have been replaced; revegetation has been established prior to or during 2017 and was completed in accordance with the approved Reclamation Plan. All drill holes have been properly abandoned and noxious weeds are controlled in accordance with the approved plan.

The application is available for inspection at the Department of Environmental Quality office located at 1218 East 6th Ave., Helena, Montana. Electronic copies of the application may be requested by emailing DEQCoal@mt.gov.

Written comments, objections, or requests for informal conferences maybe submitted by any person with an interest that is or may be adversely affected within 30 days of the last published announcement to the Montana Department of Environmental Quality, Coal and Opencut Mining Program, PO Box 200901, Helena, Montana 59620-0901 or by emailing DEQCoal@mt.gov.

Date, Date, Date, Date



November 17, 2025

Emily Lodman
Coal Section, Supervisor
Department of Environmental Quality
1520 East Sixth Ave
PO Box 200901
Helena, MT 59620

Permit ID: C1985003C
Revision Type: Bond Release
Permitting Action: Deficiency
Subject: SL 20; Second Round Completeness Deficiency

Dear Emily:

In response to the Montana Department of Environmental Quality 's second round completeness deficiency for SL 20 Bond Release for Area C dated June 13, 2025. Westmoreland Rosebud Mining (WRM) has the following response:

ARM 17.24.1116(6)(a): Westmoreland has committed to provide pre- and post-mine drainage profiles of reclaimed channels in 17.24.313(1)(f):

“Aerial and ground surveys will be utilized to evaluate premine and postmine characteristics such as channel profiles, cross sections, patterns and separation of flow between adjacent drainages.”

Based on this permit commitment, Westmoreland needs to provide field cross sections that also incorporate surveyed as-built channel center lines through the Phase I bond release areas. Please also include post-mine drainage centerlines in all CAD files and PDF maps.

WRM has added profiles to the larger fields, please see the updated Phase I drawings.

The 14-acre Phase 1 field (which also corresponds to Fields C08226 and C08225) includes the county road (Castle Rock Road), which is a post-mine road that is currently within the permit boundary. Please provide confirmation of 2 appropriately placed and designed culverts under the road, for connection of post-mine tributaries to Stocker Creek to the south of the road. No culvert information currently exists in the application.

WRM believes that this information could be confirmed during the onsite inspection and/or during a monthly inspection when DEQ is on site. Please see the images below that WRM took to confirm the existence of the culverts completed on October 1, 2025.



ARM 17.24.1116(6)(c): The Phase III portion of the application includes Field C16305, which contains former pond PO-112A. According to the MQAP, the pond was destroyed after 2015, but inspections by coal mine staff since have indicated that the pond still exists in some capacity. This pond has not been approved as a permanent pond. Westmoreland Rosebud Mining, LLC may either:

- 1) Apply for and receive approval for this pond to remain as a permanent impoundment that meets the requirements of ARM 17.24.642 and submit evidence of such approval in the completeness deficiency response,
- 2) Provide a demonstration that the pond meets the definition of a small depression (ARM

17.24.503) and it does not need to be removed,

WRM believes that the remnant of Pond 112A meets the definition of a small depression under ARM 17.24.503, as it is used widely by the wildlife in the area. During WRM recent inspection we found countless wildlife footprints around the depression. Also, WRM believes that it does not restrict any access in the area and the depth where checked was under a foot in depth, so it is not creating a hazard in the area. Please see the images below to show how well it blends with the landscape and an image showing a sampling stick with a bottle attached that is about 6" tall showing the depth of the depression.

3) Ensure that the drainage above this pond meets the requirements under ARM 17.24.639(24)(a) and then remove the pond, resurvey the as-built topography, and re-submit the SL20 application; this may necessitate disturbance of adjacent fields; or

4) Remove the field containing pond PO-112 from the Area C SL20 bond release application.







Sincerely,

Westmoreland Mining Holdings LLC
Nathaniel Huckabay, *General Manager, Rosebud Mine*
PO Box 99 | Colstrip, MT 59323
Mobile: 406-696-9658 | Office: 406-281-7950
Email: nhuckabay@westmoreland.com | Website: www.westmoreland.com

Gilbert, Sharona

From: Transfer Service
Sent: Monday, November 17, 2025 11:51 AM
To: DEQ AEMD Coal
Subject: State of Montana File Transfer Service

FILE TRANSFER SERVICE

STATE OF MONTANA

**The following file has been sent to you
through the State of Montana File Transfer Service:**

FILE NAME:	Westmoreland SL 20 Round 2 Completeness Deficiency Response for Area C.zip
SENT TO:	DEQCoal@mt.gov
SENT FROM:	Noelle Boyer (nboyer@westmoreland.com)
MESSAGE:	Please see the attached Westmoreland SL 20 Round 2 Completeness Deficiency Response for Area C Let me know if you have any questions, Noelle

**To download this file,
click on the link below:**

<http://transfer.mt.gov/transfer/ReceivedFileReport?TransferID=a403b02c-abbb-4cde-a3a4-635108e55714>

Replies to this email are not monitored.

<https://transfer.mt.gov/>

