



January 27, 2010

Mr. James R. Deutsch
Reclamation Director
ND State Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505

Date: _____

Action: _____

Info. Only: _____

Info & File: _____

RE: Technical Review Items For Revision 13 Mid-Term Review to Permit NAFK-9601

Dear Mr. Deutsch:

Falkirk submits the following responses to the additional technical review items to Revision 13, Permit 9601 dated October 14, 2009.

Section 1.0 - Introductory, Legal ... Information

1) Follow-up to deficiency item #7: The coal ownership percentage for Robert A. Sitz and Jean Sitz for Tract 15 is still missing from the map in Section 1.5.3. Please insert the correct percent of ownership. In addition, the new hyperlinks supplied on Tracts 10, 11, 15, and 16A do not seem to be linked to the correct pages as indicated. All of the links go to the beginning page of the Coal Lake Land Transfer document. Please verify that the hyperlinks work correctly. (SAS)

Tract 15 was reviewed and the surface and coal ownership map updated. We have verified that the hyperlinks in Tracts 10, 11, 15, and 16A are working correctly. All correspondence and exhibits have been combined into one pdf document comprising the Coal Lake Land Transfer Agreement. Please use the bookmarks in the left-hand pane to navigate to the page you wish to view.

2) Follow-up to midterm review item #16: Please update the Revegetation Success Standards Map, Section 4.1.6a, to delineate the boundaries of the areas used to develop the cropland tracts unadjusted standards. In other words, the map should show that the pre-mine native grassland in the NE¼ of Section 25 was not included in the Section 25 cropland unadjusted standard. This issue might most easily be addressed by also showing the pre-mine land uses on the map, Section 4.1.6a. (GAW)

Please see updated Section 4.1.6a.

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Other:

- 3) Replaced Section 1.1.6, Schedule of Violations.
- 4) Replaced Section 1.3.1, Names of Officers, Directors, and Share Holders, and Organizational Structure.
- 5) Replaced Section 1.3.3, Current Permits and Permit Applications.

Sincerely,

THE FALKIRK MINING COMPANY



D. Randall Crooke
Environmental Manager

DRC/dge