



Public Service Commission

State of North Dakota

COMMISSIONERS

Susan E. Wefald, President
Kevin Cramer
Tony Clark

Executive Secretary
Darrell Nitschke

600 E. Boulevard Ave. Dept 408
Bismarck, North Dakota 58505-0480
Web: www.nd.gov/psc
E-mail: ndpsc@nd.gov
TDD 800-366-6888 or 711
Fax 701-328-2410
Phone 701-328-2400

November 6, 2008

Mr. Joe Clarke
Technical Group Manager
Falkirk Mining Company
P.O. Box 1087
Underwood, ND 58576-1087

Dear Mr. Clarke:

The Reclamation Division has reviewed and approves the Remediation Action Plan (including the location and design of the plunge pool) for NOV-0803 as submitted on October 30, 2008. A field inspection was conducted on November 4, 2008, by PSC personnel to review the area and drainageway flowing into Coal Lake. The plunge pool will serve as an energy dissipater, creating sheet flow into the drainageway. The area below the plunge pool and the drainageway are well vegetated; however, special attention needs to be taken when discharging the pond to ensure that erosion does not occur downstream of the plunge pool due to concentrated or high flows. If it is not feasible to skim topsoil from adjacent areas due to frozen conditions when repairing the erosion feature, a small amount of topsoil can be hauled in from a nearby stockpile. Work can begin on these areas as soon as weather conditions allow. Disturbance of undisturbed and off-site areas need to be kept to a minimal when conducting the repair work. After the remediation actions have been completed, please notify this office for a final field inspection.

If you have any questions, please contact this office.

Sincerely,

for James R. Deutsch
Director
Reclamation Division