

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 32, Permit NAFK-8705
Approval

Case No. RC-09-106

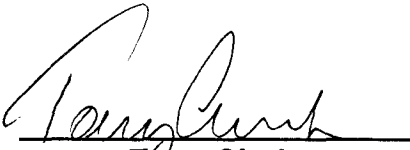
SURFACE COAL MINING AND RECLAMATION PERMIT CONDITIONS

June 24, 2009

Revision No. 32 to Surface Coal Mining Permit Number NAFK-8705 has been issued to **The Falkirk Mining Company** subject to Chapter 38-14.1 of the North Dakota Century Code, all the rules promulgated there under, and the following condition:

1. Approval of the post-mining land use change from cropland to industrial for the proposed ash haul road in Section 26, T143N, R83W, is contingent on the approval of a future revision that provides the design plans for this road.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
President



Brian P. Kalk
Commissioner