



Public Service Commission

State of North Dakota

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July 20, 2009

Mr. Joe Clarke
Environmental Manager
Falkirk Mining Company
PO Box 1087
Underwood, ND 58576-1087

Dear Mr. Clarke:

Enclosed is the Termination of Notice of Violation (NOV) No. 0903 that was issued to the Falkirk Mining Company on June 17, 2009. The NOV is being terminated because the alleged violation ended upon the Commission's approval of Revision No. 32 to Permit NAFK-8705 on June 24th which approved plans for constructing a haul road on the reclaimed area where some topsoil was removed in late May.

With regard to other remedial actions listed in the NOV, those matters will be addressed during the formal hearing that Falkirk has requested.

If you have any questions, please contact our office.

Sincerely,

James R. Deutsch
Director
Reclamation Division

Enclosure

cc: Brian Bjella

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