



Public Service Commission State of North Dakota

DKM

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INSPECTION REPORT

DATE OF INSPECTION: May 29, 2009

TYPE OF INSPECTION: Complete

PERMITTEE - MINE: Falkirk Mining Company - Falkirk Mine

PERMITS INSPECTED: NAFK-8405, NAFK-8705, NAFK-9503, NAFK-9601

PERSON ACCOMPANYING INSPECTOR: Len Friedt

INSPECTION CONDITIONS: The inspection was conducted between 10:00 a.m. and 2:30 p.m., CDT. Skies were cloudy and the wind was from the SSW at 5-10 mph. The temperature was near the mid 50s° F. Access was good.

OFFICE RECORDS

The following office records were on file and available for viewing:

Records	Comment(s)
Mining permits	On File
Certificate of Liability Insurance	Expires 2/01/2010
Surface water monitoring report	1st Quarter on file 2009
Groundwater monitoring report	1st Quarter on file 2009
NDPDES discharge monitoring report	1st Quarter on file 2009; several overflow reports from spring snow melt
NDPDES Permit ND-0024791	Expires 6/30/2013
Quarterly pond inspection report	1st Quarter on file (some pond information for NAFK-8705 not filled in, Ms Friedt indicated information in field book and will be transferred soon)
Pond Certifications	Most recent was P-R22-01 on 10/20/2008

Records	Comment(s)
Haul Road Certifications	New certifications submitted on 12/15/08 for haul road segment in Section 6
County conditional use permits	Current and on file
Air Permit to Operate #079002	Expires 4/07/2011
Blasting Notice	Expires 12/31/2009, last published on 12/18/08
Blasting records	Last blast 5/25/2009 in Section 28 of Permit NAFK-8705; CHF on 5/28/2009
Blaster Certificates	On file
BATF storage license #3-ND-055-33-9G-00045	Expires 7/01/2009
Storm water permit	Expires 6/30/2009
Storm water discharge monitoring report	2 nd half of 2008 on file
Wildlife monitoring report	2006-07 report on hand

SIGNS & MARKERS

Mine entrance signs and permit boundary markers were in place at all inspected access and boundary locations. The mine entrance signs contained the appropriate information. All inspected stockpiles were appropriately marked.

SURFACE WATER MANAGEMENT

Pond E14-01 was about 1.5 ft. below Permanent Pool Elevation (PPE) and was being discharged into the discharge area of Pond E13-01 at about 600 gpm. Pond E13-01 was about 3 feet above PPE and was also discharging at around 1000 gpm into the same drainage channel. The plunge pool for E13-01 has not yet been built due to wet conditions. No other ponds were checked during this inspection.

Wetlands observed throughout the mine appeared to be full, or close to full, of water from recent snowmelt and rainfall.

OVERBURDEN/COAL REMOVAL

The 102 dragline was removing overburden in the NE¼ of Section 29 while the 104 dragline was coal-bound and inactive in the NE¼ of Section 28; both were located within Permit NAFK-8705. The 101 dragline was removing overburden in the SW¼ of Section 15 while the 103 dragline was walking from the pit edge to get ready to begin again in the SE¼ of Section 13; both draglines were located within Permit NAFK-9503.

There were 2-3 spoil peaks in all of the active permits.

Coal was being loaded near the C-1 Ramp in the NE¼ of Section 29 in Permit NAFK-8705; the R0 Ramp in the NW¼ of Section 15 in Permit NAFK-9503; and, the SE¼ of Section 13 in Permit NAFK-8405.

One truck/shovel fleet was pre-benching in the NE¼ of Section 29. The spoil was being hauled to a stockpile just to the north. Another truck/shovel fleet was pre-benching in the NW¼ of Section 22 and hauling the overburden to the NE¼ of Section 22 in Permit NAFK-9503. The other truck/shovel fleet was removing interburden from north of Highway 200 in the SE¼ of Section 13 to the NE¼ of Section 23 south of the highway in Permit NAFK-8405.

SUITABLE PLANT GROWTH MATERIAL REMOVAL/RESPREAD

Two scrapers were beginning to remove topsoil from a reclaimed tract in the SE¼ of Section 5, Permit NAFK-8705, in the area of a planned haul road relocation. These operations were discontinued and the scrapers were removed from the area when it was determined that this change in the haul road location has not yet been approved in pending Revision No. 32 to Permit NAFK-8705. It was reported that approximately 10 scraper loads of topsoil had been removed and placed on a newly constructed topsoil stockpile located directly north of the haul road. Since construction activities began prior to the approval of the revision authorizing construction of the haul road, NOV-0903 will be issued to Falkirk for initiating operations prior to being approved by permit revision.

BACKFILLING AND GRADING

The W28A grade approval area in Permit NAFK-8705 was re-inspected. No work had been done in the area since the previous inspection. Deep ruts, several subsidence areas, and an area of coal fines (resulting from snow being dumped on a portion of the area last winter) were the major areas of concern indicated to Ms. Friedt. Conditional approval for the area was given with the assumption that the areas of concern would be rectified in the field prior to any respreading operations commencing and pending satisfactory engineering review of the application.

Scrapers were rough grading spoil in the N½ of Section 22 in Permit NAFK-8405.

BLASTING

No blasting occurred during the time of this inspection.

ROADS

New gravel was being laid on the haulroad in Section 22 of Permit NAFK-8405.

REVEGETATION

Most cropland on the mine has been seeded and some germination could be seen. Very few areas in the reclaimed croplands were ponding water. Alfalfa crops were greening up well and growth looked to be good with all the recent moisture.

WILDLIFE

Numerous ducks were seen on ponds throughout the entire mine.


MISCELLANEOUS

A track log of the areas inspected is attached to the end of this report.

The site of the former dragline erection site in the SE $\frac{1}{4}$ of Section 22 in Permit NAFK-8705 was visited to determine its status. All equipment has been removed and only the cement slab remains. Grasses and weeds are growing over the site (Figure 1 below).



Figure 1. The former dragline erection site in Section 22 of Permit NAFK-8705.


Dr. Stephan A. Schroeder, CPSS
Environmental Scientist

cc: Joe Clarke
OSM Casper Field Office
McLean County Auditor

Track Log of May 29, 2009 Inspection Route Outlined in Black

