



Public Service Commission

State of North Dakota

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December 6, 2010

Mr. D. Randall Crooke
Environmental Manager
Falkirk Mining Company
P.O. Box 1087
Underwood, ND 58576-1087

Dear Mr. Crooke:

The Reclamation Division has reviewed the December 1, 2010, completeness response and changes submitted by the Falkirk Mining Company for the application for Revision No. 20 to Permit NAFK-9503. The following items must be corrected before the revision application will be deemed complete:

Section 1.2 – Legal Information

1. **Follow-up to Original Item 10 and Item 1 of our last completeness review:** The last page of the public advertisement states that the county road located on the east-west section lines between Sections 6 and 5 of T145N, R83W and Sections 1 and 2 of T145N, R84W is proposed to be relocated to the south. It appears that this sentence should be edited to refer to the east-west section lines located between Sections 6 and 7 rather than Sections 6 and 5 and Sections 1 and 12 rather than Sections 1 and 2. Please review and correct if necessary. (GAW)
2. **Follow-up to Original Item 10 and Item 1 of past completeness reviews:** The advertisement refers to operations being conducted within 100-feet of the section line located between the SE $\frac{1}{4}$ of Section 29 and SW $\frac{1}{4}$ of Section 30, T145N, R83W (No. 25). It appears that this should be changed to "between the SW $\frac{1}{4}$ of Section 29 and SE $\frac{1}{4}$ of Section 30". (GAW)
3. We noticed that the east-west section lines located between Section 1, T144N, R84W and Section 32, T145N, R83W, and the NW $\frac{1}{4}$ of Section 6 and SE $\frac{1}{4}$ of Section 33, T145N, R83W are listed twice in the advertisement (No's. 19 & 54 and 20 & 55). Likewise, the advertisement mentions that operations will be conducted within 100-feet of the county

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roads located between Sections 19 and 30; 20 and 29; and, 24 and 35 in T145N, R83W
but these areas have already been mined. Please correct as necessary. (GAW)

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Deutsch", written in a cursive style.

James R. Deutsch
Director
Reclamation Division