



Public Service Commission

State of North Dakota

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May 14, 2012

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

Dear Mr. Crooke:

The Reclamation Division has reviewed Falkirk's April 25, 2012 response to our technical review letter of Final Bond Release Application No. 3 to Permit NAFK-8705. The following items must be satisfactorily addressed before we recommend Commission approval:

Attachment ii – General Information

1. Follow-up to Item No. 2: Please clarify how many acres of each land use in the bond release application are undisturbed. The application should clearly state the acreage of the various land uses to which performance standards apply. (GAW)

Attachment VII – Cropland Data

2. Follow-up to Item 8: On the 2010 Reclaimed Yields producer summary for the 1986 revegetation period supplemental data added to Attachment VIII – Cropland Data, the field size listed on the form is not consistent with the data provided for 2006 and represented on the GPS yield monitor printouts. The 2010 producer summary sheet lists the field size as 127 acres while the 2006 summary sheet lists the field size as 160 acres. The GPS yield monitor printouts for each crop year indicate that approximately the same area was harvested in the E1/2 of Section 20. Please review and revise as appropriate. (RLK)
3. Follow-up to Item 8: If available, please provide documentation for dockage and test weight such as elevator sample or scale ticket for the 1986 revegetation period 2006 and 2010 crop years and tract 3 for the 2005 crop year. These values were provided on the producers sheets but the actual documentation was not provided. (RLK)

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Attachment IX – Wetland Data

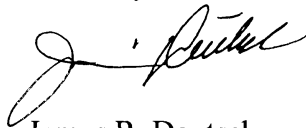
4. Follow-up to Item No 20: An aerial photograph of reclaimed wetland R-W20-01 is mistakenly included on page 125, after an aerial image of reclaimed wetland R-W20-02. Please remove this aerial photograph as it is already shown on page 116 and this portion of the application is documentation for reclaimed wetland R-W20-02. (GAW/RLK/BEB)

Attachment XI – Hydrologic Assessment, Section 2, Ground Water Resources

5. Follow-up to original item No. 25: Falkirk's explanation to the original deficiency and the updates to the water level hydrograph of monitoring well RP-24C now provide a clear picture regarding water level fluctuation and the placement of the intake zone of this well. Accordingly, please change the designated *Bed Screened* interval of the monitoring well from "Base of Spoils" to "Spoils" on the Monitoring Wells Detail spreadsheet in the application. (BEB)
6. Follow-up to original item No. 26: Similar to the previous follow-up deficiency, please change the *Bed Screened* interval for reclamation monitoring well RP-24C from "Base of Spoils" to "Spoils" on the Water Quality Data spreadsheet that is provided in the application. Also, on the same spreadsheet, water quality analyses of Hagel B monitoring well RP-28-1 during the 2006-2009 interval lists the screened bed of this well as being the Sheet Sand, as opposed to the Hagel B seam. Please make the appropriate updates to the spreadsheet. (BEB)

If you have any questions, please contact this office.

Sincerely,



James R. Deutsch
Director
Reclamation Division