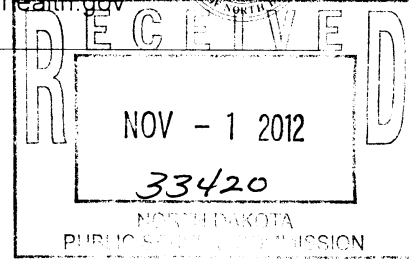




NORTH DAKOTA
DEPARTMENT of HEALTH

ENVIRONMENTAL HEALTH SECTION
Gold Seal Center, 918 E. Divide Ave.
Bismarck, ND 58501-1947
701.328.5200 (fax)
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October 30, 2012

Mr. James R. Deutsch, Director
Reclamation Division
Public Service Commission
600 East Boulevard, Dept 408
Bismarck, ND 58505-0480

RE: Revision 34 to Permit NAFK-8705 Mid Term Review

Dear Mr. Deutsch,

We have reviewed The Falkirk Mining Company's application for Revision No. 34 to Surface Coal Mining Permit NAFK-8705 for the Falkirk Mine. We have no objections to the updated revision that adds changes to the legal and financial, operations, reclamation and monitoring plans.

At this time, the department has no further comments regarding this revision.

Sincerely,

Lucille Snowden
Division of Water Quality
701.328.5239
lsnowden@nd.gov

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Comments received from the State Health Department
ND Health Department
Lucille Snowden