

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision No. 34, Permit NAFK-8705
Approval

Case No. RC-12-386

REVISION OF PERMIT TO ENGAGE IN
SURFACE COAL MINING AND RECLAMATION OPERATIONS

March 27, 2013

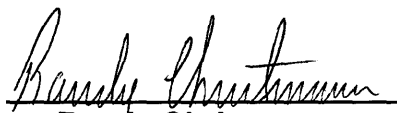
Based on the application for **Revision Number 34 to Permit Number NAFK-8705 received June 21, 2012**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on June 21, 2012, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code;
2. The land use change proposed by this revision meets the alternative land use criteria of North Dakota Administrative Code Section 69-05.2-23-03; however, additional documents must be provided before the Falkirk Mining Company applies for final bond release as required by Condition No. 1 attached to this revision approval.
3. The Commission's other findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

Revision Number 34 to Permit Number NAFK-8705 is hereby conditionally granted to the Falkirk Mining Company to change the post-mining land use on 70.3 acres located in the N½NW¼ of Section 28, T146N, R82W, from cropland and hayland to recreational, update business entity and right of entry information, update the ground water information and monitoring plans, and revise operations and other reclamation plans in response to the recent midterm permit review as described in the permit revision application received June 21, 2012.

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

PUBLIC SERVICE COMMISSION


Randy Christmann
Commissioner


Brian P. Kalk
Chairman


Julie Fedorchak
Commissioner