



Public Service Commission

State of North Dakota

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June 25, 2013

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 June 5, 2013 technical review response of Falkirk Mining Company's application for Revision No. 30 to Surface Coal Mining Permit NAFK-8405 for the Falkirk Mine. The following items must be satisfactorily addressed before the Reclamation Division will recommend Commission action on this application:

Section 1.5 – Identification of Interests and Rights of Entry; Follow-up to “Other” ownership changes

1. Ownership of Tract 76 was updated on the Ownership Map in Section 1.5.3 to depict Emanuel Schauer 100% surface and coal ownership. Please review Section 1.5.1 where only the coal ownership was updated for Emanuel Schauer because the surface ownership still lists Beatrice Schauer. Please review and correct this inconsistency. (ZAT, RLK)
2. In Section 1.5.2, please update the coal ownership for the E1/2 SW1/4 of Section 6 that is listed as Emanuel and Beatrice Schauer. (ZAT)
3. On the Ownership Map, Section 1.5.3, please review the name of Norman A. Oster listed as a surface owner for Tract 79. It appears the name should be Norma A. Oster. (ZAT)
4. For Tract 28 the coal ownership list in Section 1.5.1 includes Robert Mann, Audrey Crum and Margaret Tollerud which are not listed on the ownership map in Section 1.5.3. The map includes Elaine Mann in the list of coal owners but Elaine Mann does not appear on the list of coal owners for the tract in Section 1.5.1. Also for Tract 28, Lloyd E. Anderson, Limited Partnership appears in the list of coal ownership in Section 1.5.1

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while the map in Section 1.5.3 lists the coal ownership as Lloyd E. Anderson Marital Trust 'A'. Please review and revise as appropriate. (RLK)

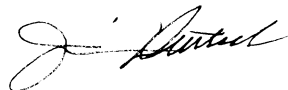
5. For Tracts 51 and 52, Ruby C. Britton is listed as a coal owner in Section 1.5.1 but is not listed on the ownership map in Section 1.5.3. Please review and revise as appropriate. (RLK)

Consolidated Bonding

6. Item No. 2 - Assumptions for Associated Disturbance, which is provided on page 3 of Section 4.2.4, Reclamation Costs, describes topsoil respread as approved in Falkirk's 1013 SPGM removal plan. Please correct the typographical error to state the year 2013 SPGM removal plan. (BEB)
7. Please update Section 4.2.4a, Worst Case Pit Cross Sections for the Riverdale pits to comply with the requirement of Policy Memo 16 to Mine Operators that grading costs for the mining disturbance should include the area occupied by 4 spoil ridges from the open pit. The cross-sections shown for the Riverdale area included in Revision 30 to NAFK-8405 Consolidated Bonding show 3 spoil ridges. (BAJ)

If you have any questions, please contact this office.

Sincerely,



James R. Deutsch
Director
Reclamation Division