



# Public Service Commission

## State of North Dakota

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July 16, 2013

Kenneth H. and Wanda L. Pfaff  
3226 Impala Ln.  
Bismarck, ND 58503-0150

Dear Mr. and Mrs. Pfaff:

Thank you for participating in the final bond release inspection of your reclaimed land located in the E1/2NE1/4 of Section 1, T145N, R83W, within Permit NAFK-8705 at the Falkirk Mine on June 25, 2013. During the inspection of this tract we observed three small low areas where water was ponding on reclaimed cropland. The Reclamation Division normally requires mining companies to repair these features on reclaimed cropland prior to final bond release approval. However, we understood you to say that you did not believe that we should require Falkirk to repair these features.

We are asking that you send us a letter stating you do not want these features repaired. Otherwise, we are planning to require that Falkirk repair these features prior to release approval.

If the repair work is accomplished with minimal disturbance at each site, such as hauling in additional topsoil or reshaping the existing topsoil, the tract could be bond released shortly thereafter. In other words, repairing these features may not necessarily restart the 10-year revegetation responsibility period.

If you have any questions, please contact this office.

Sincerely,

James R. Deutsch  
Director  
Reclamation Division

CC: Randy Crooke

Minedata/Falkirk/Permits/NAFK-8705/BondRelease/No.4/BR4\_Pfaff\_ltr\_7-16-13