



# Public Service Commission

## State of North Dakota

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July 16, 2013

Laurance and Nancy Heger  
607 Kennedy St.  
Underwood, ND 58576

Dear Mr. and Mrs. Heger:

On June 25, 2013, the Public Service Commission's Reclamation Division conducted a final bond release inspection of your reclaimed land located in Section 20, T146N, R82W, within Permit NAFK-8705 at the Falkirk Mine. During that inspection we observed approximately a dozen 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 your son, Steven, to say that he did not believe that we should require Falkirk to repair these features given that the area received about 14 inches of precipitation this spring.

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

Minedata/Falkirk/Permits/NAFK-8705/BondRelease/No.5/BR5\_Heger\_itr\_7-16-13