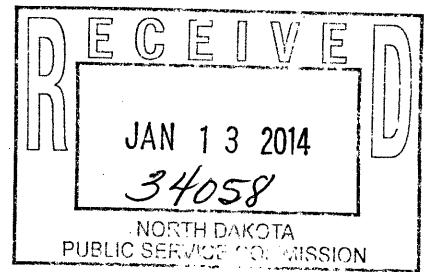




January 10, 2014



Mr. James R. Deutsch
Reclamation Director
ND State Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505

RE: Revision 24 Completeness Review Responses for Permit NAFK-9503

Dear Mr. Deutsch:

Falkirk submits the following responses to the completeness review items listed in your January 7, 2014 letter required to be addressed prior to the revision being deemed complete and prior to publication of the notice.

Section 1.1 - Introductory Information

- 1. *The Revision Summary Pages for Revision No. 24 to NAFK-9503 in Section 1.1.2 describes the submission of Revision No. 34 to Permit NAFK-8705. Please review and correct. (BEB/RLK/ZAB)*

Please see corrected Section 1.1.2.

Section 1.2 - Legal Information

- 2. *Please revise the newspaper notice in Section 1.2.4 so that major mine plan and reclamation schedule changes that are proposed with this revision are discussed first in the notice. It is because of these proposed changes that Revision No. 24 has been deemed a significant revision and subject to the notice requirements. Please restructure the notice as described. (BEB)*

Please see the restructured narrative in Section 1.2.4, Newspaper Publication Notice.

- 3. *The newspaper notice for Revision No. 24 in Section 1.2.4i does not include the ownership listing for Tracts 91 and 94 located in the E½ of Section 7, T144N, R83W, while the publication map identifies the E½ of Section 7 as being in the area affected by the change in pit timing. Please revise the ownership listing as appropriate. (RLK/ZAB/WTG)*

Please see the updated Newspaper Publication Map. The E½ of Section 7 was inadvertently shaded. It has been removed since there is no mine plan changes for this area.

4. *Please change the address for the Public Service Commission in the last two paragraphs of the newspaper notice from Capitol Building to 600 East Boulevard Ave, Bismarck, ND 58505-0480. (ZAB)*

Please see corrected address in the last two paragraphs of the newspaper notice.

5. *As required by NDAC 69-05.2-10-01(1)(b)(4), please edit the last sentence of the second paragraph on page one of the newspaper notice something similar to what follows to reference shaded areas on the accompanying reference map: "Falkirk and the following landowners have lands and/or coal on which the updated mining schedule is proposed as indicated by the labeled shaded areas on the accompanying reference map": (WTG)*

Please see revised narrative in the last sentence of the second paragraph on page one of the newspaper notice.

6. *It appears that Federal coal ownership should be listed for Tract 155 in Section 12, T145N, R84W, of the newspaper notice. Please review this observation and add federal coal ownership to Tract 155 in the newspaper notice if necessary as required by NDAC 69-05.2-10-01(1)(b)(4). (WTG)*

Please see added Federal coal ownership to Tract 155 in the newspaper notice.

Also, the following technical review items were noted during the completeness review that can either be addressed at this time or following our more detailed technical review:

Section 1.3 - Business Entity/Compliance Information

1. *Follow-up to Mid-Term Item No. 3: Your December 6th response describes that Section 1.3.2, Names of Other Mines, has been updated; however, no changes appear to have been made to the document since Revision No. 19 in July, 2010. If changes are required to this section, please make the changes or updates. (BEB)*

Please see updated Section 1.3.2, Names of Other Mines.

2. *Please review the address for CT Corporation, the Registered Agent for The Reserve Petroleum Company, in Tract 123 of Section 1.5.1. The address for this corporation was revised in Tracts 122 and 124 and similar changes should be made in Tract 123. (ZAB)*

The address for the registered agent in Tract 123 has been updated.

3. ***Tract 121 in Section 1.5.1 was revised from David J. Leroy to David J. Leroy and Dorothy M. Leroy. Please make the corresponding changes to the Section 1.5.3 Surface and Coal Ownership Map and review the last name Leroy, which is written as LeRoy in other tract descriptions. (ZAB)***

The information for the LeRoys in Tract 121 has been updated on the tract sheet and the ownership map.

Section 3.1 - Operations Plan - General

4. ***Follow-up to Mid-Term Item No. 9: It appears that changes made to Section 3.1.1, anticipated acres disturbed, needs to be revised. The year 2015 is listed twice and the year 2014 has been omitted. Please correct by adding the year 2014 to the list, as that appears to have been your intention. (BEB)***

Please see updated Section 3.1.1.

We would appreciate receiving the current mailing addresses of all surface owners within Permit NAFK-9503 in electronic format to help us notify the surface owners of this permit revision as required by NDCC 38-14.1-18(4).

A current mailing list of the surface owners is not available within the Permit. The surface owners' addresses are kept up-to-date in our land and lease system. However, there are not any Permit specific reports that can be generated that would list the surface owners, their mailing addresses, and the Permit tract with which they are associated.

Sincerely,

THE FALKIRK MINING COMPANY



D. Randall Crooke
Environmental Manager

DRC/dge