

PUBLIC SERVICE COMMISSION
Reclamation Division

Memorandum

TO: Commissioners Fedorchak, Christmann and Kalk
Darrell Nitschke, Executive Secretary
Illona Jeffcoat-Sacco

FROM: *JA* Jim Deutsch, *DKM* Dean Moos and *ZB* Zanna Brinkman

DATE: March 30, 2016

SUBJECT: Application for Revision No. 27 to Permit No. NAFK-9503 held by
The Falkirk Mining Company, Case No. RC-15-755

On December 2, 2015, The Falkirk Mining Company filed the application for Revision No. 27 to Permit NAFK-9503. This revision identifies the next five-year coal removal subareas and addresses items identified by the Reclamation Division as requiring updating or modification during our pre-renewal review of the permit. This revision updated surface and coal ownership information, cultural and historic resources information, fish and wildlife monitoring and management plans, ground water and surface water information and monitoring plans, operation and reclamation plans and schedules. The Reclamation Division has completed its review of this revision application and respectfully recommends it be approved.

Falkirk applied for this revision and Renewal No. 4 to this permit since mining will continue in the existing permit area for many years. The extended mine plan indicates that coal removal operations within this permit will continue until 2068.

This revision application was considered a significant revision application and was subject to the public notice requirements. Falkirk has submitted the affidavits of publication of the newspaper notices. We notified the appropriate agencies, affected landowners and the advisory committee members. We received no objections to this revision application; however, we received a letter from Elton Sayler stating that Falkirk did not have a valid lease for a tract that he and other members of his family own within the permit area. The Reclamation Division determined that there is a valid lease in the permit for the tract in question. This information was conveyed to Mr. Sayler in a letter dated March 8, 2016 and no further response was received from Mr. Sayler.

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Public Service Commission Staff

Jim Deutsch, Dean Moos, Zanna Brinkman

Evidence of adequate performance bond and liability insurance are currently on file. Surety, self and collateral bonds that total \$88,700,000 cover this permit and Permits NAFK-8405 and NAFK-8705 at the Falkirk Mine.

Attached for your consideration at the April 5th Commission meeting are the proposed motion and renewal approval form.

Attachments

Minedata/Falkirk/Permits/NAFK-9503/Revisions/No.27/Rev27_memo_3-30-16