

**STATE OF NORTH DAKOTA**  
**PUBLIC SERVICE COMMISSION**

Falkirk Mining Company  
Revision No. 38, Permit NAFK-8705  
Approval

Case No. RC-18-109

**REVISION OF PERMIT TO ENGAGE IN  
SURFACE COAL MINING AND RECLAMATION OPERATIONS**

**December 6, 2018**

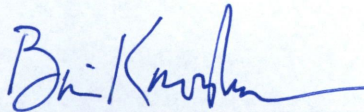
Based on the application for **Revision Number 38 to Permit Number NAFK-8705 received April 2, 2018**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on April 2, 2018, is complete and accurate and the applicant has complied with the requirements of Chapter 38-14.1 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code;
2. The Commission's findings that were made when the permit was issued, and the findings made with subsequent revisions, remain applicable to the revised operation and reclamation plans.

**Revision Number 38 to Permit Number NAFK-8705 is hereby granted to Falkirk Mining Company to change the postmining land use on 387.4 acres located in the S $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$  of Section 23 and N $\frac{1}{2}$  of Section 26, T146N, R83W, McLean County, from industrial and fish and wildlife habitat to cropland, provide detailed plans for a mining pit cessation and contingency reclamation plan for the Section 26 special waste disposal landfill, and revise operations and other reclamation plans as described in the permit revision application received April 2, 2018.**

The approved revision is subject to the requirements of Chapter 38-14.1 of the North Dakota Century Code, Article 69-05.2 of the North Dakota Administrative Code, the conditions of the approved permit, and any additional or revised permit conditions listed on attached PSC Reclamation Form - 3. Pursuant to Section 38-14.1-23 of the North Dakota Century Code and Article 69-05.2 of the North Dakota Administrative Code, this revision was found to be a significant alteration to the previously approved permit.

**PUBLIC SERVICE COMMISSION**



**Brian Kroshus**  
Commissioner



**Randy Christmann**  
Chairman



**Julie Fedorchak**  
Commissioner