

PUBLIC SERVICE COMMISSION
Reclamation Division

Memorandum

To: Commissioners Kroshus, Fedorchak and Christmann
Steve Kahl, Interim Executive Secretary
Illona Jeffcoat-Sacco, John Schuh

From: *DKM* Dean Moos, *ZAB* Zanna Brinkman and *BL* Preston Ripplinger

Date: May 22, 2019

Subject: Application for Renewal No. 6 to Permit No. NAFK-8705 held by The Falkirk Mining Company, Case No. RC-19-38

On January 28, 2019, The Falkirk Mining Company (Falkirk) filed the application for Renewal No. 6 to Permit NAFK-8705 to continue mining and reclamation operations in all or portions of Sections 3, 4, 5, 6, 8, and 9 of T145N, R82W; Sections 19, 27, 28, 29, 30, 31, 32, 33, and 34 of T146N, R82W; and Sections 22, 23, 24, 25, 26, 27, 35, and 36 of T146N, R83W, in McLean County, North Dakota, containing 10,485.6 acres. The Reclamation Division has completed its review of this five-year permit renewal and respectfully recommends that it be approved.

The Falkirk Mining Company applied for this renewal to continue mining and reclamation operations in Permit NAFK-8705. Coal recovery from this permit was suspended in 2010 but is planned to resume in 2031. This permit area also contains many of Falkirk's long term facilities including the shop/office complex, coal handling facilities, and portions of the main haul roads. Mining and reclamation plans and other information were updated for the next permit term with Revision No. 39 that was submitted with the renewal application.

Falkirk submitted affidavits of publication of the required newspaper notices. We notified the appropriate agencies and the permit area landowners. We received no objections to this renewal application.

Evidence of adequate performance bond and liability insurance are currently on file. A combination of self-bond surety, and collateral bond instruments totaling \$88,700,000 cover this and other permits at the Falkirk Mine that are part of a consolidated bond area.

A map of the permit area is attached. Attached for your consideration are the proposed motion and renewal approval form.

Attachments

Minedata/Falkirk/Permits/NAFK-8705/Revisions/No.6/Ren6_apprvl_memo_5-22-19

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NAFK-8705 Permit Area Map

