

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

**Falkirk Mining Company**  
**Revision No. 40, Permit NAFK-8405**  
**Approval**

**Case No. RC-20-39**

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

**August 5, 2020**

Based on the application for **Revision Number 40 to Permit Number NAFK-8405 received January 29, 2020**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted on January 29, 2020 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. Mining plans for the S1/2 of Section 2 and topographic changes provided for unmined areas within the permit comply with the reclamation law and rules as cited above.
3. Performance bonds in the total amount of \$88,700,000 are currently sufficient for the proposed mining and reclamation operations in the consolidated bond area for Falkirk Mine that includes Permit NAFK-8405.
4. The Commission's other findings that were made when the permit and other revisions were issued remain applicable to the revised operation and reclamation plans.

**Revision Number 40 to Permit Number NAFK-8405 is hereby granted to The Falkirk Mining Company to add mining plans for the S1/2 of Section in the permit, to revise the post-mining topography for a large portion of the remaining unmined areas with the permit, and to modify operations and reclamation plans and to update other information and plans in the permit as described in the revision application received January 29, 2020.**

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**

  
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**Julie Fedorchak**  
Commissioner

  
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**Brian Kroshus**  
Chairman

  
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**Randy Christmann**  
Commissioner