

**Public Service Commission  
Reclamation Division**

**Memorandum**

To: Commissioners Fedorchak, Christmann and Kroshus  
Steve Kahl, Executive Director  
John Schuh, General Counsel

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

Date: April 1, 2021

Subject: Approval of Revision No. 41 to Permit No. NAFK-8405 held by Falkirk Mining Company, Case No. RC-20-394

On September 8, 2020, The Falkirk Mining Company (Falkirk) filed the application for Revision No. 41 to Permit NAFK-8405. 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. Revision No. 41 updates the surface and coal ownership, wildlife monitoring plan, surface water management and monitoring plans, and the transportation, operation and reclamation plans for the next permit term. The Reclamation Division has completed its review of this revision application and respectfully recommends it be approved.

Falkirk applied for this revision and the corresponding Renewal No. 7 to this permit since mining and reclamation operations will continue in the existing permit area for many years.

Revision No. 41 was considered a significant alteration to Permit No. NAFK-8405 and was subject to the public notice requirements. Falkirk 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.

Evidence of adequate performance bond and liability insurance are currently on file. Surety, self and collateral bonds that total \$99,450,000 cover this permit and Permits NAFK-9503 and NAFK-8705 at the Falkirk Mine.

Attached for your consideration at the April 1<sup>st</sup> Commission meeting are the proposed motion, revision approval form, and newspaper notice that we must publish following revision approval.

Attachments

Falkirk Mine\Permits\NAFK - 8405\Revisions\Rev41\_Ren7\Rev.41\_apprvl\_memo\_4-1-21