

**PUBLIC SERVICE COMMISSION**

Reclamation Division

\*\*\*\*\*

Memorandum

TO: Commissioners Fedorchak, Kroshus, and Christmann  
Steven Kahl, Executive Director  
John Schuh, General Counsel

FROM: Dean Moos, Zanna Brinkman, and Jeff Roerick

DATE: October 30, 2020

SUBJECT: Application for Revision No. 32 to Permit NAFK-9503 held by the Falkirk Mining Company, Case No. RC-20-431

On September 24, 2020, Falkirk Mining Company filed the application for Revision No. 32 to Surface Coal Mining Permit NAFK-9503 to delete 9.4 acres of land from the permit that has not been affected by surface coal mining and reclamation operations. This property can be generally described as a portion of the NW¼ of Section 18 in T145N, R82W, McLean County.

This undisturbed land is being deleted from the permit to construct a carbon sequestration well by Midwest AgEnergy under the Vision Carbon Zero initiative. This project is currently under construction within the deleted acreage. This property was permitted for surface disturbance only and surface ownership is the Falkirk Mining Company. Midwest Ag Energy is responsible for all activities that occur within this property. Figure 1 below shows the deletion area on aerial photography.

Reclamation Division staff inspected the acreage proposed for deletion on August 14 and 25, 2020 and October 15, 2020 to verify that the property has not been disturbed by mining or reclamation related activities.

This revision application is considered insignificant but requires Commission approval because of the acreage deletion. No monetary bond adjustment is necessary because of this revision. It is expected that Falkirk will submit bond riders to remove this acreage from the performance bond area in the future.

Attached for your consideration is a proposed motion for the November 5<sup>th</sup> Commission meeting and the revision approval form.

Mine Data\Falkirk Mine\Permits\NAFK - 9503\Revisions\No. 32\Rev32\_memo

Figure 1: Revision 32 to NAFK-9503 deletion area

