



Public Service Commission

State of North Dakota

COMMISSIONERS

Randy Christmann
Sheri Haugen-Hoffart
Julie Fedorchak

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

sent via regular mail

March 30, 2023

Mr. Jason Frye
Environmental Specialist
Falkirk Mining Company
P.O. Box 1087
Underwood, ND 58576-1087
Jason.frye@nacoal.com

Dear Mr. Frye:

This is to inform you of the Commission's approval of Revision No. 34 to Surface Coal Mining Permit NAFK-9503 held by the Falkirk Mining Company for the Falkirk Mine. The revision deleted 9.4 acres from the SE $\frac{1}{4}$ of Section 7, T145N, R82W within Permit NAFK-9503 that were not disturbed by Falkirk Mine's mining activities. Revision No. 34 updates the introductory information and legal information. It is understood that any remaining sections and maps affected by the deletion will be updated in future Revision No. 35. This permit revision was considered an insignificant revision but required Commission approval because of the acreage deletion. No bond adjustment was necessary as a result of this revision. Falkirk may submit bond riders to remove the deleted acreage from the bond area. This permit does not contain Federal coal.

Enclosed is the original revision award form. If you have any questions, please contact this office.

Sincerely,

Zanna Brinkman
Director
Reclamation Division

Enclosure

cc: via email only Steve Burke (steve.burke@nacoal.com)

Falkirk Mine\Permits\NAFK - 9503\Revisions\No. 34\Rev34_AL_3-30-23



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March 30, 2023

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
150 East B Street
Casper, WY 82601
jfleischman@osmre.gov

Dear Mr. Fleischman:

This is to inform you of the Commission's approval of Revision No. 34 to Surface Coal Mining Permit NAFK-9503 held by the Falkirk Mining Company for the Falkirk Mine. The revision deleted 9.4 acres from the SE $\frac{1}{4}$ of Section 7, T145N, R82W within Permit NAFK-9503 that were not disturbed by Falkirk Mine's mining activities. Revision No. 34 updates the introductory information and legal information. This permit revision was considered an insignificant revision but required Commission approval because of the acreage deletion. No bond adjustment was necessary as a result of this revision. This permit does not contain Federal coal.

Enclosed is a copy revision award form and revision application. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Zanna Brinkman".

Zanna Brinkman
Director
Reclamation Division

Enclosures

cc: w/o enclosures via email only John Sieving (jsieving@osmre.gov)



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sent via email only

March 30, 2023

Ms. Beth Knutson
McLean County Auditor
PO Box 1108
Washburn, ND 58577
baknutson@nd.gov

Dear Ms. Knutson:

This is to inform you of the Commission's approval of Revision No. 34 to Surface Coal Mining Permit NAFK-9503 held by the Falkirk Mining Company for the Falkirk Mine. The revision deleted 9.4 acres from the SE $\frac{1}{4}$ of Section 7, T145N, R82W within Permit NAFK-9503 that were not disturbed by Falkirk Mine's mining activities. This permit revision was considered an insignificant revision but required Commission approval because of the acreage deletion.

Enclosed is a copy revision award form. If you have any questions, please contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Zanna Brinkman".

Zanna Brinkman
Director
Reclamation Division

Enclosure

STATE OF NORTH DAKOTA

PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision 34, Permit NAFK-9503
Application

Case No. RC-23-65

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

March 29, 2023

Based on the application for **Revision Number 34 to Permit Number NAFK-9503 received February 3, 2023**, and all information and documentation contained therein, the North Dakota Public Service Commission finds that:

1. The revision application submitted February 3, 2023, 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 9.4 acres being deleted from the permit as part of this revision have not been affected by the applicant. An inspection of this area was conducted by Commission staff to verify that these lands were not disturbed by the Falkirk Mining Company and;
3. The Commission's findings that were made when the permit was issued remain applicable to the revised operation and reclamation plans.

Revision Number 34 to Permit Number NAFK-9503 is hereby granted to the Falkirk Mining Company to delete 9.4 acres located in the SE¼ of Section 7, T145N, R82W, McLean County, that were not affected by surface coal mining and reclamation operations as described in the permit revision application received February 3, 2023.

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 SFN-10562. 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 an insignificant alteration to the previously approved permit. (Attached is a copy of the metes and bounds description of land being deleted in the permit area.)

LOCATION

MINE	ADDRESS	ACRES	Sec.	Twp.	Range	County
Falkirk	Underwood, ND	-9.4	7	145N	82W	McLean

-9.4 acres - Total Area Deleted

PUBLIC SERVICE COMMISSION


Sheri Haugen-Hoffart
Commissioner


Randy Christmann
Chairman


Julie Fedorchak
Commissioner

Falkirk Mine\Permits\NAFK - 9503\Revisions\No. 34\Rev34_apprvl_award_3-29-23

Permit NAFK-9503 Revision No. 34 Metes & Bounds of Deleted Acres:

A tract of land being the southeast 1/4 of Section 7, T145N, R82W, 5th P.M., McLean County, North Dakota, described as follows:

Commencing at the southeast corner of said Section 7;
thence N 00°27'44" E a distance of 410.33 feet on the east line of said Section to the point of beginning; thence N 89°32'16" W a distance of 600.00 feet; thence N 00°27'44" E a distance of 680.00 feet; thence S 89°32'16" E a distance of 600.00 feet to the east line of said Section; thence S 00°27'44" W a distance of 680.00 feet to the Point of Beginning.

Said tract contains 9.4 acres as shown on this plat.

All bearings and distances are based on the North Dakota State Plane Coordinate System, North Zone, 1927 Datum.