



Public Service Commission

State of North Dakota

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October 10, 2023

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

Dear Mr. Frye:

The Reclamation Division has reviewed Falkirk Mining Company's post-mine topographic changes proposed with Revision No. 35 to Permit NAFK-9503. Revision No. 35 modifies the post-mine topography in some unmined areas to bring the permit area into a mass balance with the most current mine plan. The revision application also revises the permit's introductory, legal, financial, compliance and surface and coal ownership information, surface water hydrology, surface water management, operation plans, blasting map, transportation facilities, reclamation plans and schedules, post-mining land use and revegetation, and wetland sections. The revision also removes 159.6 acres of undisturbed land from the permit located in its entirety in the SW¹/₄ of Section 32, T145N, R83W.

Falkirk Mining Company's request to use post-mine topographic changes proposed in Revision No. 35 application to Permit NAFK-9503 for grade approval requests is approved. Grade approval requests granted in these areas will be contingent upon the approval of Revision No. 35. The Falkirk Mining Company will be responsible for ensuring that post-mining topography in the conditionally approved areas conforms to the approved Revision No. 35 post-mine topography.

Please contact us with any questions.

Sincerely,

Zanna Brinkman
Director
Reclamation Division

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