

# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and regular mail*

December 30, 2024

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 December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N½ of Section 1 and the SW¼ of Section 3 and adds mining plans for a pit cessation in the S½ of Section 2, T146N, R82W. The changes to this revision are due to the delay in leasing federal coal. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated.

This permit revision was considered a significant alteration to Permit NAFK-8405 and was therefore subject to public notice requirements. The total amount of existing bonds, \$114,863,633, which covers the consolidated bond area including Permits NAFK-8405, NAFK-8705, and NAFK-9503 at the Falkirk Mine was determined to be adequate at this time.

Please note that the final version of the permit lists an approval date of December 18, 2024, but the actual approval occurred on December 30, 2024. Please update the approval date for Revision No. 44 to Permit NAFK-8405 to December 30, 2024 in the next permit revision.

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

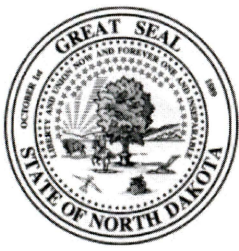
Sincerely,

Jonathan Emmer  
Director  
Reclamation Division

Enclosure

cc via email only w/o enclosure: Steve Burke (steve.burke@nacoal.com)  
Tara Voigt (tara.voigt@nacoal.com)

Falkirk Mine\Permits\NAFK - 8405\Revisions\No. 44\Rev44\_AL\_12-30-24



# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and regular mail*

December 30, 2024

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

Dear Mr. Fleischman:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. The changes to this revision are due to the delay in leasing federal coal. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated.

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Enclosed are a copy of the revision award form and flash drives containing the approved revision and the stand-alone Reclamation Bond/Cost section. Please note that the final version of the permit lists December 18, 2024 as the approval date, but the actual approval occurred on December 30, 2024. The Reclamation Division will have the Falkirk Mine update the approval date for Revision No. 44 to Permit NAFK-8405 during the next permit revision. If you have any questions, please contact this office.

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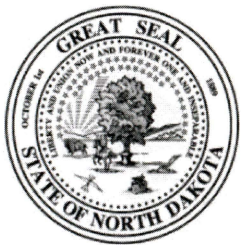
A handwritten signature in blue ink, appearing to read "Jonathan Emmer".

Jonathan Emmer  
Director  
Reclamation Division

Enclosures

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

Falkirk Mine\Permits\NAFK - 8405\Revisions\No. 44\Rev44\_AL\_12-30-24



# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and regular mail*

December 30, 2024

Ms. Erica Trent  
Natural Resources Specialist  
Office of Surface Mining  
P.O. Box 25065  
Denver, CO 80225  
etrent@osmre.gov

Dear Ms. Trent:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. The changes to this revision are due to the delay in leasing federal coal. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated.

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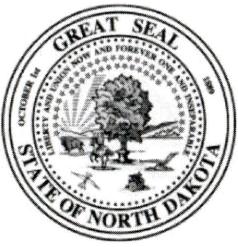
Sincerely,

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Jonathan Emmer  
Director  
Reclamation Division

Enclosures

cc via email only w/o enclosures: Marcelo Calle (mcalle@osmre.gov)



# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and regular mail*

December 30, 2024

Mr. Josh Alexander  
Bureau of Land Management  
Billings Field Office  
5001 Southgate Dr.  
Billings, MT 59101  
jalexand@blm.gov

Dear Mr. Alexander:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. The changes to this revision are due to the delay in leasing federal coal. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated.

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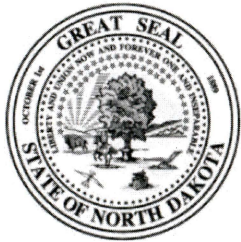
Sincerely,

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Jonathan Emmer  
Director  
Reclamation Division

Enclosures

Falkirk Mine\Permits\NAFK - 8405\Revisions\No. 44\Rev44\_AL\_12-30-24



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Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and regular mail*

December 30, 2024

Mr. Edward Kraft  
Field Office Manager  
Bureau of Land Management  
ND Field Office  
99 23<sup>rd</sup> Ave West, Suite A  
Dickinson, ND 58601  
ekraft@blm.gov

Dear Mr. Kraft:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. The changes to this revision are due to the delay in leasing federal coal. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated.

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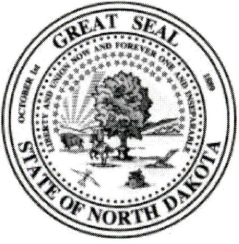
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Jonathan Emmer  
Director  
Reclamation Division

Enclosures

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600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and regular mail*

December 30, 2024

North Dakota Department of Water Resources  
C/O Project Review  
1200 Memorial Highway, Dept 770  
Bismarck, ND 58504  
dwrprojectreview@nd.gov

Dear Project Review Team:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated with this revision. This permit revision was a significant alteration to Permit NAFK-8405 and was subject to the public notice requirements.

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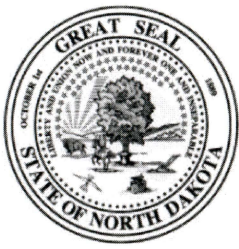
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Jonathan Emmer  
Director  
Reclamation Division

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Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and regular mail*

December 30, 2024

Mr. David Glatt, P.E  
Director  
ND Department of Environmental Quality  
4201 Normandy Street  
Bismarck, ND 58503-1324  
dglatt@nd.gov

Dear Mr. Glatt:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated with this revision. This permit revision was a significant alteration to Permit NAFK-8405 and was subject to the public notice requirements.

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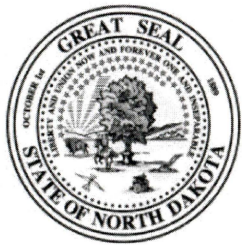
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Jonathan Emmer  
Director  
Reclamation Division

Enclosure

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Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email only*

December 30, 2024

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

Dear Ms. Knutson:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated with this revision. This permit revision was a significant alteration to Permit NAFK-8405 and was subject to the public notice requirements.

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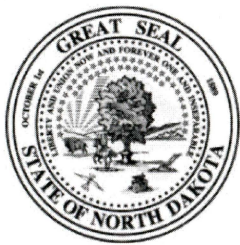
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Jonathan Emmer  
Director  
Reclamation Division

Enclosure

Falkirk Mine\Permits\NAFK - 8405\Revisions\No. 44\Rev44\_AL\_12-30-24



# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via certified mail*

December 30, 2024

Honorable Roxanne Kapanke  
President of City Commission  
P.O. Box 168  
Underwood, ND 58576-0168

Dear President Kapanke:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated with this revision. This permit revision was a significant alteration to Permit NAFK-8405 and was subject to the public notice requirements.

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A handwritten signature in blue ink, appearing to read "Jonathan Emmer".

Jonathan Emmer  
Director  
Reclamation Division

Enclosure

cc via email only: Courtney Blotske (ctyunder@westriv.com)

Falkirk Mine\Permits\NAFK - 8405\Revisions\No. 44\Rev44\_AL\_12-30-24

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Honorable Roxanne Kapanke  
 President of City Commission  
 P.O. Box 168  
 Underwood, ND 58576-0168



9590 9402 8851 4005 0404 05

2. Article Number (Transfer from service label)

9589 0710 5270 0129 6565 74

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*[Handwritten Signature]*

Agent

Addressee

B. Received by (Printed Name)

*Courtesy Adams*

C. Date of Delivery

*1-10-24*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Signature Confirmation™

Signature Confirmation Restricted Delivery

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BISMARCK ND 585



10 JAN 2025 PM 1 L



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 8851 4005 0404 05

United States  
Postal Service

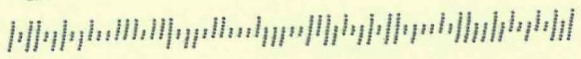
• Sender: Please print your name, address, and ZIP+4® in this box•

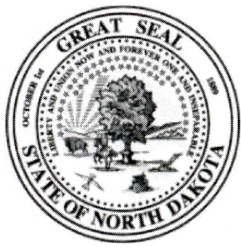
RECEIVED

JAN 13 2025

NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Reclamation Division  
Public Service Commission  
600 E Boulevard Ave Dept 408  
Bismarck, ND 58505-0480





# Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Julie Fedorchak

600 East Boulevard Ave  
Dept. 408  
Bismarck, ND 58505-0480  
701-328-2400  
ndpsc@nd.gov

*sent via email and certified mail*

December 30, 2024

Mr. Mark Lelm  
City Commission President  
PO Box 467  
907 Main Ave  
Washburn, ND 58577-0467  
marktlelm@gmail.com

Dear President Lelm:

This is to inform you of the Commission's December 30, 2024, approval of Revision No. 44 to Surface Coal Mining Permit NAFK-8405 held by the Falkirk Mining Company for the Falkirk Mine. This revision updates the mining plan for the N $\frac{1}{2}$  of Section 1 and the SW $\frac{1}{4}$  of Section 3 and adds mining plans for a pit cessation in the S $\frac{1}{2}$  of Section 2, T146N, R82W. Updates to this revision include all relevant introductory, environmental, operations, and reclamation sections. The stand-alone Reclamation Bond/Cost section has also been updated with this revision. This permit revision was a significant alteration to Permit NAFK-8405 and was subject to the public notice requirements.

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Sincerely,

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Jonathan Emmer  
Director  
Reclamation Division

Enclosure

cc w/o enclosure via email only: Chelsey Brandt (washaud@westriv.com)

Falkirk Mine\Permits\NAFK - 8405\Revisions\No. 44\Rev44\_AL\_12-30-24

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Mark Leim  
 City Commission President  
 907 Main Ave  
 PO Box 467  
 Washburn, ND 58577-0467



9590 9402 8851 4005 0403 99

2. Article Number (Transfer from service label)

9589 0710 5270 0129 6565 67

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *E Meadows*

- Agent
- Addressee

B. Received by (Printed Name)

*Erica Meadows*

C. Date of Delivery

*1-2-25*

- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

USPS TRACKING#

BISMARCK ND 585



21 JAN 2025 PM 1 L



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

9590 9402 8851 4005 0403 99

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

RECEIVED

JAN 6 2025

NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Reclamation Division  
Public Service Commission  
600 E Boulevard Ave Dept 408  
Bismarck, ND 58505-0480

