

PUBLIC SERVICE COMMISSION
Reclamation Division

Memorandum

TO: Commissioners Christmann, Haugen-Hoffart, and Kringstad
Steven Kahl, Executive Director
John Schuh, General Counsel

FROM: ^{JE} Jonathan Emmer, ^{MJ} Monty Johnson, and ^{BM} Brandon Myran

DATE: April 2, 2025

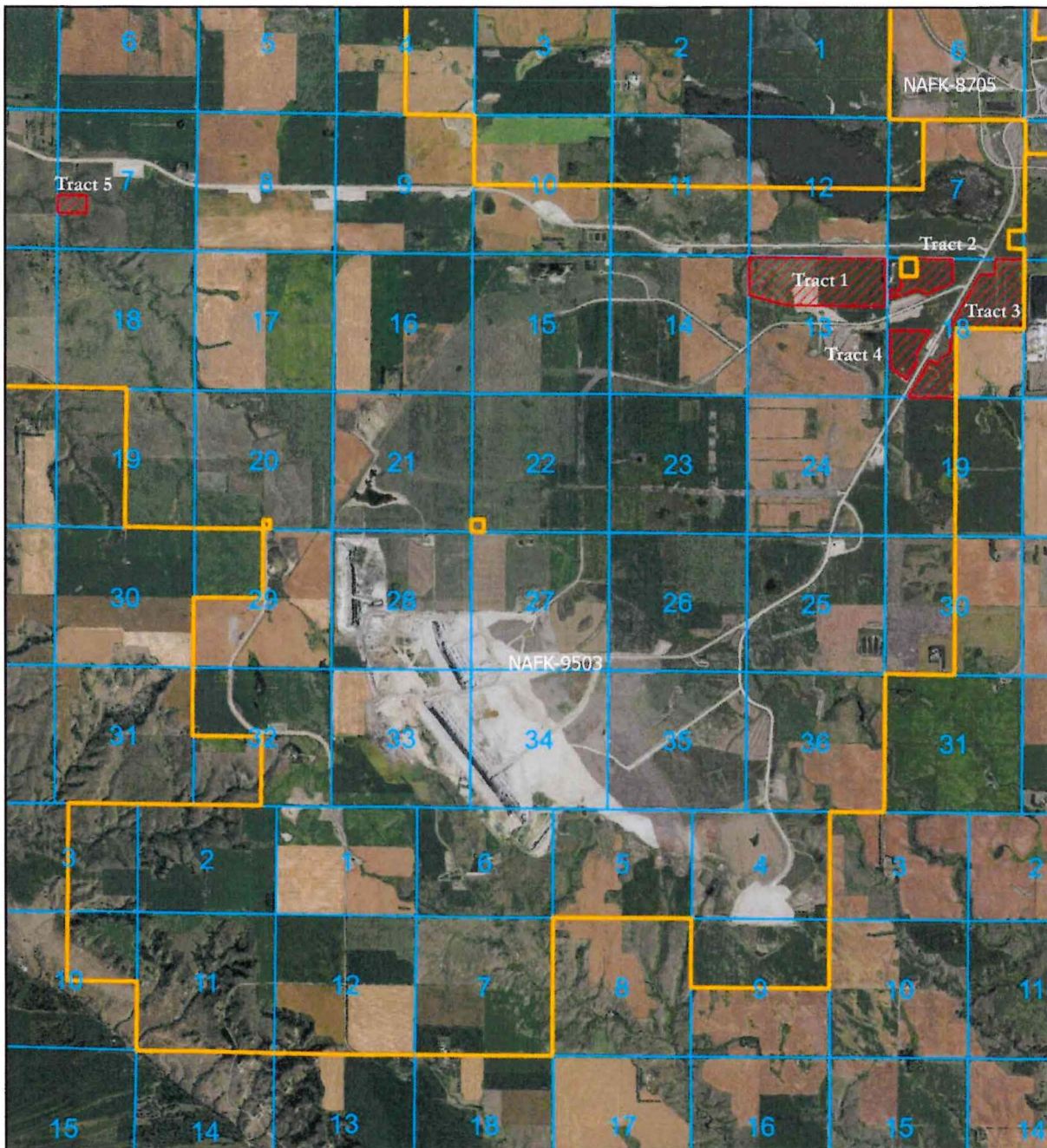
SUBJECT: Application for Revision No. 37 to Permit NAFK-9503 held by the Falkirk Mining Company, Case No. RC-25-20




On January 8, 2025, the Falkirk Mining Company filed an application for Revision 37 to Surface Coal Mining Permit NAFK-9503 to delete five tracts totaling approximately 499.3 acres of land from the permit that have not been affected by surface coal mining and reclamation operations. These tracts of land can be generally described as approximately 17.6 acres in the SW¹/₄ of Section 7, T145N, R83W; 212.2 acres in the N¹/₂ of Section 13, T145N, R83W; and 269.5 acres in the NW¹/₄, NE¹/₄, and SW¹/₄ of Section 18, T145N, R82W, all within McLean County. A map identifying these five tracts within Permit NAFK-9503 is provided below for reference. The revision also updated the introductory information, legal information, operation plan, surface water management plan, and added design plans for sedimentation ponds P-R03-01, P-R03-02, and P-R03-03.

Reclamation Division staff inspected the acreage proposed for deletion on February 13 and February 25, 2025 to verify that the tracts have not been disturbed by mining or reclamation related activities.

This permit revision application was considered an insignificant revision application but requires Commission approval because of the acreage deletion. No 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. This permit does not contain Federal coal.

Attached for your consideration is a proposed motion for the April 10, 2025 Commission meeting and the revision approval form.



Falkirk Mine Revision 37, Permit NAFK-9503 Deletion Areas (Tracts 1-5)		Dated: 4/1/2025
Tract 1 consists of 212.2 acres in N 1/2 of Section 13, T145N, R82W; Tract 2 consists of 48.0 acres in NW 1/4 of Section 18, T145N, R85W; Tract 3 consists of 178.6 acres in NW 1/4, NE 1/4, and SW 1/4 of Section 18, T145N, R85W; Tract 4 consists of 42.9 acres in SW 1/4 of Section 18, T145N, R85W; Tract 5 consists of 17.6 acres in the SW 1/4 of Section 7, T145N, R82W		  
Coordinate System: NAD 1927 StatePlane North Dakota South FTPS 3302		