



Public Service Commission

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

sent via email and inside mail

January 29, 2026

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

Dear Mr. Glatt:

The Falkirk Mining Company has filed an application for Revision No. 42 to Surface Coal Mining Permit NAFK-8705 for the Falkirk Mine. The Reclamation Division previously mailed a copy of the permit application to the NDDEQ for evaluation as an advisory committee member on August 8, 2025, and NDDEQ's September 3, 2025 response letter was received by our office.

The Falkirk Mining Company has recently responded to a technical review letter from the Reclamation Division, which resulted in additional updates to the permit application. These updates include newly added sections that warrant further review by your agency due to their relevance to your specific technical expertise. A summary of these additions and updates is provided on pages 340-348 of Section 1.1.3 (Revision Instruction Lists).

Enclosed is a flash drive containing the most recent submittal of Revision No. 42. All updates to the permit are identified in Section 1.1.3, beginning on page 327. Please review the applicable updates in the revision application with regard to your agency's areas of responsibility and technical expertise, and for compliance with NDAC 69-05.2-16-02. Please provide any revision application review comments by **March 16, 2026**, in accordance with NDAC 69-05.2-10-01(2).

If you have any questions, please contact this office.

Sincerely,

Jonathan Emmer
Director
Reclamation Division

Enclosure

Falkirk Mine\Permits\NAFK - 8705\Revisions & Renewals\No. 42\Rev42_Advsry_rvw_rqst_ltr_1-29-26



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January 29, 2026

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:

The Falkirk Mining Company has filed an application for Revision No. 42 to Surface Coal Mining Permit NAFK-8705 for the Falkirk Mine. The Reclamation Division previously mailed a copy of the permit application to the NDDWR for evaluation as an advisory committee member on August 8, 2025, and NDDWR's September 17, 2025 response letter was received by our office.

The Falkirk Mining Company has recently responded to a technical review letter from the Reclamation Division, which resulted in additional updates to the permit application. These updates include newly added sections that warrant further review by your agency due to their relevance to your specific technical expertise. A summary of these additions and updates is provided on pages 340-348 of Section 1.1.3 (Revision Instruction Lists).

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If you have any questions, please contact this office.

Sincerely,

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

Jonathan Emmer
Director
Reclamation Division

Enclosure

Falkirk Mine\Permits\NAFK - 8705\Revisions & Renewals\No. 42\Rev42_Advsry_rvw_rqst_ltr_1-29-26