

FALKIRK MINE

April 30, 2026

Mr. Jonathan Emmer
Reclamation Director
ND State Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505

RE: Revision 42, Technical Review (3) Responses to Permit NAFK-8705

Dear Mr. Emmer:

Falkirk submits the following responses to the third technical review items noted in your April 23, 2026 letter to existing Permit NAFK-8705.

Section 3.5 – Operations – Transportation Facilities

- 1. The first paragraph of Section 3.5.1 (Transportation Narrative) does not list C1 among the haul road sections that facilitate mining and reclamation operations in the permit area. Please revise the first paragraph in Section 3.5.1 to include Haul Road Section C1. (BSM)***

Please see updated narrative in Section 3.5.1, Transportation Narrative to include Haul Road Section C1.

- 2. The paragraph describing Haul Road Section C1 in Section 3.5.1 (Transportation Narrative) appears to contain a typographical error regarding station 182+00, where traffic is facilitated from Haul Road Section A1 to C1. Please review and revise this stationing to ensure it is correct and consistent with Section 3.5.2 (Transportation Facilities Map). (BSM)***

Please see updated Haul Road Section C1 narrative in Section 3.5.1, Transportation Narrative.

- 3. Section 3.5.2 (Transportation Facilities Map) does not delineate the Station 1+25 – 24" CMP with an FES culvert described in Section 3.5.10a (Haul Road Section C1 – Culvert Design). Please update Section 3.5.2 to depict this culvert. (BSM)***

Please see updated Section 3.5.2, Transportation Facilities Map to depict culvert along haul road section C1.

- 4. Section 3.5.8 (Haul Road Section A1 Profile) has been revised with a minor adjustment to the profile slope; however, the title block does not include the original creation date. For record purposes, please include the original date corresponding to the initial submittal and approval of Haul Road Section A1. (BSM)***

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Please see updated Section 3.5.8, Haul Road Section A1 Profile to show updated title block with original creation date.

- 5. Section 3.5.8a, provided on April 16, 2026, only provides culvert design information for Station 80+66 -24" CMP w/ FES. Please revise Section 3.5.8a to include all culverts associated with Haul Road Section A1. Furthermore, please verify that the beginning of Section 3.5.8a includes the title "Section 3.5.8a – Culvert Installation Designs" and Section 3.5.2 (Transportation Facilities Map) is updated depicting this culvert. (BSM)**

Section 3.5.8a, Culvert Installation Designs is updated and shown correctly in the permit.

- 6. To maintain consistency with formatting used in previous haul road culvert installation designs, please include the title "Section 3.5.10a – Culvert Installation Designs" at the beginning of Section 3.5.10a. (BSM)**

Please see updated Section 3.5.10a, Culvert Installation Designs to include the title at the beginning of the section.

Sincerely,
THE FALKIRK MINING COMPANY



Jason Frye
Environmental Specialist

JF/tv