

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Falkirk Mining Company
Revision 42, Permit NAFK-8705
Application

Case No. RC-25-184

**REVISION OF PERMIT TO ENGAGE IN SURFACE COAL
MINING AND RECLAMATION OPERATIONS**

September 23, 2026

Based on the application for **Revision 42 to Permit Number NAFK-8705** submitted by Falkirk Mining Company for the Falkirk Mine on May 7, 2025, and as revised through April 30, 2026, and all information and documentation contained therein, the North Dakota Public Service Commission (Commission) finds that the application meets all applicable requirements of Chapter 38-14.1 of the North Dakota Century Code (NDCC) and Article 69-05.2 of the North Dakota Administrative Code (NDAC). On the basis of the information set forth in the application or from that otherwise available and known by the applicant, the Commission finds that:

Finding No. 1. The permit revision application is accurate and complete and complies with the requirements of NDCC Chapter 38-14.1 and NDAC Article 69-05.2 [NDCC 38-14.1-21(3)(a)].

Permit NAFK-8705 for the Falkirk Mine consists of approximately 9,843.4 acres, most of which has previously been disturbed by mining and reclamation activities. Mining operations in this permit area ceased in 2010, leaving the northern portion of the permit undisturbed. Due to several factors including power plant coal demands, federal coal leasing, and ongoing mining operations in other permitted areas at the Falkirk Mine, mining activities in Permit NAFK-8705 are scheduled to resume in 2026, significantly earlier than the previously projected date of 2040.

Revision 42 changes the timing of mining and revises the post-mining topography for a large portion of the unmined areas within the permit. The revision also updates the introductory, legal, financial, compliance, surface and coal ownership information, surface water information and monitoring plan, probable hydrological consequences, surface water management, ground water management plan, operation plans, extended mining plan, existing structures, blasting map, transportation facilities, reclamation plans and schedules, post-mining topography, post-mining land use and revegetation, and wetland sections of the permit. The stand-alone Consolidated Bond Estimate and Underwood Ground Water Hydrology sections have also been updated with this revision.

The applicant verified that all information included in the revision application is true and correct to the best of their knowledge. Commission staff conducted completeness and technical reviews to ensure that the required information was provided, and mining and reclamation plans meet all applicable requirements. The Reclamation Division sent

completeness and technical review letters to the applicant on June 5, 2025, July 23, 2025, September 12, 2025, February 20, 2026, March 3, 2026, and April 23, 2026. Responses to each letter were reviewed and changes to the application were made addressing the concerns that were noted. The applicant provided leases and other documents showing that they have the right to mine the lands where coal removal is proposed and to disturb the surface of other lands in the permit area. The Commission concludes that this significant revision application is now accurate and complete.

From July 31, 2025, through August 21, 2025, the applicant published the required notices of the permit revision application in the Bismarck Tribune and the McLean County Independent newspapers. The Commission sent the notice of revision application to the surface owners affected by the proposed revision, and the notice was sent to numerous local, state, and federal agencies. Applicable advisory committee members received the revision application and comments were received from the United States Fish and Wildlife Service, North Dakota State Historical Society, North Dakota Department of Environmental Quality, and North Dakota Department of Water Resources. No objections or requests for an informal conference were received on this application during the public comment period.

Permit NAFK-8705 contains a tract of unleased federal coal in the SE¼ of Section 24, T146N, R83W that consists of privately owned surface. Associated disturbance is planned for this tract to accommodate mining of privately owned coal in adjacent areas, but no mining is proposed on the federal coal tract. The Office of Surface Mining Reclamation and Enforcement (OSMRE) determined that the Revision 42 application does not constitute a mining plan modification requiring approval by the Assistant Secretary of Land and Minerals Management in correspondence received by the Commission on November 4, 2025.

Finding No. 2. The applicant has demonstrated that reclamation as required by NDCC Chapter 38-14.1 and NDAC Article 69-05.2 can be accomplished under the reclamation plan contained in the revised permit application [NDCC 38-14.1-21(3)(b)].

Revision 42 updates the timing of mining, provides detailed mining and reclamation plans for the entire permit, and updates other sections of the permit accordingly. Coal removal will now occur during the five-year permit term, beginning in year 2026. Other areas of the permit will be used for support activities including soil and overburden stockpiles, water management structures, and other associated disturbances. Reclamation of disturbed areas will be carried out using reclamation procedures that have been successful in the past and satisfy the requirements of the North Dakota laws and rules. The post-mining topography proposed by the applicant meets the grading requirements and the applicant has demonstrated that sufficient soil materials are available to meet the soil redistribution requirements of NDAC 69-05.2-15 and the revegetation requirements of NDAC 69-05.2-22.

The reclaimed land will be capable of supporting the pre-mine uses, or higher or better uses, than existed prior to mining. The primary pre-mining land uses occurring in the permit area are cropland and native grassland. Other pre-mining land uses include fish and wildlife habitat (wetlands), tame pastureland, shelterbelts, stockponds, and industrial areas. The post-mining land uses will be similar to the pre-mining conditions.

With regard to the reclamation schedule, the applicant has previously demonstrated the need for some variances from the contemporaneous reclamation requirements that normally require rough grading be completed within 180 days of coal removal and

completion of reclamation through the initial seeding within three years of completion of mining activities. An additional variance, Pre-Bench Fill Areas, was requested as part of Revision 42 to accommodate overburden removal with a truck/shovel fleet, pre-benching, throughout the remaining areas to be mined in the permit. Overburden removal with the truck/shovel fleet is necessary due to the existing high overburden depths above coal, which will accommodate the need for a reduced dragline digging depth and maintain a safe highwall configuration. Spoil peaks are requested to remain ungraded temporarily within the designated Pre-Bench Fill Area to provide capacity for placement of pre-bench material. This may require up to one year to develop sufficient spoil area, which may require more than four standing spoil peaks at a time. Grading will continue in areas outside the designated Pre-Bench Fill Area and where spoil is above final post-mining grade. These areas are more fully described in the reclamation schedule. These variances are allowed by NDAC 69-05.2-21-01(2) and NDCC 38-14.1-24(14). The requests for variances from the contemporaneous reclamation requirements have been adequately justified and the Commission is approving the variances. Prior to this revision, other variances have been justified and approved by the Commission as allowed by NDAC 69-05.2-21-01(2) and NDCC 38-14.1-24(14).

Six (6) standard conditions and seven (7) special conditions were attached to the original permit approval and subsequent revisions. All six of the standard conditions and zero special conditions remain in effect.

Finding No. 3. Based on the assessment of the probable cumulative impact of all anticipated mining in the area, the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area [NDCC 38-14.1-21(3)(c)].

An assessment of the probable cumulative hydrologic impact of all anticipated mining in the area has been made as required by NDCC 38-14.1-14(1)(o). The Commission finds that the proposed operation has been designed to maintain the quantity, quality, and hydrologic regime of surface and ground water systems in the area. The cumulative effects of all existing and proposed mining operations should not damage the hydrologic balance and water availability within or adjacent to the permit area. The cumulative hydrologic impact assessment (CHIA) was updated on May 29, 2002, and is also associated with Revision 7 to Permit NAFK-9601 that revised the consolidated groundwater information for the Underwood Coal Field to include mining and reclamation proposed in Revision 22 to Permit NAFK-8705. Falkirk Mining Company addresses groundwater information for the three mining permits covering the Underwood Field in a consolidated document that is Section 2.2 of Permits NAFK-8405, NAFK-8705 and NAFK-9601. Additional updates to the CHIA were provided for small addition areas to the permit and other significant revisions. The CHIA was again updated in April 2023 with Revision 42 to Permit NAFK-8405 to reflect the addition of 3,359.7 acres added to Permit NAFK-8405. All cumulative hydrologic impact assessments are on file with the relevant permits in the Commission offices.

Finding No. 4. Lands within the permit area are not within an area designated unsuitable for surface coal mining operations, nor within areas under study or administrative proceedings under a petition to have an area designated as unsuitable for surface coal mining operations [NDCC 38-14.1-21(3)(d)].

None of the lands within the permit area have been designated unsuitable for surface coal mining operations pursuant to NDCC 38-14.1-05, nor are they within an area under

study or administrative proceedings under a petition to have an area designated as unsuitable for surface coal mining operations.

Finding No. 5. The proposed mining operation will not interrupt, discontinue, or preclude farming on alluvial valley floors that are irrigated or naturally subirrigated or materially damage the quantity or quality of water in surface or underground water systems that supply these alluvial valley floors [NDCC 38-14.1-21(3)(e)].

Based on an examination of the geologic and geomorphic characteristics, soils, land use, and the water quality and quantity of streams occurring within or adjacent to the permit area, it has been determined that no alluvial valley floors exist within or adjacent to the permit area.

Finding No. 6. In cases where the mineral estate has been severed from the surface estate, the applicant complied with the requirements of NDCC 38-18 [NDCC 38-14.1-21(3)(f)].

The applicant included leases and other documents in the permit application demonstrating compliance with the North Dakota Surface Owners Protection Act, NDCC 38-18. This documentation included the initial notice that was given to all surface owners within the permit area prior to issuance of the permit and subsequent notices to affected surface owners for changes proposed with permit revisions.

Finding No. 7. Lands being added to the permit area are not within areas subject to the prohibitions or limitations of NDCC 38-14.1-07 unless the area met the application review procedures of NDAC 69-05.2-04-01[NDAC 69-05.2-10-03(6)(a)].

Lands within the permit area are:

- a. Not within the boundaries of units of the North Dakota Park System, the National Park System, the National Wildlife Refuge Systems, the National System of Trails, the National Wilderness Preservation System, the National Wild and Scenic Rivers System, including study rivers designated under Section 5(a) of the Wild and Scenic Rivers Act, and national recreation areas.
- b. Not on any federal lands within the boundaries of any national forest.
- c. Not within 300 feet of any publicly owned park or places included in the State Historic Sites Registry or the National Register of Historic Places.

Permit-wide, several cultural resource surveys and inventories of the NAFK-8705 permit area were completed between 1975 and 1992 and these inventories have been compiled in the permit. A total of 25 cultural resource sites (historic and prehistoric) were documented within the current boundary of Permit NAFK-8705. The State Historical Preservation Officer (SHPO) has previously determined that all sites are not eligible or are not significant regarding eligibility for listing on the National Register of Historic Places with the exception of one site, 32ML108. This site was determined to be eligible for listing on the National Register of Historic Places and has since been mitigated under plans approved by the State Historical Society and disturbed by mining.

The proposed surface coal mining operations will not adversely affect any significant historic, archaeological, or paleontological sites. Correspondence received to date

from the North Dakota SHPO regarding cultural resource sites in Permit NAFK-8705 is located in the permit. Falkirk has committed to testing and mitigating, if necessary, any previously unrecorded archeological, cultural, or historical materials that may be discovered as a result of mining related activities.

- d. Within 100 feet of the outside right-of-way line of a public road. However, the applicant has stated that no disturbance will occur within 100 feet of the outside edge of the existing public road rights-of-way until the appropriate road authority approves mining disturbance within 100 feet of them or until the road authority closes the roads.

The applicant has committed to provide the Commission with documentation of the approval of the road authority before any disturbance occurs within 100 feet of the outside edge of any county road right-of-way. In addition, the applicant will provide the Commission with road closure approval documents. McLean County's approval process for allowing mining activities within 100 feet of the road right-of-way and road closure includes public notice with the opportunity for a hearing and a written finding. The Commission finds that this approval process will provide for a determination that the interests of the landowners and public will be protected as required by NDCC 38-14.1-07(4) and NDAC 69-05.2-04-01.3.

- e. Not within 300 feet of any public building, school, church, community, or institutional building and, except as discussed below, not within 500 feet of any occupied dwelling.

In Revision 22, a small portion of the land added to the permit area was within 500 feet of an occupied farmstead in the NE¼ of Section 28, T146N, R82W. The applicant obtained a waiver and consent agreement from the surface owners allowing the installation of a water pipeline and other associated disturbances within 500 feet of the occupied dwelling and farm buildings. This waiver applies only to areas on the west side of the railroad right-of-way that passes through this tract. In addition, the waiver agreement does not allow actual coal removal activities any closer than 500 feet from the dwelling and farm buildings. Except on lands now owned by the applicant, coal removal areas do not come within 500 feet of any other farm building.

- f. Not within 100 feet of any cemetery.

Finding No. 8. With respect to prime farmland in the area added to the permit with Revision 22, no prime farmland was identified. For prime farmland areas in the existing permit, the postmining land use will be cropland, the reclamation plan was reviewed by the Natural Resource Conservation Service and their suggestions were considered, operations will be conducted in compliance with NDAC 69-05.2-26 and NDCC 38-14.1, and the applicant has the technological capability to restore the productivity on reclaimed lands [NDAC 69-05.2-10-03(6)(c) and NDCC 38-14.1-21(6)].

The special prime farmland provisions apply only to the SE¼ of Section 28 and the NE¼ of Section 33, T146N, R82W. On all other lands, either the applicant had received the "right-to-mine" prior to August 3, 1977 or no prime farmland was identified within the areas for which the "right-to-mine" was obtained after August 3, 1977. The areas where the "right-to-mine" was obtained prior to August 3, 1977 are exempt from the prime farmland performance standards and special handling procedures.

In the existing permit, the applicant has included a prime farmland reclamation plan that satisfies the requirements of NDAC 69-05.2-09-15 and the performance standards of NDAC Chapter 69-05.2-26. The post-mining land use of prime farmland will be cropland. The Natural Resource Conservation Service has reviewed the prime farmland reclamation plan and has determined that it is adequate to restore the productivity of the prime farmland. The reclamation methods that will be used by the applicant have been proven to be successful in the past; therefore, the Commission determines the applicant has the technological capability to restore the productivity of reclaimed land to a level that is equal to or greater than non-mined prime farmland in the surrounding area under equivalent management practices.

Finding No. 9. The operations will not affect the continued existence of threatened or endangered species or result in the destruction or adverse modification of their critical habitats [NDAC 69-05.2-10-03(6)(d)].

Given the extent of previous disturbance briefly explained in Finding No. 1, threatened and endangered species listed by the USFWS IPaC, Information for Planning and Consultation, website at this location **“may be affected but are not likely to be adversely affected”** by renewed mining and reclamation activities proposed in Revision 42.

The following is the Reclamation Division’s finding regarding surface coal mining activities outlined in Revision 42 and its effects on threatened, endangered, and proposed species and proposed and designated critical habitat.

Whooping Crane – Endangered

McLean County and the permit area are within the principal migration route of the whooping crane, and the Audubon National Wildlife Refuge. The Audubon Refuge is occasionally used by migrating whooping cranes, with the most recent sighting occurring in the spring of 1992. The area does contain temporary, seasonal, and semi-permanent wetlands throughout the permitted area, which may provide stopover habitat for the whooping crane; however, no whooping cranes have been observed within the direct vicinity of the Falkirk Mine since wildlife monitoring was initiated. The Reclamation Division concludes that mining and reclamation activities proposed with Revision 42 **“may affect but is not likely to adversely affect”** the continued existence of whooping cranes.

Piping Plover – Threatened

The piping plover is a migratory bird that can occur in North Dakota from mid-April through August. Suitable habitat for the Northern Great Plains Population is generally characterized as sparsely vegetated shorelines usually associated with alkaline wetlands and sandbars and shorelines associated with major river systems. In McLean County, North Dakota, this species can be found along the Missouri River. Piping plovers have been observed periodically within Falkirk’s active permitted areas; however, the possibility for them to be present is believed to be limited due to their restricted habitat preferences, nesting requirements, and the lack of suitable habitats within the area. However, suitable habitat may be created by mining activities as piping plovers have been found to nest on inactive areas of graded spoil in other permitted areas at the mine. Inactive barren spoil areas are not expected to exist during the current term of the permit. Falkirk will continue to monitor the permit area for piping plovers, and sightings will be reported to the

Reclamation Division. The Reclamation Division concludes the permit area does not contain designated, suitable, or potential habitat for this species and the mining and reclamation activities proposed with Revision 42 **“may affect but is not likely to adversely affect”** the continued existence of the piping plover.

Rufa Red Knot – Threatened

The rufa red knot is a medium sized shorebird that migrates annually between its breeding grounds in the central Canadian Arctic and several wintering regions, including the Southeast United States and Northeast Gulf of Mexico. This species could potentially migrate over North Dakota. Available information indicates this species may use inland saline lakes as stopover habitat during its migration. There are no saline lakes in the permit area or adjacent to the permit area. Therefore, the mining and reclamation activities proposed with Revision 42 will have **“no effect”** on the continued existence of the rufa red knot.

Dakota Skipper – Threatened

The USFWS listed the Dakota skipper as threatened on October 26, 2014, and the final rule became effective on November 24, 2014. The Dakota skipper is a small butterfly that requires high quality mixed or tallgrass prairie. According to the 2024 Dakota Skipper North Dakota Survey Protocol, there are two habitat types, Type A Habitat and Type B Habitat. Type A Habitat consists of moist lowland mesic prairie habitat type with prairie lily, bluebell bellflower, and mountain deathcamas or smooth camas species. Type B Habitat consists of a relatively dry upland prairie habitat type found on ridges and hillsides dominated by bluestem grasses, needlegrasses, and desirable native forbs such as purple coneflower. In the Missouri Coteau region of North Dakota, on the western edge of the known ranges of the species, Dakota skippers inhabit a variant of Type B habitats. These habitats typically contain an association of little bluestem, big bluestem, and needlegrasses that is often invaded by Kentucky bluegrass. These prairies also typically contain prairie lily, bluebell bellflower, coneflowers, and aster species.

There is no undisturbed native grassland within Permit NAFK-8705. Therefore, there is no suitable habitat for the Dakota skipper. The Reclamation Division finds that the planned mining and reclamation activities proposed within Revision 42 will have **“no effect”** to the continued existence of the Dakota skipper.

Monarch Butterfly – Proposed Threatened

The monarch butterfly is a proposed threatened species. The monarch butterfly requires habitat with milkweed as a larval host plant and floral nectar sources for adults. Monarchs found in North Dakota are composed of the eastern range monarchs, found east of the Rocky Mountains. These monarchs overwinter in central Mexico and then migrate and disperse throughout North America. No designated critical habitat is currently proposed for the eastern range monarchs. The monarch butterfly could potentially be in and around Falkirk’s mining permits during the migration. Falkirk has planted a number of pollinator plots near reclaimed wetland buffer areas and may include milkweed in future pollinator plots.

The Reclamation Division finds the planned mining and reclamation activities proposed

within Revision 42 **“may affect but is not likely to jeopardize”** the continued existence of the monarch butterfly provided that Falkirk follows future guidance from the USFWS as indicated in Section 2.4.3 (Wildlife Monitoring Plan) of Permit NAFK-8705.

Western Regal Fritillary – Proposed Threatened

The western regal fritillary is a proposed threatened species. The western regal fritillary prefers tallgrass prairie and other sunny, open locations such as damp meadows, marshes, wet fields, and mountain pastures. Regal fritillary butterflies depend on three main habitat components: violet host plants for larvae, nectar plants for adults, and native warm-season bunch grasses that provide protective sites for all life stages. No designated critical habitat is currently proposed for the western regal fritillary. Based on the habitat requirements of the western regal fritillary, it appears unlikely that the species will be present in the permit area.

The Reclamation Division finds the planned mining and reclamation activities proposed within Revision 42 **“may affect but is not likely to jeopardize”** the continued existence of the western regal fritillary provided that Falkirk follows future guidance from the USFWS as indicated in Section 2.4.3 (Wildlife Monitoring Plan) of Permit NAFK-8705.

Suckley’s Cuckoo Bumble Bee – Proposed Endangered

The Suckley’s cuckoo bumble bee is a proposed endangered species. The Suckley’s cuckoo bumble bee is an obligate social parasite and is entirely dependent on social bumble bee hosts to collect pollen and rear their young. Since they are entirely dependent on host bumble bee colonies, host colony availability is critical for the species’ survival and overall viability. The species has a broad historical range and has been found in various habitat types including prairies, grasslands, meadows, urban and agricultural areas, and woodlands. The last confirmed sighting in the United States of the Suckley’s cuckoo bumble bee was in 2016 in Oregon.

The Reclamation Division finds the planned mining and reclamation activities proposed within Revision 42 **“may affect, but is not likely to jeopardize”** the continued existence of the Suckley’s cuckoo bumble bee.

Finding No. 10. The applicant has submitted proof that all reclamation fees required by 30 CFR subchapter R have been paid [NDAC 69-05.2-10-03(6)(e)].

The applicant has paid all reclamation fees required by 30 CFR subchapter R. The Office of Surface Mining’s Applicant Violator System is used to verify that all fees have been paid.

Finding No. 11. The applicant has satisfied requirements for approving cropland as a postmining land use [NDAC 69-05.2-10-03(6)(f)].

The applicant has satisfied the requirements for approval of a cropland post-mining land use under NDAC 69-05.2-22-01. Areas reclaimed to cropland will either be seeded directly to crops commonly grown in the area, a tame grass/legume pre-cropland seed mixture or a cocktail mixture of species designed to improve soil health. The post-mining topography and soils are suitable for cropland in areas that will be cropped.

Finding No. 12. All existing structures that will be used to support mining activities within the permit area comply with the requirements of NDCC 38-14.1-24 and NDAC 69-05.2-09-04 [NDAC 69-05.2-10-04].

No existing structures within the revision area will be used to support mining activities. However, haul roads, sedimentation ponds, and other facilities that are presently located within Permit NAFK-8705 will support mining in this permit area. These previously permitted structures have been found to meet the applicable design and performance standards of NDCC 38-14.1-24 and NDAC 69-05.2.

Finding No. 13. No drill holes, boreholes or wells will be retained for other uses [NDAC 69-05.2-14-03].

The applicant has not proposed to retain any drill hole, borehole, or well for other uses.

Finding No. 14. No spoil in the permit area is known to cause toxic mine drainage [NDAC 69-05.2-16-11].

The chemical characteristics of the overburden materials in the areas being added to the permit are such that they do not produce toxic mine drainage. The analysis of overburden samples included in the permit application does not reveal any substances that would cause any chemical reactions or physical effects that are likely to kill, injure, or impair biota commonly present in the area.

Finding No. 15. The applicant does not propose to disturb land within one hundred feet of any perennial and intermittent stream channels [NDAC 69-05.2-16-20].

The applicant does not propose to conduct any mining related activities in Permit NAFK-8705 that are within one hundred feet of any perennial or intermittent stream channels.

Finding No. 16. The applicant does not propose to use any experimental practices in the permit area [NDAC 69-05.2-27-02].

There are no plans included in the revision application to use any experimental practices that may be allowed under NDAC 69-05.2-27-02.

Finding No. 17. The applicant does not control and has not controlled surface coal mining and reclamation operations with a demonstrated pattern of willful violations [NDAC 69-05.2-10-03(4)].

Commission records, and those in the Office of Surface Mining's Applicant Violator System (AVS), do not show that the applicant controls and has controlled surface coal mining and reclamation operations with a demonstrated pattern of willful violations of NDCC 38-14.1 or of other states' laws which are based on P.L. 95-87 (the Federal Surface Mining Control and Reclamation Act), of such nature, duration, and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the provisions of these laws.

Finding No. 18. Neither the applicant, nor any affiliated companies, have unabated violations or unpaid civil penalties [NDAC 69-05.2-10-03(1)].

Commission records, and those in the Office of Surface Mining's Applicant Violator System, do not indicate that the applicant, nor any affiliated companies, have any unpaid

civil penalties or unabated violations of NDCC 38-14.1 or any other federal or state laws, rules, or regulations pertaining to air or water environmental protection. Staff at the North Dakota Department of Environmental Quality also verified that the applicant has no unabated violations with regard to air and water environmental protection standards.

Finding No. 19. Performance bonds totaling \$130,000,000 are sufficient for the proposed surface coal mining operations in the consolidated bond area that includes this permit for the Falkirk Mine [NDAC 69-05.2-12-07].

The Commission has determined, pursuant to NDAC 69-05.2-12-07, that the existing bonds, consisting of a third-party guarantor self-bond and a cash deposit collateral bond totaling \$130,000,000, are sufficient to cover the proposed operations in Permit NAFK-8705 and others at the Falkirk Mine. The worst-case reclamation cost estimate was required to be updated as part of Revision 42. It should be noted that if the annual update of variable costs in the Commission's policy for calculating reclamation cost estimates results in a significant increase in the existing reclamation cost estimate, permittees are required to update their reclamation cost estimates and increase amounts accordingly.

Subject to the right of any person with an interest that is or may be adversely affected to request a formal hearing under NDCC 38-14.1-30, **Revision 42 to Permit Number NAFK-8705** is hereby granted to **The Falkirk Mining Company** to engage in surface coal mining and reclamation operations, on the following described areas subject to the applicable requirements of the original permit and conditions, Chapter 38-14.1 of the North Dakota Century Code, and the rules promulgated thereunder.

PUBLIC SERVICE COMMISSION


Sheri Haugen-Hoffart
Commissioner


Randy Christmann
Chair


Jill Kringstad
Commissioner

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