

FALKIRK MINE

December 8, 2025

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

RE: Revision 45, Renewal #8, Technical Review Responses to Permit NAFK-8405

Dear Mr. Emmer:

Falkirk submits the following responses to the technical review items to Permit NAFK-8405 in response to your letter dated November 14, 2025.

Section 1.5.1 – Permit Area Surface and Coal Interests

- 1. The surface ownership addresses for Gary R. Heidelberg (Tract 103) and Summer Boschert (Tract 60) are outdated in Section 1.5.1 (Permit Area Surface and Coal Interests). Please update the addresses in Section 1.5.1 to reflect the corrected mailing address for each surface owner. (JAR/WWS)***

Updated Summer Boschert address on Tracts 60 and 60A, updated Gary R. Heidelberg address on Tract 103 in section 1.5.1.

- 2. The surface ownership addresses for Gregory and Mildred Jordahl (Tracts 21 & 23) may be outdated in Section 1.5.1 (Permit Area Surface and Coal Interests). If necessary, please update the addresses in Section 1.5.1 to reflect the corrected mailing address for each surface owner. (JAR/WWS)***

There is no current available information to update address for Gregory and Mildred Jordahl. Land office is monitoring for updates.

Section 3.1.5 – Pit Layout and Facilities Map

- 3. Section 3.1.5 (Pit Layout and Facilities Map) depicts a SPGM storage area within the 500-foot setback for occupied dwellings (Wade Haseleu's farmstead) in the NE¼ of Section 5. Please update Section 3.1.5 by removing the SPGM storage area within the 500-foot setback of Wade Haseleu's farmstead in the NE¼ of Section 5. (JAR/BSM/MLJ/WWS)***

Please see the updated Pit Layout and Facilities Map in Section 3.1.5. The SPGM Storage Area label was removed from the 500' setback. The SPGM boundary itself was not in the 500' setback.

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- 4. Section 3.1.5 (Pit Layout and Facilities Map) was updated as part of Revision 45; however, the revision update table lists that the latest revision to Section 3.1.5 occurred on 09/25/24. Please update the revision table in Section 3.1.5 to include the current revision date for accurate tracking and documentation purposes. (BSM)**

Please see the updated revision list table on the Pit Layout and Facilities Map in Section 3.1.5. A revision date was added for August and another date was added for the technical update in December.

Section 4.2.3 – Grading Sequence Map

- 5. Please revise Section 4.2.3 (Grading Sequence Map) so that the pits align with the pits depicted on Section 3.1.5 (Pit Layout and Facilities Map). Also, please revise the legend in Section 4.2.3 to clarify what the date (year) associated with each pit is intended to represent. Without clarification, one assumes the dates depicted on the map represent the year of coal removal rather than the revegetation date or coal removal plus three years. (GAW)**

Please see the updated Grading Sequence Map in Section 4.2.3. The legend was updated to show that the black boundaries on the map are the rough grading boundaries. This map provides the year the area will be rough graded. These areas will not align exactly with the mining pits on the Pit Layout and Facilities map in Section 3.1.5. The rough graded boundaries will be approximately two years behind the mining pits. The years for the rough graded boundaries were updated in the SW¼ of Section 3 on this map.

Sincerely,

THE FALKIRK MINING COMPANY



Jason Frye
Environmental Specialist

JF/tv
Enc.