



Public Service Commission

Sheri Haugen-Hoffart

Randy Christmann

Jill Kringstad

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

sent via email and regular mail

January 22, 2026

Mr. Jeffrey Fleischman, Chief
Denver Field Division
Office of Surface Mining
PO Box 11018
150 East B Street
Casper, WY 82601-7032
jfleischman@osmre.gov

Dear Mr. Fleischman:

The Falkirk Mining Company has filed an application for Revision 40 to Surface Coal Mining Permit NAFK-9503 for the Falkirk Mine. Federal coal lease NDM 111489, which includes the NW $\frac{1}{4}$ of Section 12, T144N, R84W, was awarded to the Falkirk Mining Company, and Revision 40 adds plans to mine this federal coal between 2026 and 2029. The federal coal tract in the NW $\frac{1}{4}$ of Section 12 consists of privately owned surface. The Office of Surface Mining must make the determination if this revision to mine new areas of leased federal coal constitutes a mine plan modification. Revision 40 also updates the introductory, legal, surface and coal interest ownership, geology, operations plans, transportation facilities, and reclamation plans in the permit.

Enclosed is a flash drive containing the permit application for Revision 40. All updates to the permit are listed in Section 1.1.3 (Revision Lists of Changes). Section 3.1.5 (Pit Layout and Facilities Map) has been updated to identify the federal coal removal area in the NW $\frac{1}{4}$ of Section 12.

We would appreciate any comments on the revision application by **March 9, 2026**. 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

cc via email only w/o enclosure: John Sieving (jsieving@osmre.gov)

Falkirk Mine\Permits\NAFK - 9503\Revisions\No. 40\Rev40_Advsry_rvw_rqst_ltr_1-22-26



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January 22, 2026

Ms. Erica Trent
Natural Resources Specialist
Office of Surface Mining
PO Box 25065
Lakewood, CO 80225
etrent@osmre.gov

Dear Ms. Trent:

The Falkirk Mining Company has filed an application for Revision 40 to Surface Coal Mining Permit NAFK-9503 for the Falkirk Mine. Federal coal lease NDM 111489, which includes the NW $\frac{1}{4}$ of Section 12, T144N, R84W, was awarded to the Falkirk Mining Company, and Revision 40 adds plans to mine this federal coal between 2026 and 2029. The federal coal tract in the NW $\frac{1}{4}$ of Section 12 consists of privately owned surface. The Office of Surface Mining must make the determination if this revision to mine new areas of leased federal coal constitutes a mine plan modification. Revision 40 also updates the introductory, legal, surface and coal interest ownership, geology, operations plans, transportation facilities, and reclamation plans in the permit.

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Jonathan Emmer
Director
Reclamation Division

Enclosure

cc via email only w/o enclosure: Marcelo Calle (mcalle@osmre.gov)

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January 22, 2026

Josh Alexander
Bureau of Land Management
Billings Field Office
Eastern Montana Dakotas District Office
Department of Interior
5001 Southgate Dr.
Billings, MT 59101
jalexand@blm.gov

Dear Mr. Alexander:

The Falkirk Mining Company has filed an application for Revision 40 to Surface Coal Mining Permit NAFK-9503 for the Falkirk Mine. Federal coal lease NDM 111489, which includes the NW $\frac{1}{4}$ of Section 12, T144N, R84W, was awarded to the Falkirk Mining Company, and Revision 40 adds plans to mine this federal coal between 2026 and 2029. The federal coal tract in the NW $\frac{1}{4}$ of Section 12 consists of privately owned surface. The Office of Surface Mining must make the determination if this revision to mine new areas of leased federal coal constitutes a mine plan modification. Revision 40 also updates the introductory, legal, surface and coal interest ownership, geology, operations plans, transportation facilities, and reclamation plans in the permit.

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We would appreciate any comments on the revision application by **March 9, 2026**. If you have any questions, please contact this office.

Sincerely,

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Jonathan Emmer
Director
Reclamation Division

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600 East Boulevard Ave
Dept. 408
Bismarck, ND 58505-0480
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January 22, 2026

Mr. Edward Kraft
Field Office Manager
Bureau of Land Management
ND Field Office
99 23rd Avenue West, Suite A
Dickinson, ND 58601
ekraft@blm.gov

Dear Mr. Kraft:

The Falkirk Mining Company has filed an application for Revision 40 to Surface Coal Mining Permit NAFK-9503 for the Falkirk Mine. Federal coal lease NDM 111489, which includes the NW $\frac{1}{4}$ of Section 12, T144N, R84W, was awarded to the Falkirk Mining Company, and Revision 40 adds plans to mine this federal coal between 2026 and 2029. The federal coal tract in the NW $\frac{1}{4}$ of Section 12 consists of privately owned surface. The Office of Surface Mining must make the determination if this revision to mine new areas of leased federal coal constitutes a mine plan modification. Revision 40 also updates the introductory, legal, surface and coal interest ownership, geology, operations plans, transportation facilities, and reclamation plans in the permit.

Enclosed is a flash drive containing the permit application for Revision 40. All updates to the permit are listed in Section 1.1.3 (Revision Lists of Changes). Section 3.1.5 (Pit Layout and Facilities Map) has been updated to identify the federal coal removal area in the NW $\frac{1}{4}$ of Section 12.

We would appreciate any comments on the revision application by **March 9, 2026**. If you have any questions, please contact this office.

Sincerely,

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Jonathan Emmer
Director
Reclamation Division

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Dept. 408
Bismarck, ND 58505-0480
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January 22, 2026

Mr. Ed Murphy
State Geologist
North Dakota Geologic Survey
600 East Blvd. Ave., Dept. 474
Bismarck, ND 58505-0614
emurphy@nd.gov

Dear Mr. Murphy:

The Falkirk Mining Company has filed an application for Revision 40 to Surface Coal Mining Permit NAFK-9503 for the Falkirk Mine. Revision 40 updates the introductory, legal, surface and coal interest ownership, geology, operations plans, transportation facilities, and reclamation plans in the permit. The Revision also adds plans to mine federal coal, lease NDM 111489, located in the NW¼ of Section 12, T144N, R84W between 2026 and 2029.

Enclosed is a flash drive containing the permit application for Revision 40. All updates to the permit are listed in Section 1.1.3 (Revision Lists of Changes). Section 3.1.5 (Pit Layout and Facilities Map) has been updated to identify the federal coal removal area in the NW¼ of Section 12.

Please review the revision application with regard to your agency's areas of responsibility and technical expertise. Please provide any revision application review comments by **March 9, 2026** in accordance with NDAC 69-05.2-10-01(2).

Sincerely,

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Jonathan Emmer
Director
Reclamation Division

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