

Surface Coal Mining

- The PSC regulates surface coal mining to ensure the environmental impacts of mining are minimized and that mined lands are reclaimed in North Dakota
- Applicable laws and rules are found in:
 - North Dakota Century Code Chapter 38-14.1
 - North Dakota Administrative Code Article 69-05.2

Permitting and Mining and Reclamation Standards

Permit Applications must include:

- ✓ **Business Entity, Right to Mine and Legal Information**
- ✓ **Baseline Environmental Information**
- ✓ **Mining and Operations Plans**
- ✓ **Reclamation and Monitoring Plans**
- ✓ **Performance Bond**

Reclamation Law and Rules contain Detailed Mining and Reclamation Standards

Business Entity\Right to Mine\Legal

- **Business owners, officers and directors**
- **Must identify other coal mining interests**
- **History of violations**
- **Copies of mining leases and easements**
- **Notice to be published in newspapers with the opportunity for interested persons to file comments or request an informal conference**

Pre-mine Baseline Information

- **Land Use and Vegetation Information**
- **Soil Survey and Prime Farmland Investigation**
- **Surface and Ground Water Studies and Data**
- **Geologic and Topographic Information**
- **Cultural Resources Survey**
- **Fish and Wildlife Resource Survey**
- **Show the Location of all Manmade Features**

Mining and Operations Plans

- **Soil removal and handling plans**
- **Surface water management plans**
- **Haul roads and other transportation plans**
- **Detailed pit layout and extended mining plans**
- **Plans for the use of explosives**
- **Plans for the disposal of any wastes**
- **Air pollution control plans**
- **Plans for re-locating public roads - as approved by the road authority**

Reclamation and Monitoring Plans

- **Grading and post-mining topographic plans**
- **Plans for removing long-term facilities & structures**
- **Topsoil and subsoil replacement plans**
- **Postmining land uses**
- **Seeding and management plans**
- **Surface and ground water monitoring**
- **Vegetation monitoring and measurements**
- **Wildlife monitoring**

Performance Bonds

- **Surety, collateral or self bond must be provided before an application is approved**
- **Bond amount must cover the worst-case mining and reclamation condition**
- **Periodic updates are required**
- **Bonds can be released in phases after reclamation**
- **Final bond release cannot be granted until at least 10 years after reclaimed areas are seeded**
- **In the event of bond forfeiture, the PSC will use the money to reclaim the disturbed lands**

Reclamation Standards

- **Minimize any adverse impacts off the permit area**
- **Save and redistribute topsoil and subsoil**
- **Re-contour the land so slopes do not exceed those present before mining**
- **Control surface water runoff and minimize other hydrologic impacts**
- **Replace any water supplies that are adversely affected**
- **Return mined land to the pre-mine or higher land uses**
- **The productivity of reclaimed agricultural lands must be returned to the pre-mine levels in order to receive final bond release**

Contact Information

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