



NEWS RELEASE
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PSC Receives High Marks on Federal Review of Coal Regulatory and Abandoned Mine Lands Program

BISMARCK, ND – The North Dakota Public Service Commission’s Coal Regulatory and Abandoned Mine Lands (AML) Program recently received results from its annual federal evaluation. The evaluation conducted by the federal Office of Surface Mining (OSM) concluded that no issues or concerns were raised and that the PSC “continues to administer efficient and successful coal regulatory and AML programs.”

“These reports from the OSM confirm the commitment that our mining companies and this great team at the PSC have for the long term well-being of North Dakota,” said Commissioner Randy Christmann who holds the coal mining, reclamation, and abandoned mine lands portfolio. “It is another reminder that we can make use of our natural resources while we care for the land and the environment at the same time.”

Coal Regulatory Program:

The North Dakota Public Service Commission (NDPSC) is the state agency charged with the responsibility for the permitting and regulation of the coal mining industry in North Dakota. North Dakota currently has six surface coal mining operations, with a total of 26 permits. Twenty one permits are actively mining while the remaining five are exclusively in reclamation. A total of 133,587 acres are currently permitted and 127,971 of those acres are bonded in North Dakota. Approximately 75,483 of those permitted acres have been disturbed by mining operations, and 51,043 of those acres have been backfilled, graded, top-soiled and seeded to achieve the intended post-mining land use. Of the 51,043 acres that have been backfilled, graded, top-soiled and seeded, 15,732 acres have received final bond release where Commission jurisdiction has ended.

In OSM’s report, they reported that “the NDPSC staff continues to implement the program in a professional, cooperative, and fair manner. The Reclamation Division uses new technology to become more efficient and make information more readily available to the public.”

“This review of the state’s coal mining regulatory program is vital to assure that our standards and procedures are as strong or stronger than the federal requirements,” said Commissioner Julie Fedorchak. “Once again our program received high marks, showing that the PSC continues to strike a fair balance between the needs and interests of all the stakeholders including the mining companies, landowners, environmentalists and neighbors.”

Abandoned Mine Lands (AML) Program:

The goal of this program is to eliminate hazards related to coal mining that was conducted prior to the enactment of the 1977 federal reclamation act. PSC staff in the AML program design and manage the reclamation projects, and then the actual reclamation work is done by contractors. Since the state program began in 1982, the North Dakota AML program has conducted over 155 primary reclamation projects, 31 emergency projects and numerous construction maintenance and sinkhole filling projects. Almost 26 miles of dangerous surface mine pits and highwalls, and over 1,600 acres of underground mine subsidence have been reclaimed.

OSM states in the report that “the state administers an excellent program in full compliance with their approved plan.” They also state that “the projects we visited met their respective goals of abating hazards and improving site conditions.”

The Commission receives funds from OSM for the AML program from the collection of a federal reclamation fee that is collected on all coal that has been mined since the late 1970s. The North Dakota AML program received about \$2.8 million this year. The report highlights the efficient use of those funds in North Dakota stating “the ND PSC maintains a very cost effective program with 14 percent of the grant dedicated to administrative costs. The remainder of the grant is spent on project design and construction.”

“I wish everyone would have the opportunity to get out and look at these completed projects, said Commissioner Brian Kalk. “It validates that you can use your resources wisely and return the land back the way it was.”

The North Dakota Public Service Commission is a constitutionally created state agency with authority to permit, site and regulate certain business activities in the state including electric and gas utilities, telecommunications companies, power plants, electric transmission lines, pipelines, railroads, grain elevators, auctioneers, commercial weighing devices, pipeline safety and coal mine reclamation. For more information, contact the Public Service Commission at (701) 328-2400 or www.psc.nd.gov.

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