



Public Service Commission

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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 Reclamation and Enforcement (OSMRE) concluded that no issues or concerns were raised and that the PSC “has effective and efficient coal regulatory and AML programs.”

“The complimentary language in these reviews emphasizes the outstanding work our AML and Reclamation teams do throughout the year,” said Commissioner Randy Christmann who holds the coal mining, reclamation, and abandoned mine lands portfolio. “Their efforts are assuring that North Dakota’s landscape will be safe, productive, and beautiful for future generations.”

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 seven active surface coal mining operations (5 lignite and 2 leonardite mines). More than 130,000 acres are currently permitted for mining. To date, approximately 16,400 acres have received final bond release where Commission jurisdiction has ended.

In OSMRE’s report, they reported that “The NDPSC staff continue 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. The NDPSC has the necessary technical expertise for carrying out its functions to ensure that all requirements are met.”

Another accomplishment noted in the review acknowledged that the staff achieve all required inspections despite travel restrictions resulting from the COVID-19 pandemic.

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 more than 176 primary reclamation projects, 33 emergency projects and numerous construction maintenance and sinkhole filling projects.

Almost 38.3 miles of dangerous surface mine pits and highwalls, and more than 1,380 acres of underground mine subsidence have been reclaimed.

OSMRE states in the report that “the state administers an excellent program in full compliance with their approved plan.” Additional statements in the review include “personnel are experienced, knowledgeable, and dedicated to the goals of the program. The NDSPC continues to administer an efficient and successful AML program. These projects have reduced the likelihood of death or injury to property owners and the public.”

The Commission receives funds from OSMRE 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 approximately \$2.8 million this year. The report highlights the efficient use of those funds in North Dakota stating “the NDPSC maintains a very cost effective program with only 14 percent of the grant dedicated to administrative costs. The remainder of the grant is spent on project design and construction.”

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, 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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