

**Summary Report
North Dakota Public Service Commission
2008 Wilton (Hwy 36) Emergency Project
Contract AM-564-08**

The North Dakota Public Service Commission administers an Abandoned Mine Lands (AML) Reclamation Program on behalf of the State of North Dakota. The AML program is charged with eliminating existing and potential public hazards resulting from abandoned surface and underground coal mines. It is funded by a production tax on lignite coal mined in the state.

The 2008 Wilton (Hwy 36) Emergency Project was conducted to repair a dangerous sinkhole in the north ditch of ND Highway 36 near Wilton, ND. This sinkhole was reported to the Public Service Commission on May 23, 2008. A contract was issued to Hanson's Excavating, Inc., of Des Lacs, ND, and the emergency project was completed on May 29, 2008. Final payment of \$2,016.00 was made and the contract closed on June 4, 2008.

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**North Dakota Public Service Commission
2007 Beulah Emergency Project
Contract AM-548-07
Chronology of Events**

- May 23, 2008** Kevin Levi, NDDOT, telephoned the Public Service Commission to report a mine collapse sinkhole in the north ditch of Highway 36 about 3 miles southeast of Wilton. A contractor for BEK Communications discovered the sinkhole while installing a fiber optic telephone cable in the ditch.
- May 23, 2008** Bill Dodd, PSC, inspected the site. The sinkhole was about 2' diameter at the surface, belled out to 10' diameter below surface and was about 13' deep. Curt Anderson, BEK, was present during this inspection. A snow fence had been erected around the sinkhole to keep people out.
- May 23, 2008** An emergency was declared and an AML Emergency Investigation Report was e-mailed to OSM Casper Field Office (CFO). Alan Boehms, OSM, verbally concurred with this emergency declaration.
- May 27, 2008** Bids were solicited by FAX from three contractors.
- May 28, 2008** A written Finding of Fact and Declaration of Emergency was received from OSM-CFO.
- May 28, 2008** Bids were received and the low bidder was Hanson's Excavating, Inc., of Des Lacs, ND.
- May 29, 2008** A contract was issued to Hanson's Excavating, Inc., and the sinkhole was filled with approximately 60 cubic yards of dirt.
- June 4, 2008** Final payment of \$2,016 was approved and the contract was closed.



IN REPLY REFER TO

United States Department of the Interior

OFFICE OF SURFACE MINING

Reclamation and Enforcement

Casper Field Office

150 East "B" Street, Rm 1018

Casper, Wyoming 82601

May 28, 2008

STATE OF NORTH DAKOTA

AML EMERGENCY PROJECT

2008 Wilton Highway 36

FINDING OF FACT AND DECLARATION OF EMERGENCY

Documentation has been received from the Abandoned Mine Lands (AML) Division of the North Dakota Public Service Commission (PSC) describing an AML coal emergency at T142N, R79W, SW1/4 Section 5 in Burleigh County. The facts submitted by the PSC to the Casper Field Office (CFO) May 23, 2008, are as follows:

The CFO was initially alerted by both telephone and e-mail May 23, 2008, of a potential emergency due to a subsidence feature (sinkhole) located in the right-of-way of ND Highway 36 property owned by the North Dakota Department of Transportation. The sinkhole is located in the north ditch of ND Highway 36, approximately 3 miles east of the junction with ND Highway 83, approximately three miles southeast of Wilton, North Dakota. The AML Investigation Report, describing the May 23, 2008 emergency investigation conducted by the PSC, was electronically transmitted to the CFO on May 23, 2008.

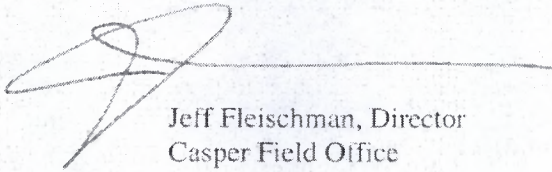
The incident involves a sinkhole resulting from pre-SMCRA underground mining conducted by the Washburn Lignite Coal Company. The area affected by the sinkhole, located in the ditch of the highway right-of-way, is approximately 2 feet in diameter at the surface, bells out to 10 feet in diameter below the surface and is at least 13 feet deep. This sinkhole is located 60 feet north of the road surface trending southward toward the road. The subsidence feature is likely to become worse and further endanger the general public. Approximately 10 people are potentially affected by the serious hazard in the immediate area. Eliminating the hazard will increase the safety to motorists of the public highway in addition to pedestrians and operators of motorcycles and all-terrain vehicles who utilize the ditch.

The PSC plans to remove all available topsoil from around the sinkhole, excavate the sinkhole with a backhoe, fill and compact the excavated hole with fill dirt, regrade the affected area to re-establish drainage, respread topsoil over the area, and reseed the disturbed area. The estimated cost to abate the problem is \$1,000.


The North Dakota State Historic Preservation Officer (SHPO) was contacted concerning potential cultural or historical resources. The SHPO concurred May 27, 2008 with a "No Historic Properties Affected" determination.

The CFO was again alerted by e-mail May 28, 2008, of another possible sinkhole located in the right-of-way of ND Highway 36 property owned by the North Dakota Department of Transportation. This second sinkhole is reported to be located in the north ditch of ND Highway 36, approximately 300 feet east of the aforementioned sinkhole.

I conclude the sinkholes are associated with collapsing voids from pre-SMCRA underground coal mines, area suddenly occurring and previously unknown events constituting a threat to the community, and are an emergency eligible for funding under the AML program. The North Dakota AML Division of the PSC is hereby authorized to expend AML emergency funding to abate the health and safety hazards associated with the sinkholes and any other sinkholes found or known to exist in the immediate area of the right-of-way of ND Highway 36.



Jeff Fleischman, Director
Casper Field Office



Alan Boehms
AML Program Specialist



The diameter was 2' increasing to about 10' and 13' deep, extending toward the road.



Temporary snow fence erected around the sinkhole to keep people out.



Excavated and filling of sinkhole with approximately 60 cubic yards of dirt.



Topsoil was respread and then area was seeded and harrowed.