



Public Service Commission

State of North Dakota

COMMISSIONERS

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July 14, 2010

Mr. Jeff Fleischman, Director
Casper Field Office
Office of Surface Mining
P.O. Box 11018
Casper, WY 82601 - 5004

RE: North Dakota's 2010 Coal Outcrop Fire Suppression Grant Application

Dear Mr. Fleischman:

Enclosed is the original signed copy of North Dakota's 2010 Coal Outcrop Fire Suppression Grant Application in order to receive the \$25,000 that has been allocated to North Dakota. We understand that activities under this grant need to begin prior to September 30, 2010. While the AML Division plans to go through the procurement process and have a contract awarded before that date, actual construction activities to extinguish coal outcrop fires may not occur by that date if the fire danger is too high at that time. Scanned copies of this grant application are also being e-mailed to you, John Sieving and Dan Martinez.

If you have any questions, please contact me at (701)328-2251.

Sincerely,

James R. Deutsch
Director
AML Division

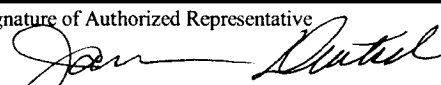
Enclosure

cc: John Sieving
Dan Martinez

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Standard Form 424

OMB Approval No. 0348-0043

| | | | |
|--|--|---|--|
| APPLICATION FOR FEDERAL ASSISTANCE | | 2. DATE SUBMITTED 7-14-10 | Applicant Identifier |
| 1. TYPE OF SUBMISSION: <i>Application</i> <input checked="" type="checkbox"/> <i>Preapplication</i> <input type="checkbox"/> | | 3. DATE RECEIVED BY STATE | State Application Identifier ND100713-0342 |
| <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier S10AB20007 |
| 5. APPLICANT INFORMATION | | | |
| Legal Name: North Dakota Public Service Commission | | Organizational Unit: Abandoned Mine Lands Division | |
| Address (give city, county, state, and zip code): 600 E. Boulevard Ave. Department 408 Bismarck, ND 58505-0480 | | Name and telephone number of the person to be contacted on matters involving this application (give area code) James R. Deutsch 701-328-2251 | |
| 6. EMPLOYER IDENTIFICATION NUMBER (EIN): <u>4 5</u> -- <u>0 3 0 9 7 6 4</u> DUNS# 802-744-946 | | 7. TYPE OF APPLICANT (enter appropriate letter in box) [A] A. State H. Independent School District B. County I. State Controlled Institution of Higher Learning C. Municipal J. Private University D. Township K. Indian Tribe E. Interstate L. Individual F. Intermunicipal M. Profit Organization G. Special District N. Other (Specify) | |
| 8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award <input type="checkbox"/> Increase Duration D. Decrease Duration Other (specify): New Application | | | |
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <u>1 5</u> -- <u>2 5 0</u> | | 9. NAME OF FEDERAL AGENCY: U.S. OFFICE OF SURFACE MINING | |
| TITLE: 2010 Coal Outcrop Fire Suppression Grant | | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: 2010 Coal Outcrop Fire Suppression Program | |
| 12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.) North Dakota | | | |
| 13. PROPOSED PROJECT: | | 14. CONGRESSIONAL DISTRICTS OF: | |
| Start Date 8-1-2010 | Ending Date 6-30-2011 | a. Applicant North Dakota | b. Project North Dakota |
| 15. ESTIMATED FUNDING: | | 16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE <u>7-13-10</u> b. NO <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED FOR STATE REVIEW | |
| a. Federal | 25,000 | | |
| b. Applicant | | | |
| c. State | | | |
| d. Local | | | |
| e. Other | | | |
| f. Program Income | | 17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes," attach an explanation <input checked="" type="checkbox"/> No | |
| g. TOTAL | 25,000 | | |
| 18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED. | | | |
| a. Typed Name of Authorized Representative James R. Deutsch | | b. Title Director, AML Division, ND Public Service Commission | c. Telephone number 701-328-2251 |
| d. Signature of Authorized Representative  | | e. Date Signed July 14, 2010 | |

**U.S. DEPARTMENT OF THE INTERIOR
Office of Surface Mining
Washington, DC 20240**

Performance Report

Program Narrative Statement

| | | | |
|---|---|--|-------------------|
| 1. Type of Program (Check Appropriate Box) <input checked="" type="checkbox"/> Abandoned Mine Land Program | | <input type="checkbox"/> State and Federal Program | |
| 2. Grant Recipient Public Service Commission 600 East Boulevard Ave., Dept.408 Bismarck, ND 58505-0480 | Type of Report Application for Federal Funds to Extinguish Coal Outcrop Fires | Reporting Period | Control Number(s) |
| 3. Project Title/Program 2010 Coal Outcrop Fire Suppression Program | | | |
| 4. Performing Organization Same as above | | | |
| 5. Program Narrative Coal Outcrop Fires in Western North Dakota: Much of western North Dakota had been in a drought cycle for several years and coal outcrop fires were ignited by range fires and pose dangers of starting new grass fires. The coal fire sites are a potential hazard to the loss of valuable grass for wildlife and cattle, fences, power lines and telephone poles, as well as the many oil field pumps, gas distribution substations and facilities that are in these areas. Many of the coal fire sites are in badlands type areas and that makes monitoring them by local ranchers, Forest Service Rangers and emergency personnel very difficult. The remoteness of these locations, coupled with strong winds that frequently occur, increase the possibility of uncontrolled wildfires. Project Objective: To extinguish all burning materials within the selected project sites. Scope of Work: This project will involve excavation and burial of numerous burning coal outcrop fires in western North Dakota, most which are located on U.S. Forest Service and private lands, primarily in Slope County. An excavator and dozer or front end loader will be required for this work. Sequence of Work Trenches will be dug for burial of burning materials. Topsoil will be removed and stockpiled before trenches are constructed. Trenches may need to be lined with clay materials in order to separate burning materials from other combustible materials. Some fires are on steeply sloping hills and creek beds where major excavation is needed to remove the overburden. Burning materials will be excavated and buried in trenches. Excavation will be complete when the exposed coalface is cool to the touch or the temperature is within allowable limits as determined by use of a thermal imaging camera. The burning materials will be mixed with clay during burial. Quenching of burning materials with water may also be necessary. All buried materials will be covered with clay or other approved soil. Clay will also be placed against the exposed non-burning coalface to ensure that all buried materials are isolated from other combustible materials. Any combustible material removed from trenches or borrow areas must be covered or mixed with inert soil material. The site will then be shaped to ensure positive drainage, topsoil respread, disturbed areas seeded, and any other cleanup as needed. Any access roads to work areas will be reclaimed to pre-construction status. | | | |

OSM-51(12/80)

Paperwork Reduction Act Statement

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501) requires us to inform you that: Federal Agencies may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This information is being collected to review, administer and evaluate the States/Tribes grants for program development and administration and enforcement to meet the requirements of the Surface Mining Control Reclamation and Enforcement Act. The obligation to respond is required to obtain a benefit.

Public reporting burden for this form is estimated to average 5.5 hours per response, including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding the burden estimate or any other aspect of this form to the Information Collection Clearance Officer, Office of Surface Mining Reclamation and Enforcement, Room 210 SIB, 1951 Constitution Ave., NW, Washington, D.C. 20240.

BUDGET INFORMATION - Non-Construction Programs

OMB Approval No. 0348-0044

| SECTION A - BUDGET SUMMARY | | | | | | |
|--|---|-----------------------------|-----------------|-----------------------|-----------------|--------------|
| Grant Program Function or Activity (a) | Catalog of Federal Domestic Assistance Number (b) | Estimated Unobligated Funds | | New or Revised Budget | | |
| | | Federal (c) | Non-Federal (d) | Federal (e) | Non-Federal (f) | Total (g) |
| 1. Coal Outcrop Fire Supp | 15-250 | \$ | \$ | \$ 25,000.00 | \$ | \$ 25,000.00 |
| 2. | | | | | | 0.00 |
| 3. | | | | | | 0.00 |
| 4. | | | | | | 0.00 |
| 5. Totals | | \$ 0.00 | \$ 0.00 | \$ 25,000.00 | \$ 0.00 | \$ 25,000.00 |
| SECTION B - BUDGET CATEGORIES | | | | | | |
| 6. Object Class Categories | GRANT PROGRAM, FUNCTION OR ACTIVITY | | | | | Total (5) |
| | (1) | (2) | (3) | | | |
| a. Personnel | \$ | \$ | \$ | \$ | \$ | 0.00 |
| b. Fringe Benefits | | | | | | 0.00 |
| c. Travel | | | | | | 0.00 |
| d. Equipment | | | | | | 0.00 |
| e. Supplies | | | | | | 0.00 |
| f. Contractual | | | | | | 0.00 |
| g. Construction | | 25,000.00 | | | | 25,000.00 |
| h. Other | | | | | | 0.00 |
| i. Total Direct Charges (sum of 6a-6h) | | 25,000.00 | 0.00 | 0.00 | 0.00 | 25,000.00 |
| j. Indirect Charges | | | | | | 0.00 |
| k. TOTALS (sum of 6i and 6j) | \$ | 25,000.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 25,000.00 |
| 7. Program Income | | \$ | \$ | \$ | \$ | 0.00 |

Authorized for Local Reproduction

| SECTION C - NON-FEDERAL RESOURCES | | | | | |
|--|--------------------------------|----------------------------|-------------------|-------------|-------------|
| (a) Grant Program | (b) Applicant | (c) State | (d) Other Sources | (e) TOTALS | |
| 8. | \$ | \$ | \$ | \$ 0.00 | |
| 9. | | | | 0.00 | |
| 10. | | | | 0.00 | |
| 11. | | | | 0.00 | |
| 12. TOTAL (sum of lines 8-11) | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 | |
| SECTION D - FORECASTED CASH NEEDS | | | | | |
| | Total for 1st Year | 1st Quarter | 2nd Quarter | 3rd Quarter | 4th Quarter |
| 13. Federal | \$ 25,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 5,000.00 | \$ 0.00 |
| 14. Non-Federal | 0.00 | | | | |
| 15. TOTAL (sum of lines 13 and 14) | \$ 25,000.00 | \$ 10,000.00 | \$ 10,000.00 | \$ 5,000.00 | \$ 0.00 |
| SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT | | | | | |
| (a) Grant Program | FUTURE FUNDING PERIODS (Years) | | | | |
| | (b) First | (c) Second | (d) Third | (e) Fourth | |
| 16. | \$ | \$ | \$ | \$ | |
| 17. | | | | | |
| 18. | | | | | |
| 19. | | | | | |
| 20. TOTAL (sum of lines 16-19) | \$ 0.00 | \$ 0.00 | \$ 0.00 | \$ 0.00 | |
| SECTION F - OTHER BUDGET INFORMATION | | | | | |
| 21. Direct Charges: \$25,000.00 | | 22. Indirect Charges: 0 | | | |
| 23. Remarks: Only the direct costs of construction to extinguish coal outcrop fires will be charged to this grant. There will not be any indirect charges. | | | | | |