



# Public Service Commission

## State of North Dakota

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September 30, 2011

Mr. Jeff Fleischman, Director  
Casper Field Office  
Office of Surface Mining  
P.O. Box 11018  
Casper WY 82602-5004

RE: Closeout of North Dakota's 2010 Coal Outcrop Fire Grant – S10AB20007

Dear Mr. Fleischman:

Enclosed is the final report for the FY 2010 Coal Outcrop Fire Grant that North Dakota's AML Division received. The report covers the grant period that began July 6, 2010 and ended July 7, 2011. The original grant award was \$25,000 and we spent \$20,975 for contractor costs. The remaining \$4,025 was not spent. A completed Financial Status Report, SF 425, for this grant is enclosed. Also, a summary of the coal fire project that was funded from the grant is attached to the OSM-51 form.

The North Dakota Public Service Commission now considers the 2010 Coal Outcrop Fire Grant, S10AB20007, to be complete and that payment by OSM to the State for allowable costs have been made. OSM is released from all obligations under or arising from the grant, subject to audit, if applicable.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Deutsch", is written over a light blue horizontal line.

James Deutsch  
Director, AML Division

### Attachments

cc: Carolyn Garrett

Minedata/AML/AMLGrants/2010/CoalOutcropFire/Coal\_fire\_closeout\_ltr\_9-30-11.docx

# FEDERAL FINANCIAL REPORT

(Follow form instructions)

<b>1. Federal Agency and Organizational Element to Which Report is Submitted</b>  Office of Surface Mining	<b>2. Federal Grant or Other Identifying Number Assigned by Federal Agency</b> (To report multiple grants, use FFR Attachment)  S10AB20007 (2010 Coal Outcrop Fire Grant)	Page  1	of  1  pages
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**3. Recipient Organization (Name and complete address including Zip code)**  
 AML Division, Public Service Commission, 600 East Boulevard Ave., Dept. 408, Bismarck, ND 58505-0480

<b>4a. DUNS Number</b>  802-744-946	<b>4b. EIN</b>  45-0309764	<b>5. Recipient Account Number or Identifying Number</b> (To report multiple grants, use FFR Attachment)  S10AB20007	<b>6. Report Type</b> <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual <input checked="" type="checkbox"/> Final	<b>7. Basis of Accounting</b>  <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual
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<b>8. Project/Grant Period</b> From: (Month, Day, Year) 7/6/2010	To: (Month, Day, Year) 7/6/2011	<b>9. Reporting Period End Date</b> (Month, Day, Year) 7/6/2011
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**10. Transactions** Cumulative

*(Use lines a-c for single or multiple grant reporting)*

**Federal Cash (To report multiple grants, also use FFR Attachment):**

a. Cash Receipts	
b. Cash Disbursements	
c. Cash on Hand (line a minus b)	

*(Use lines d-o for single grant reporting)*

**Federal Expenditures and Unobligated Balance:**

d. Total Federal funds authorized	\$25,000.00
e. Federal share of expenditures	\$20,975.00
f. Federal share of unliquidated obligations	\$0.00
g. Total Federal share (sum of lines e and f)	\$20,975.00
h. Unobligated balance of Federal funds (line d minus g)	\$4,025.00

**Recipient Share:**

i. Total recipient share required	\$0.00
j. Recipient share of expenditures	\$0.00
k. Remaining recipient share to be provided (line i minus j)	\$0.00

**Program Income:**

l. Total Federal program income earned	\$0.00
m. Program income expended in accordance with the deduction alternative	\$0.00
n. Program income expended in accordance with the addition alternative	\$0.00
o. Unexpended program income (line l minus line m or line n)	\$0.00

11. Indirect Expense	a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged	f. Federal Share
g. Totals:							

**12. Remarks:** Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation:

**13. Certification:** By signing this report, I certify that it is true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)

<b>a. Typed or Printed Name and Title of Authorized Certifying Official</b>  James R. Deutsch, Director AML Division	<b>c. Telephone (Area code, number and extension)</b> (701) 328-2251  <b>d. Email address</b> jdeutsch@nd.gov
<b>b. Signature of Authorized Certifying Official</b>  	<b>e. Date Report Submitted (Month, Day, Year)</b> September 30, 2011
<b>14. Agency use only:</b>	

Standard Form 425  
 OMB Approval Number: 0348-0061  
 Expiration Date: 10/31/2011

**Paperwork Burden Statement**  
 According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is 0348-0061. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0060), Washington, DC 20503.

**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 <b>Public Service Commission 600 East Boulevard Ave., Dept.408 Bismarck, ND 58505-0480</b>	Type of Report <b>Federal Funds to Extinguish Coal Outcrop Fires</b>	Reporting Period	Control Number(s)
3. Project Title/Program <b>2010 Coal Outcrop Fire Suppression Program</b>			
4. Performing Organization <b>Same as above</b>			
5. Program Narrative  Please see attached narrative.			

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.

## **Narrative for 2010 Coal Fire Suppression Grant Closeout**

The Abandoned Mine Lands (AML) Division of the Public Service Commission received approval of the OSM 2010 ND Coal Outcrop Fire grant in the amount of \$25,000 on July 6, 2010. The AML Division conducted its fifth coal outcrop fire suppression project using these funds during the fall of 2010. Similar projects were carried out in 2003, 2004, 2007 and 2009. It is estimated that more than forty coal (lignite) outcrop fires were ignited in McKenzie County as the result of a large 1999 grass fire that burned about 70,000 acres of grasslands in western North Dakota. Unrelated grass fires in Slope and Billings Counties in the last five years started other coal outcrop fire in these counties.

A primary concern of the burning coal seams is the possibility of additional grass fires igniting as a result of these fires. Since the 1999 grass fire, at least five subsequent grass fires have been attributed to the burning coal seams. Left alone, underground coal seam fires have been documented to burn for decades. Since coal outcrop fire suppression normally falls outside of AML jurisdiction, OSM has approved special grants for these projects.

The objective of the 2010 coal outcrop fire suppression project was to extinguish several coal seam fires that were actively burning in Slope County in southwestern North Dakota. Competitive sealed bidding was used to award a contract for this project on September 8, 2010. The Commission awarded a contract in the amount of \$20,975 to Dave Titus Excavating, Inc. to perform coal outcrop fire suppression. The burning coal veins were located within the US Forest Service (USFS), Little Missouri National Grasslands, and on nearby privately owned property.

The contractor completed work under the contract on October 23, 2010. USFS Personnel cooperated by providing technical and field support and by providing a fire truck in case of emergency. Four coal fire sites were excavated and extinguished. Soil and overburden material was moved at these sites to completely excavate and bury all burning or hot coal. The sites were backfilled and graded to their approximate original contour, with positive drainage. Any available topsoil was respread and the areas were then finish-graded and back-dragged. The work was completed at a cost of \$20,975, the contracted amount. The remaining \$4,025 of the grant award was not spent.