



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Brian P. Kalk  
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600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
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March 4, 2013

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 FY 2012 Coal Outcrop Fire Suppression Grant – S12AC20014

Dear Mr. Fleischman:

Enclosed is the final report for the FY 2012 ND Coal Outcrop Fire Suppression Grant that North Dakota's AML Division received. The grant performance period began August 1, 2012 and ends June 30, 2013. However, since all grant funds were spent by January 31, 2013, we are closing the grant at this time. The original grant award was \$35,000 and the entire amount was spent on contractor costs. A completed Financial Status Report, SF 425, for this grant is enclosed as well as updated SF 424 showing the expenditure of the grant funds. In addition, a summary of the coal fire project that was funded with this grant is attached to the OSM-51 form.

The North Dakota Public Service Commission now considers the FY 2012 ND Coal Outcrop Fire Suppression Grant, S12AC20014, to be complete and that payment by OSM 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,

James Deutsch  
Director, AML Division

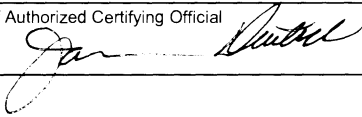
### Attachments

cc: John Sieving  
Alan Boehms

Minedata/AML/AMLGrants/2012/CoalOutcropFire/Coal\_fire\_closeout\_ltr\_3-4-12.docx

# FEDERAL FINANCIAL REPORT

(Follow form instructions)

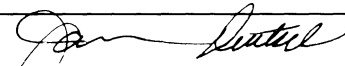
1. Federal Agency and Organizational Element to Which Report is Submitted  Office of Surface Mining		2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment) 2012 Coal Outcrop Fire Suppression Grant - S12AC20014			Page <b>1</b>	of  1	pages
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							
4a. DUNS Number  802-744-946	4b. EIN  45-0309764	5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment)		6. Report Type <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input checked="" type="checkbox"/> Annual <input type="checkbox"/> Final	7. Basis of Accounting  <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual		
8. Project/Grant Period From: (Month, Day, Year) 08/01/2012				To: (Month, Day, Year) 01/31/2013		9. Reporting Period End Date (Month, Day, Year) 1/31/2013	
10. Transactions						Cumulative	
<i>(Use lines a-c for single or multiple grant reporting)</i>							
<b>Federal Cash (To report multiple grants, also use FFR Attachment):</b>							
a. Cash Receipts							
b. Cash Disbursements							
c. Cash on Hand (line a minus b)							
<i>(Use lines d-o for single grant reporting)</i>							
<b>Federal Expenditures and Unobligated Balance:</b>							
d. Total Federal funds authorized				\$35,000.00			
e. Federal share of expenditures				\$35,000.00			
f. Federal share of unliquidated obligations				\$0.00			
g. Total Federal share (sum of lines e and f)				\$35,000.00			
h. Unobligated balance of Federal funds (line d minus g)				\$0.00			
<b>Recipient Share:</b>							
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			
<b>Program Income:</b>							
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
						\$0.00	
g. Totals:						\$0.00	
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)							
a. Typed or Printed Name and Title of Authorized Certifying Official  James Deutsch, Director AML Division					c. Telephone (Area code, number and extension) (701) 328-2251		
					d. Email address jdeutsch@nd.gov		
b. Signature of Authorized Certifying Official  					e. Date Report Submitted (Month, Day, Year) March 4, 2013		
					14. Agency use only:		

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.

# Standard Form 424

OMB Approval No. 0348-0043

<b>APPLICATION FOR FEDERAL ASSISTANCE</b>		2. DATE SUBMITTED <b>03/01/13</b>	Applicant Identifier
1. TYPE OF SUBMISSION: <i>Application</i> <i>Pre-application</i>		3. DATE RECEIVED BY STATE	State Application Identifier <b>ND120720-0303</b>
<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 <b>S12AC20014</b>
<b>5. APPLICANT INFORMATION</b>			
Legal Name: <b>Public Service Commission</b>		Organizational Unit: AML Division	
Address (give city, county, state, and zip code) 600 E Boulevard Ave., Dept 408 Bismarck, ND 58505-0480 Burleigh County		Name and telephone number of the person to be contacted on matters involving this application (give area code) James Deutsch (701) 328-2251	
5. EMPLOYER IDENTIFICATION NUMBER (EIN): 4 5 - 0 3 0 9 7 6 4 Duns Number: 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	
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Revision If revision, enter appropriate letter(s) in box(es): [B] [ ] A. Increase Award   B. Decrease Award   C. Increase Duration D. Decrease Duration   Other (specify):		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)	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER <b>1 5 - 2 5 2</b>		9. NAME OF FEDERAL AGENCY: <b>U.S. OFFICE OF SURFACE MINING</b>	
TITLE: ND Abandoned Mine Lands Program		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: 2012 ND Coal Outcrop Fire Suppression Grant	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.) Entire State			
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date 8/1/2012	Ending Date 1/31/2013	a. Applicant North Dakota	b. Project North Dakota
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	-\$35,000.00	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE <u>7/19/2012</u>	
b. Applicant		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	
c. State		17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes    If "Yes," attach an explanation <input checked="" type="checkbox"/> No	
d. Local			
e. Other			
f. Program Income			
g. TOTAL	-\$35,000.00		
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, Public Service Commission	c. Telephone number 701-328-2251
d. Signature of Authorized Representative 		e. Date Signed March 4, 2013	

Previous Editions Not Usable

Standard Form 424 (REV 4-88)  
Prescribed by OMB Circular A-102

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**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 Lands Program	
2. Grant Recipient	Type of Report: Grant Closeout Report
PUBLIC SERVICE COMMISSION 600 E. Boulevard Ave., Dept. 408 BISMARCK, ND 58505-0480	
3. Project Title/Program	
Grant S12AC20014 – 2012 ND Coal Outcrop Fire Suppression Grant	
4. Performing Organization	
SAME AS ABOVE	
5. Program Narrative	
Please see the attached narrative for the grant closeout report.	

## **Narrative for FY2012 Coal Fire Suppression Grant Closeout**

The Abandoned Mine Lands (AML) Division of the Public Service Commission received approval of the FY2012 ND Coal Outcrop Fire Suppression grant from OSM in the amount of \$35,000 on July 26, 2012. The AML Division conducted its sixth coal outcrop fire suppression project using these funds in December 2012. Similar projects were carried out in 2003, 2004, 2007, 2009 and 2010.

A large number of 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 other years started additional coal outcrop fires in these counties. The 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.

The objective of the 2012 coal outcrop fire suppression project was to extinguish several coal seam fires that were actively burning on US Forest Service lands in Slope and McKenzie Counties in western North Dakota. Competitive sealed bidding was used for this project and the Commission entered into a contract with Baranko Bros. Inc. on September 27, 2012. The amount of the contract to perform coal outcrop fire suppression work was \$27,000. The work occurred within the Little Missouri National Grasslands.

The contractor began work in December 5, 2012 and it was completed on December 23, 2012. U.S. Forest Service personnel cooperated in the project by providing field support and having a fire truck available if necessary. Four coal fire sites were excavated and extinguished during the 2012 project. Soil and overburden material was moved at these sites to completely excavate and bury the burning coal. The sites were backfilled and graded to the approximate original contour, with positive drainage. Two change orders were issued during the excavation and related work at the fourth site since this coal outcrop fire was much more extensive than what appeared on the surface. While the original contract amount was \$27,000, the change orders increased the contract to \$35,000, the full amount of the special grant. Since 2003, the AML Division has suppressed 58 coal fires in McKenzie, Billings and Slope Counties at a total cost of \$169,975.