



Public Service Commission
State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Sheri Haugen-Hoffart

600 East Boulevard, Dept. 408
Bismarck, North Dakota 58505-0480
Web: www.psc.nd.gov
E-mail: ndpsc@nd.gov
Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

October 18, 2022

John Schuh
General Counsel
North Dakota Public Service Commission
600 E Boulevard Ave. Dept. 408
Bismarck, ND 58505-0408

RE: Request for Eligibility Determination for the 2022 New Leipzig Coal Fire Project.

Dear Jack,

I have reviewed the historical information available regarding the following site in Grant County, North Dakota:

Banning Coal Mine: $W\frac{1}{2} NW\frac{1}{4} SW\frac{1}{4}$, Section 26, Township 134 North, Range 90 West

Based on my review, I find that coal mining activity occurred on the property before August 3, 1977. The property was abandoned without being reclaimed. I also did not find any operator, permittee or agent of the permittee that has continuing responsibility for reclamation of the site.

Sincerely,

Joan Breiner
Assistant Director, AML Division

AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire\Ltr_in_Support_of_Eligibility_Determ_10-18-22