



Public Service Commission

State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Sheri Haugen-Hoffart

sent via regular mail

October 19, 2022

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

Mr. Jeff Fleischman, Chief
Denver Field Division
Office of Surface Mining
P.O. Box 11018
Casper WY 82602-5004
jfleischman@osmre.gov

RE: Request for Authorization to Proceed for the 2022 New Leipzig Coal Fire in North Dakota.

Dear Mr. Fleischman:

Enclosed is the documentation to support our Request for Authorization to Proceed for the 2022 New Leipzig Coal Fire in North Dakota. A categorical exclusion is attached for the proposed project.

We have requested concurrence for the project from the State Historical Society of North Dakota, U.S. Fish and Wildlife Service, North Dakota Parks and Recreation Department, and the North Dakota Department of Environmental Quality. Copies of our letters are attached. Responses will be forwarded to you as they are received. Also included is an Eligibility Determination letter from our legal counsel.

The eAMLIS Problem Area Description number for this site is ND000030. We have posted updated priority documentation for the site in the documents section of the eAMLIS Problems within the Problem Area Description (PAD). If you need more information or have any questions, please call Joan Breiner at 701-328-2412 or me at 701-328-3403.

Sincerely,

Zanna A. Brinkman

Director, Reclamation and AML Divisions

Enclosures

cc: via email only: John Sieving (jsieving@osmre.gov)
Charlie Kwak (ckwak@osmre.gov)

AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire\OSM_Auth_to_proceed_rqst_10-19-22



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Mr. Jeff Fleischman, Chief
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Casper WY 82602-5004
jfleischman@osmre.gov

RE: Eligibility Determination for the 2022 New Leipzig Coal Fire in Grant County, North Dakota.

Dear Mr. Fleischman:

This letter is submitted under 30 CFR 874.12 as the required eligibility determination for land included in the 2022 New Leipzig Coal Fire in Grant County as noted below:

Banning Coal Mine: W½ NW¼ SW¼, Section 26, Township 134 North, Range 90 West

Eligibility Determination - 30 CFR 874.12

The requirements of this section of the Abandoned Mine Reclamation Program set forth the following criteria for eligibility for reclamation activities (paraphrased):

- a. Was the real property subjected to coal mining and related processes?
- b. Did the coal mining processes on the real property occur before August 3, 1977, and was said real property left or abandoned in an unreclaimed or inadequately reclaimed condition? and,
- c. Is there continuing responsibility for reclamation by the operator, permittee or agent of the permittee under the statutes of the State of North Dakota or the government of the United States?

Based on available historical information, I find that the described real property was mined for coal; the coal mining activity occurred before August 3, 1977; and, the property was left in an abandoned and unreclaimed state. I further find that no continuing responsibility for reclamation by the operator, permittee or agent of the permittee under statutes of the State of North Dakota or the government of the United States.

Based on these findings, it is my opinion that the described real property meets the eligibility requirements of 30 CFR 874.12 for abandoned mine reclamation.

Sincerely,

John M. Schuh
General Counsel

Hamre, John G.

From: Breiner, Joan M.
Sent: Wednesday, October 19, 2022 9:06 AM
To: Hamre, John G.
Subject: FW: AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire - ND
Attachments: WaterResourcesMap.pdf; PrivateWell13409027AD.pdf; PrivateWell13409027.pdf; PrivateWell1349026AC.pdf

John,

Please file the attached and email below here: \\coal\Mine Data\AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire
Please name it: Rsp_DEQ_Advisory_New_Leipzig_Fire-10-19-22
Please core log.
Please print a copy of all to include with the ATP package we will send out this week.

Joan Breiner

From: Rockeman, Karl H. <krockema@nd.gov>
Sent: Wednesday, October 19, 2022 9:01 AM
To: Hamre, John G. <jghamre@nd.gov>
Cc: Brinkman, Zanna A. <zbrinkman@nd.gov>; Breiner, Joan M. <jobreiner@nd.gov>; Anderson, Carl J. <cjanders@nd.gov>
Subject: FW: AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire - ND

Please see our comments below. Let us know when the work will be done.

Thanks

Karl Rockeman
Director
Division of Water Quality

701.328.5210 • KRockema@ND.gov



<https://deq.nd.gov/> • 4201 Normandy Street • Bismarck, ND 58503-1324

From: Suggs, Shannon M. <ssuggs@nd.gov>
Sent: Wednesday, October 19, 2022 8:54 AM
To: Rockeman, Karl H. <krockema@nd.gov>
Cc: Anderson, Carl J. <cjanders@nd.gov>
Subject: RE: AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire - ND

Good Morning,

I have completed a review of the water resources near T134N R90W Section 26, the site of the coal fire at the City of New Leipzig landfill. There are no recognized groundwater aquifers in the area and no major surface water features. Within the 1 mile review, there are some small unnamed ponds and intermittent streams. For groundwater there are three domestic/stock wells within a 1 mile review of the coal fire location (driller's logs attached). The shallowest 13409027 is screened at 156 feet and there are several clay layers between the screened well depths and the surface. The city of New Leipzig is a consecutive system receiving water from Southwest Water Authority. Based on this information it is unlikely that reclamation work on the landfill will impact surface or groundwater resources. I have included a map showing the features discussed. Please let me know if you have any questions.

Shannon Suggs

Division of Water Quality • Groundwater Protection Program

701.328.6409 • 701.328.5200 (fax) • ssuggs@nd.gov • <https://deq.nd.gov/>



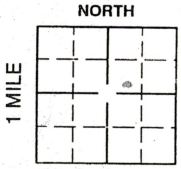
Records Laws.

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STATE OF NORTH DAKOTA
BOARD OF WATER WELL CONTRACTORS
 900 E. BOULEVARD • BISMARCK, NORTH DAKOTA 58501

WELL DRILLER'S REPORT


State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

<p>1. WELL OWNER</p> <p>Name <u>Waldemar Alt</u></p> <p>Address <u>New Leipzig, N.D.</u></p>	<p>7. WATER LEVEL</p> <p>Static water level <u>85</u> feet below surface</p> <p>If flowing: closed-in pressure _____ psi</p> <p>GPM flow _____ through _____ inch pipe</p> <p>Controlled by: <input type="checkbox"/> Valve <input type="checkbox"/> Reducers <input type="checkbox"/> Other</p> <p>If other, specify _____</p>																																																																				
<p>2. WELL LOCATION</p> <p>Sketch map location must agree with written location.</p> <div style="text-align: center;"> <p>NORTH</p>  </div> <p>County _____ Sec. (1 mile) _____ <u>Hunt</u></p> <p><u>1/4 SW 1/4 NE 1/4</u> Sec. <u>26</u> Twp. <u>134</u> N. Rg. <u>90</u> W.</p>	<p>8. WELL TEST DATA</p> <p><input type="checkbox"/> Pump <input type="checkbox"/> Bailer <input checked="" type="checkbox"/> Other</p> <p>Pumping level below land surface:</p> <p><u>140</u> ft. after <u>2</u> hrs. pumping <u>8-10</u> gpm</p> <p>_____ ft. after _____ hrs. pumping _____ gpm</p> <p>_____ ft. after _____ hrs. pumping _____ gpm</p>																																																																				
<p>3. PROPOSED USE</p> <p><input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Geothermal <input type="checkbox"/> Monitoring</p> <p><input checked="" type="checkbox"/> Stock <input type="checkbox"/> Irrigation <input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Municipal <input type="checkbox"/> Test Hole</p>	<p>9. WELL LOG</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Formation</th> <th colspan="2">Depth (ft.)</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td><u>brown sand</u></td><td><u>0</u></td><td><u>13</u></td></tr> <tr><td><u>grey sand</u></td><td><u>13</u></td><td><u>23</u></td></tr> <tr><td><u>blue sand</u></td><td><u>23</u></td><td><u>26</u></td></tr> <tr><td><u>coal</u></td><td><u>26</u></td><td><u>35</u></td></tr> <tr><td><u>grey clay</u></td><td><u>35</u></td><td><u>36</u></td></tr> <tr><td><u>coal</u></td><td><u>36</u></td><td><u>39</u></td></tr> <tr><td><u>grey clay</u></td><td><u>39</u></td><td><u>56</u></td></tr> <tr><td><u>coal</u></td><td><u>56</u></td><td><u>58</u></td></tr> <tr><td><u>grey clay</u></td><td><u>58</u></td><td><u>88</u></td></tr> <tr><td><u>coal</u></td><td><u>88</u></td><td><u>91</u></td></tr> <tr><td><u>grey clay</u></td><td><u>91</u></td><td><u>117</u></td></tr> <tr><td><u>coal</u></td><td><u>117</u></td><td><u>119</u></td></tr> <tr><td><u>grey clay</u></td><td><u>119</u></td><td><u>150</u></td></tr> <tr><td><u>grey sand</u></td><td><u>150</u></td><td><u>167</u></td></tr> <tr><td><u>coal</u></td><td><u>167</u></td><td><u>169</u></td></tr> <tr><td><u>grey sand</u></td><td><u>169</u></td><td><u>178</u></td></tr> <tr><td><u>grey clay</u></td><td><u>178</u></td><td><u>188</u></td></tr> <tr><td><u>grey sand</u></td><td><u>188</u></td><td><u>195</u></td></tr> <tr><td colspan="3" style="text-align: center;">(Use separate sheet if necessary)</td></tr> <tr><td><u>coal</u></td><td><u>195</u></td><td><u>198</u></td></tr> <tr><td><u>grey clay</u></td><td><u>198</u></td><td><u>205</u></td></tr> </tbody> </table>	Formation	Depth (ft.)		From	To	<u>brown sand</u>	<u>0</u>	<u>13</u>	<u>grey sand</u>	<u>13</u>	<u>23</u>	<u>blue sand</u>	<u>23</u>	<u>26</u>	<u>coal</u>	<u>26</u>	<u>35</u>	<u>grey clay</u>	<u>35</u>	<u>36</u>	<u>coal</u>	<u>36</u>	<u>39</u>	<u>grey clay</u>	<u>39</u>	<u>56</u>	<u>coal</u>	<u>56</u>	<u>58</u>	<u>grey clay</u>	<u>58</u>	<u>88</u>	<u>coal</u>	<u>88</u>	<u>91</u>	<u>grey clay</u>	<u>91</u>	<u>117</u>	<u>coal</u>	<u>117</u>	<u>119</u>	<u>grey clay</u>	<u>119</u>	<u>150</u>	<u>grey sand</u>	<u>150</u>	<u>167</u>	<u>coal</u>	<u>167</u>	<u>169</u>	<u>grey sand</u>	<u>169</u>	<u>178</u>	<u>grey clay</u>	<u>178</u>	<u>188</u>	<u>grey sand</u>	<u>188</u>	<u>195</u>	(Use separate sheet if necessary)			<u>coal</u>	<u>195</u>	<u>198</u>	<u>grey clay</u>	<u>198</u>	<u>205</u>
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<p>5. WATER QUALITY</p> <p>Was a water sample collected for: <u>Waldemar Alt</u></p> <p>Chemical Analysis? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Bacteriological Analysis? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If so, to what laboratory was it sent?</p>	<p>11. WAS WELL PLUGGED OR ABANDONED?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If so, how _____</p>																																																																				
<p>6. WELL CONSTRUCTION</p> <p>Diameter of hole <u>1 1/2</u> inches. Depth <u>200</u> feet.</p> <p>Casing: <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Concrete</p> <p><input type="checkbox"/> Threaded <input checked="" type="checkbox"/> Welded <input type="checkbox"/> Other</p> <p>If other, specify _____</p> <p>Pipe Weight: <u>200</u> lb/ft Diameter: <u>4 1/2</u> inches From: <u>+1</u> feet To: <u>200</u> feet</p> <p>_____ lb/ft _____ inches _____ feet _____ feet</p> <p>_____ lb/ft _____ inches _____ feet _____ feet</p> <p>Was perforated pipe used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Perforated pipe set from <u>160-180</u> ft to <u>190-200</u> feet</p> <p>Was casing left open end? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Was a well screened installed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Material _____ Diameter _____ inches</p> <p>Slot Size _____ set from _____ feet to _____ feet</p> <p>Slot Size _____ set from _____ feet to _____ feet</p> <p>Was packer or seal used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If so, what material _____ Depth _____ ft.</p> <p style="text-align: center;">(stainless steel, bronze, etc.)</p> <p>Type of well: Straight screen <input type="checkbox"/> Gravel packed <input checked="" type="checkbox"/></p> <p>Depth grouted: From <u>0</u> To <u>50</u></p> <p>Grouting Material: Cement _____ Other <u>X</u></p> <p>If other explain: <u>Wyo Ben (municipal)</u></p> <p>Well head completion: Pitless unit _____</p> <p>12" above grade <u>X</u> Other _____</p> <p>If other, specify _____</p> <p>Was pump installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Was well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>12. REMARKS:</p> <p><u>put 150' of deep pipe plus</u> <u>the pitless. 158' total pump head</u></p>																																																																				
<p>13. DRILLER'S CERTIFICATION</p> <p>This well was drilled under my jurisdiction and this report is true to the best of my knowledge.</p> <p><u>Dep Well Drilling</u> _____ <u>19</u></p> <p>Driller's or Firm's Name _____ Certificate No. _____</p> <p><u>Waldemar Alt, N.D.</u></p> <p>Address _____</p> <p><u>Terry Wagner</u> _____ <u>9-19-91</u></p> <p>Signed by _____ Date _____</p> <p><u>George F. Opp</u> _____ <u>9-23-91</u></p>	<p>14. COPIES</p> <p>WHITE-DRILLER'S COPY _____</p> <p>YELLOW-BOARD'S COPY _____</p> <p>PINK-CUSTOMER'S COPY _____</p>																																																																				

STATE OF NORTH DAKOTA
BOARD OF WATER WELL CONTRACTORS
 900 E. BOULEVARD • BISMARCK, NORTH DAKOTA 58501

WELL DRILLER'S REPORT

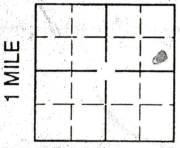
State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

<p>1. WELL OWNER Name <u>Arnold Friez</u> Address <u>New Leipzig, ND.</u></p>	<p>7. WATER LEVEL Static water level <u>65</u> feet below land surface If flowing: closed-in pressure _____ psi GPM flow _____ through _____ inch pipe Controlled by: <input type="checkbox"/> Valve <input type="checkbox"/> Reducers <input type="checkbox"/> Other If other, specify _____</p>																																											
<p>2. WELL LOCATION Sketch map location must agree with written location.</p> <div style="text-align: center;"> <p>NORTH</p>  <p>1 Mile</p> </div> <p>County <u>Grant</u> _____ 1/4 _____ 1/4 _____ 1/4 Sec. <u>27</u> Twp. <u>134</u> N. Rg. <u>90</u> W.</p>	<p>8. WELL TEST DATA <input type="checkbox"/> Pump <input type="checkbox"/> Bailer <input type="checkbox"/> Other Pumping level below land surface: <u>115</u> ft. after <u>2</u> hrs. pumping <u>10</u> gpm _____ ft. after _____ hrs. pumping _____ gpm _____ ft. after _____ hrs. pumping _____ gpm</p>																																											
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<p>4. METHOD DRILLED <input type="checkbox"/> Cable <input type="checkbox"/> Reverse Rotary <input type="checkbox"/> Bored <input checked="" type="checkbox"/> Forward Rotary <input type="checkbox"/> Jetted <input type="checkbox"/> Other If other, specify _____</p>	<p>10. DATE COMPLETED <u>5-29-80</u></p>																																											
<p>5. WATER QUALITY Was a water sample collected for chemical analysis? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, to what laboratory was it sent _____</p>	<p>11. WAS WELL PLUGGED OR ABANDONED? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, how _____</p>																																											
<p>6. WELL CONSTRUCTION Diameter of hole <u>8"</u> inches. Depth <u>156</u> feet. Casing: <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Concrete <input type="checkbox"/> Threaded <input type="checkbox"/> Welded <input type="checkbox"/> Other If other, specify _____ Pipe Weight: _____ Diameter: _____ From: _____ To: _____ <u>SPR21</u> lb/ft. <u>4</u> inches <u>0</u> feet <u>156</u> feet _____ lb/ft. _____ inches _____ feet _____ feet _____ lb/ft. _____ inches _____ feet _____ feet _____ lb/ft. _____ inches _____ feet _____ feet Was perforated pipe used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Length of pipe perforated <u>136</u> <u>156</u> feet Was casing left open end? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Was a well screened installed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Material _____ Diameter _____ inches (stainless steel, bronze, etc.) Slot size <u>20</u> set from _____ feet to _____ feet Slot size _____ set from _____ feet to _____ feet Slot size _____ set from _____ feet to _____ feet Slot size _____ set from _____ feet to _____ feet Was a packer or seal used? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If so, what material _____ Type of well: Straight screen <input type="checkbox"/> Gravel packed <input checked="" type="checkbox"/> Was the well grouted? Yes <input type="checkbox"/> No <input type="checkbox"/> To what depth? _____ feet Material used in grouting _____ Well head completion: Pitless adapter _____ 12" above grade <input checked="" type="checkbox"/> Other _____ If other, specify _____ Was well disinfected upon completion? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>12. REMARKS: <u>80 M.S.</u></p>																																											
<p>13. DRILLER'S CERTIFICATION This well was drilled under my jurisdiction and this report is true to the best of my knowledge. <u>Moe Dullung</u> <u>5</u> Driller's or Firm's Name _____ Certificate No. _____ <u>Moe, N.D.</u> Address _____ <u>Moe</u> Signed by _____ Date _____</p>																																												

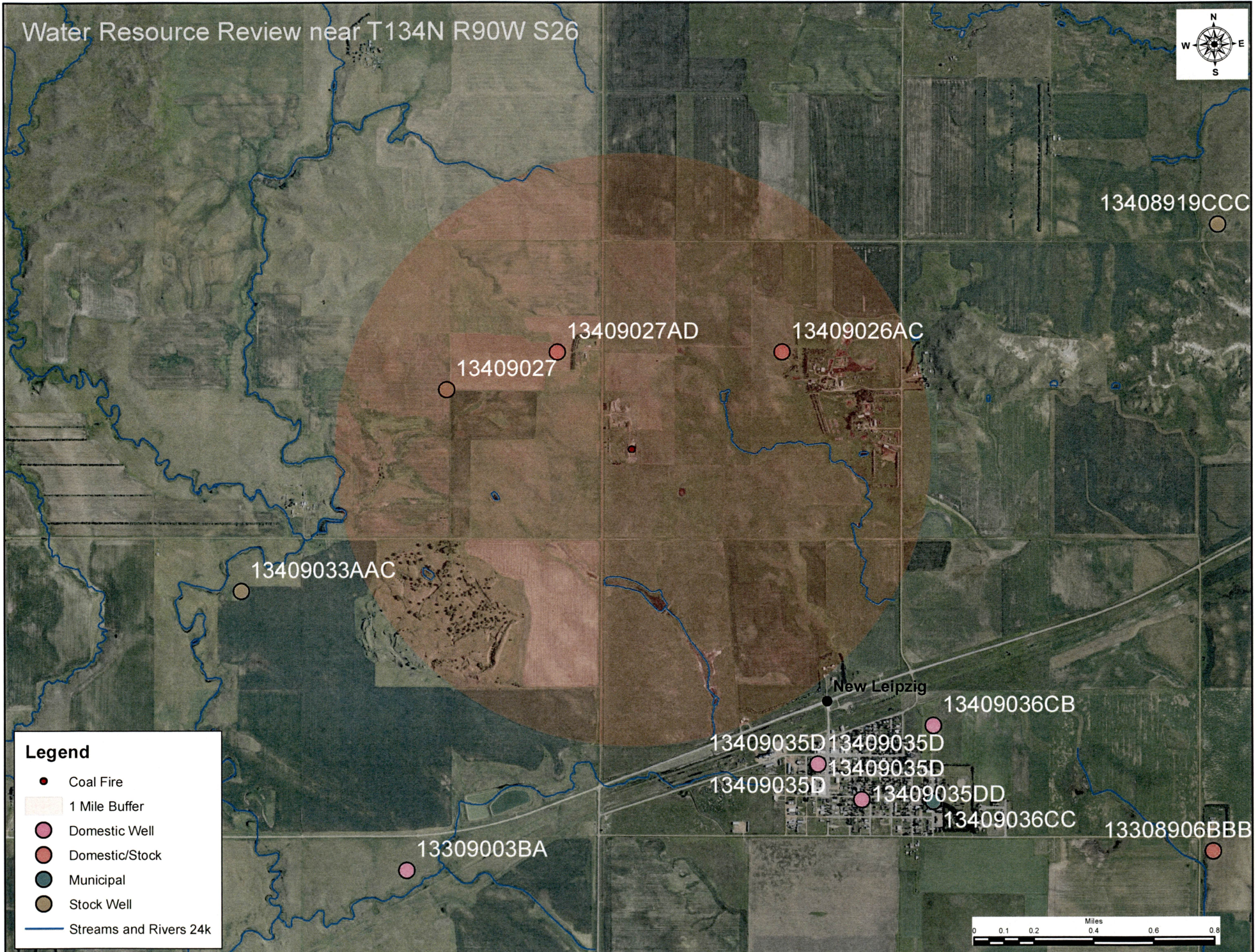
STATE OF NORTH DAKOTA
BOARD OF WATER WELL CONTRACTORS
 900 E. BOULEVARD • BISMARCK, NORTH DAKOTA 58501

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

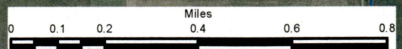
<p>1. WELL OWNER</p> <p>Name <u>Jim Davenport</u></p> <p>Address <u>New Leipzig, N.D.</u></p>	<p>7. WATER LEVEL</p> <p>Static water level <u>175</u> feet below surface</p> <p>If flowing: closed-in pressure _____ psi</p> <p>GPM flow _____ through _____ inch pipe</p> <p>Controlled by: <input type="checkbox"/> Valve <input type="checkbox"/> Reducers <input type="checkbox"/> Other</p> <p>If other, specify _____</p>																																																								
<p>2. WELL LOCATION</p> <p>Sketch map location must agree with written location.</p> <div style="text-align: center;"> <p>NORTH</p>  </div> <p>County _____ Sec. (1 mile) _____ <u>Grant</u></p> <p><u>1/4 SE 1/4 NE 1/4</u> Sec. <u>37</u> Twp. <u>134</u> N. Rg. <u>90</u> W.</p>	<p>8. WELL TEST DATA</p> <p><input type="checkbox"/> Pump <input type="checkbox"/> Bailer <input checked="" type="checkbox"/> Other</p> <p>Pumping level below land surface:</p> <p><u>280</u> ft. after <u>3</u> hrs. pumping <u>10-15</u> gpm</p> <p>_____ ft. after _____ hrs. pumping _____ gpm</p> <p>_____ ft. after _____ hrs. pumping _____ gpm</p>																																																								
<p>3. PROPOSED USE</p> <p><input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Geothermal <input type="checkbox"/> Monitoring</p> <p><input checked="" type="checkbox"/> Stock <input type="checkbox"/> Irrigation <input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Municipal <input type="checkbox"/> Test Hole</p>	<p>9. WELL LOG</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Formation</th> <th colspan="2">Depth (ft.)</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td><u>brown clay</u></td><td><u>0</u></td><td><u>16</u></td></tr> <tr><td><u>rock</u></td><td><u>16</u></td><td><u>17</u></td></tr> <tr><td><u>brown sand</u></td><td><u>17</u></td><td><u>43</u></td></tr> <tr><td><u>blue sand</u></td><td><u>43</u></td><td><u>55</u></td></tr> <tr><td><u>coal</u></td><td><u>55</u></td><td><u>67</u></td></tr> <tr><td><u>grey clay</u></td><td><u>67</u></td><td><u>74</u></td></tr> <tr><td><u>coal</u></td><td><u>74</u></td><td><u>75</u></td></tr> <tr><td><u>grey clay</u></td><td><u>75</u></td><td><u>153</u></td></tr> <tr><td><u>grey sand</u></td><td><u>153</u></td><td><u>173</u></td></tr> <tr><td><u>blue grey sand</u></td><td><u>173</u></td><td><u>182</u></td></tr> <tr><td><u>coal</u></td><td><u>182</u></td><td><u>185</u></td></tr> <tr><td><u>grey clay</u></td><td><u>185</u></td><td><u>261</u></td></tr> <tr><td><u>coal</u></td><td><u>261</u></td><td><u>265</u></td></tr> <tr><td><u>clay</u></td><td><u>265</u></td><td><u>270</u></td></tr> <tr><td><u>dark grey sand</u></td><td><u>270</u></td><td><u>325</u></td></tr> <tr><td><u>rock</u></td><td><u>325</u></td><td><u>326</u></td></tr> <tr><td><u>black clay</u></td><td><u>326</u></td><td><u>340</u></td></tr> </tbody> </table>	Formation	Depth (ft.)		From	To	<u>brown clay</u>	<u>0</u>	<u>16</u>	<u>rock</u>	<u>16</u>	<u>17</u>	<u>brown sand</u>	<u>17</u>	<u>43</u>	<u>blue sand</u>	<u>43</u>	<u>55</u>	<u>coal</u>	<u>55</u>	<u>67</u>	<u>grey clay</u>	<u>67</u>	<u>74</u>	<u>coal</u>	<u>74</u>	<u>75</u>	<u>grey clay</u>	<u>75</u>	<u>153</u>	<u>grey sand</u>	<u>153</u>	<u>173</u>	<u>blue grey sand</u>	<u>173</u>	<u>182</u>	<u>coal</u>	<u>182</u>	<u>185</u>	<u>grey clay</u>	<u>185</u>	<u>261</u>	<u>coal</u>	<u>261</u>	<u>265</u>	<u>clay</u>	<u>265</u>	<u>270</u>	<u>dark grey sand</u>	<u>270</u>	<u>325</u>	<u>rock</u>	<u>325</u>	<u>326</u>	<u>black clay</u>	<u>326</u>	<u>340</u>
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<p>4. METHOD DRILLED</p> <p><input type="checkbox"/> Cable <input type="checkbox"/> Reverse Rotary <input type="checkbox"/> Bored</p> <p><input checked="" type="checkbox"/> Forward Rotary <input type="checkbox"/> Jetted <input type="checkbox"/> Auger</p> <p>If other, specify _____</p>	<p>10. DATE COMPLETED <u>10-19-97</u></p>																																																								
<p>5. WATER QUALITY</p> <p>Was a water sample collected for:</p> <p>Chemical Analysis? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Bacteriological Analysis? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If so, to what laboratory was it sent? <u>see Remarks NO1</u></p>	<p>11. WAS WELL PLUGGED OR ABANDONED?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If so, how _____</p>																																																								
<p>6. WELL CONSTRUCTION</p> <p>Diameter of hole <u>7 1/2</u> inches. Depth <u>325</u> feet.</p> <p>Casing: <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Concrete</p> <p><input type="checkbox"/> Threaded <input checked="" type="checkbox"/> Welded <input type="checkbox"/> Other</p> <p>If other, specify _____</p> <p>Pipe Weight: Diameter: From: To:</p> <p><u>200</u> lb/ft <u>4 1/2</u> inches <u>+1</u> feet <u>325</u> feet</p> <p>_____ lb/ft _____ inches _____ feet _____ feet</p> <p>_____ lb/ft _____ inches _____ feet _____ feet</p> <p>Was perforated pipe used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Perforated pipe set from <u>300</u> ft to <u>320</u> feet</p> <p>Was casing left open end? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Was a well screened installed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Material _____ Diameter _____ inches</p> <p>Slot Size _____ set from _____ feet to _____ feet</p> <p>Slot Size _____ set from _____ feet to _____ feet</p> <p>Was packer or seal used? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If so, what material _____ Depth _____ ft.</p> <p>(stainless steel, bronze, etc.)</p> <p>Type of well: Straight screen <input type="checkbox"/> Gravel packed <input checked="" type="checkbox"/></p> <p>Depth grouted: From <u>10</u> To <u>80</u></p> <p>Grouting Material: Cement _____ Other <u>X</u></p> <p>If other explain: <u>Wasp Den Expansion plug</u></p> <p>Well head completion: Pitless unit _____</p> <p>12" above grade <u>X</u> Other _____</p> <p>If other, specify _____</p> <p>Was pump installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Was well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>12. REMARKS:</p> <p><u>well owner will take water sample for analysis</u></p> <p><u>James Davenport</u></p>																																																								
<p>13. DRILLER'S CERTIFICATION</p> <p>This well was drilled under my jurisdiction and this report is true to the best of my knowledge.</p> <p>Driller's or Firm's Name <u>App Well Drilling</u> Certificate No <u>19</u></p> <p>Address <u>Blair Hill, ND</u></p> <p>Signed by <u>Terry Wagner</u> Date <u>10-19-97</u></p> <p><u>George F. Opp-10-26-98</u></p>	<p>13. DRILLER'S CERTIFICATION</p> <p>This well was drilled under my jurisdiction and this report is true to the best of my knowledge.</p> <p>Driller's or Firm's Name _____ Certificate No _____</p> <p>Address _____</p> <p>Signed by _____ Date _____</p>																																																								

Water Resource Review near T134N R90W S26



Legend

- Coal Fire
- 1 Mile Buffer
- Domestic Well
- Domestic/Stock
- Municipal
- Stock Well
- Streams and Rivers 24k





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

Kathy Duttonhefner
Natural Resources Management Coordinator
ND Parks & Recreation Department
1600 East Century Ave. Suite 3
Bismarck, ND 58503

Dear Ms. Duttonhefner:

The Public Service Commission has been notified of a coal fire at the City of New Leipzig landfill in W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T134N R90W in Grant County (Unique GIS ID 38037-16497300). The fire is burning on the surface of a trash-filled pit. The fire poses a threat of wildfire if not extinguished soon. The contractor for our sinkhole filling project will conduct the project.

As part of the project approval process, our office requests concurrence that the proposed reclamation work will not adversely affect any threatened, endangered or rare plant species. Please reply as soon as possible.

We expect this project to be completed expeditiously by November 2022 at a cost of approximately \$6,400. The attached map provides additional information.

Thank you for your assistance in this matter. If you have any questions or need more information, please contact me at jobreiner@nd.gov or 701.328.2412.

Sincerely,

Joan Breiner, Ph.D.
Assistant Director
Abandoned Mine Lands Division

Enclosure

N

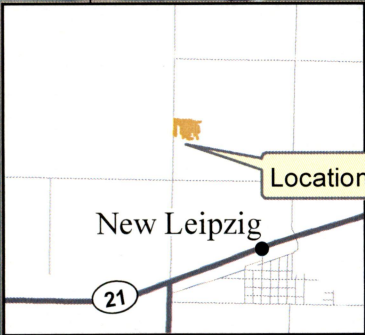


— Historical Mine Map

Section 26
T134 R90W



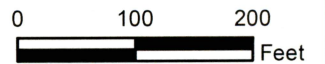
Location of Coal Fire



Location of Coal Fire

Banning Mine Area

Northwest of New Leipzig
Grant County
ND PSC AML Division
October 17, 2022





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

Mr. Karl Rockeman, P.E.,
Director, Division of Water Quality
North Dakota Department of Environmental Quality
918 East Divide Avenue
Bismarck, ND 58501-1947

Dear Mr. Rockeman:

The Public Service Commission has been notified of a coal fire at the City of New Leipzig landfill in W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T134N R90W in Grant County (Unique GIS ID 38037-16497300). The fire is burning on the surface of a trash-filled pit. The fire poses a threat of wildfire if not extinguished soon. The contractor for our sinkhole filling project will conduct the project.

As part of the project approval process, our office requests concurrence that our proposed reclamation work will not adversely affect any surface or groundwater resources. Please reply as soon as possible.

We expect this project to be completed expeditiously by November 2022 at a cost of approximately \$6,400. The attached map provides additional information.

Thank you for your assistance in this matter. If you have any questions or need more information, please contact me at jobreiner@nd.gov or 701.328.2412.

Sincerely,

Joan Breiner, Ph.D.
Assistant Director
Abandoned Mine Lands Division

Enclosure

N



— Historical Mine Map

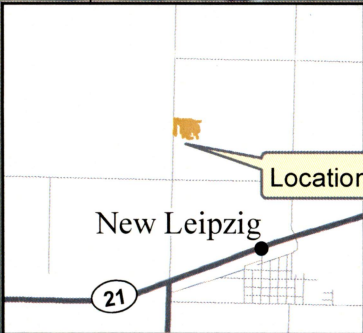
Section 26
T134 R90W



Location of Coal Fire



Location of Coal Fire



Banning Mine Area
 Northwest of New Leipzig
 Grant County
 ND PSC AML Division
 October 17, 2022

0 100 200
 Feet



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
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Phone: 701-328-2400
ND Toll Free: 1-877-245-6685
Fax: 701-328-2410
TDD: 800-366-6888 or 711

October 18, 2022

Jerry D. Reinisch
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501-7926

Dear Mr. Reinisch:

The Public Service Commission has been notified of a coal fire at the City of New Leipzig landfill in W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T134N R90W in Grant County (Unique GIS ID 38037-16497300). The fire is burning on the surface of a trash-filled pit. The fire poses a threat of wildfire if not extinguished soon. The contractor for our sinkhole filling project will conduct the project.

As part of the project approval process, our office requests concurrence that our proposed reclamation work will not adversely affect any threatened, endangered or rare animal or plant species. Please reply as soon as possible.

We expect this project to be completed expeditiously by November 2022 at a cost of approximately \$6,400. The attached map provides additional information.

Thank you for your assistance in this matter. If you have any questions or need more information, please contact me at jobreiner@nd.gov or 701.328.2412.

Sincerely,

Joan Breiner, Ph.D.
Assistant Director
Abandoned Mine Lands Division

Enclosure

N



— Historical Mine Map

Section 26
T134 R90W



Location of Coal Fire



Location of Coal Fire



Banning Mine Area
 Northwest of New Leipzig
 Grant County
 ND PSC AML Division
 October 17, 2022

0 100 200
 Feet

New Leipzig Coal Fire

Biological Assessment

Prepared using IPaC Generated by Steele Mark (mrsteele@nd.gov) October 18, 2022

2 Species Effects Analysis

This section describes, species by species, the effects of the proposed action on listed, proposed, and candidate species, and the habitat on which they depend. In this document, effects are broken down as direct interactions (something happening directly to the species) or indirect interactions (something happening to the environment on which a species depends that could then result in effects to the species).

These interactions encompass effects that occur both during project construction and those which could be ongoing after the project is finished. All effects, however, should be considered, including effects from direct and indirect interactions and cumulative effects.

2.1 Monarch Butterfly

This species has been excluded from analysis in this environmental review document.

Justification for exclusion

This species has not been observed in the proposed work location. The proposed work will have no effect on the species.

2.2 Northern Long-Eared Bat

This species has been excluded from analysis in this environmental review document.

Justification for exclusion

This species has not been observed in the proposed work location. The proposed work will have no effect on the species.

2.3 Whooping Crane

This species has been excluded from analysis in this environmental review document.

Justification for exclusion

This species has not been observed in the proposed work location. The proposed work will have no effect on the species.



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

William Peterson, Ph.D.
State Historic Preservation Officer
State Historical Society of North Dakota
612 East Boulevard Avenue
Bismarck, ND 58505-0830

Dear Dr. Peterson:

The Public Service Commission has been notified of a coal fire at the City of New Leipzig landfill in W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T134N R90W in Grant County (Unique GIS ID 38037-16497300). The fire is burning on the surface of a trash-filled pit. The fire poses a threat of wildfire if not extinguished soon. The contractor for our sinkhole filling project will conduct the project.

As part of the project approval process, our office requests concurrence that our proposed reclamation work will not adversely affect any historical or archaeological resources. Please reply as soon as possible.

We expect this project to be completed expeditiously by November 2022 at a cost of approximately \$6,400. The attached map provides additional information.

Thank you for your assistance in this matter. If you have any questions or need more information, please contact me at jobreiner@nd.gov or 701.328.2412.

Sincerely,

A handwritten signature in blue ink that reads "Joan Breiner".

Joan Breiner, Ph.D.
Assistant Director
Abandoned Mine Lands Division

Enclosure

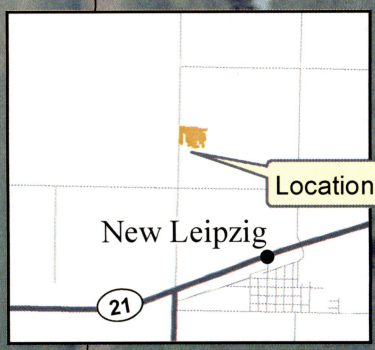


— Historical Mine Map

Section 26
T134 R90W



Location of Coal Fire



Location of Coal Fire

Banning Mine Area

Northwest of New Leipzig
Grant County
ND PSC AML Division
October 17, 2022

0 100 200
Feet

Hamre, John G.

From: Breiner, Joan M.
Sent: Wednesday, October 19, 2022 9:06 AM
To: Hamre, John G.
Subject: FW: AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire - ND
Attachments: WaterResourcesMap.pdf; PrivateWell13409027AD.pdf; PrivateWell13409027.pdf; PrivateWell1349026AC.pdf

John,

Please file the attached and email below here: \\coal\Mine Data\AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire
Please name it: Rsp_DEQ_Advisory_New_Leipzig_Fire-10-19-22
Please core log.
Please print a copy of all to include with the ATP package we will send out this week.

Joan Breiner

From: Rockeman, Karl H. <krockema@nd.gov>
Sent: Wednesday, October 19, 2022 9:01 AM
To: Hamre, John G. <jghamre@nd.gov>
Cc: Brinkman, Zanna A. <zbrinkman@nd.gov>; Breiner, Joan M. <jobreiner@nd.gov>; Anderson, Carl J. <cjanders@nd.gov>
Subject: FW: AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire - ND

Please see our comments below. Let us know when the work will be done.

Thanks

Karl Rockeman

*Director
Division of Water Quality*

701.328.5210 • KRockema@ND.gov



<https://deq.nd.gov/> • 4201 Normandy Street • Bismarck, ND 58503-1324

From: Suggs, Shannon M. <ssuggs@nd.gov>
Sent: Wednesday, October 19, 2022 8:54 AM
To: Rockeman, Karl H. <krockema@nd.gov>
Cc: Anderson, Carl J. <cjanders@nd.gov>
Subject: RE: AML\2022\Sinkhole Filling\2022_New_Leipzig_Fire - ND

Good Morning,

I have completed a review of the water resources near T134N R90W Section 26, the site of the coal fire at the City of New Leipzig landfill. There are no recognized groundwater aquifers in the area and no major surface water features. Within the 1 mile review, there are some small unnamed ponds and intermittent streams. For groundwater there are three domestic/stock wells within a 1 mile review of the coal fire location (driller's logs attached). The shallowest 13409027 is screened at 156 feet and there are several clay layers between the screened well depths and the surface. The city of New Leipzig is a consecutive system receiving water from Southwest Water Authority. Based on this information it is unlikely that reclamation work on the landfill will impact surface or groundwater resources. I have included a map showing the features discussed. Please let me know if you have any questions.

Shannon Suggs

Division of Water Quality • Groundwater Protection Program

701.328.6409 • 701.328.5200 (fax) • ssuggs@nd.gov • <https://deq.nd.gov/>



Records Laws.

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WELL DRILLER'S REPORT

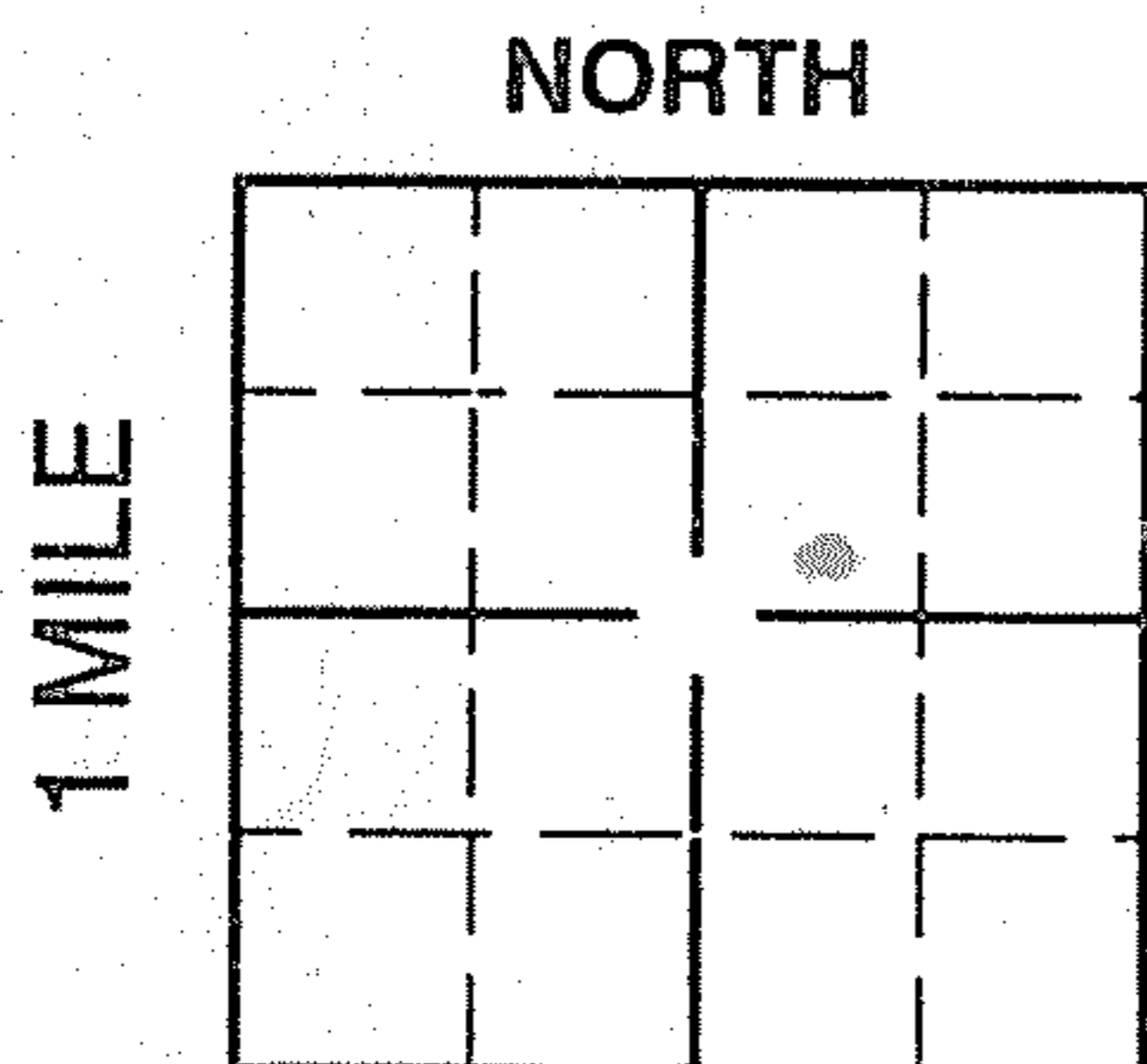
State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

1. WELL OWNER

Name Waldemar Alt
 Address New Leipzig, N.D.

2. WELL LOCATION

Sketch map location must agree with written location.



County Grant Sec. (1 mile) _____
1/4 SW 1/4 NE 1/4 Sec. 26 Twp. 134 N. Rg. 90 W.

3. PROPOSED USE

- | | | |
|--|-------------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> Domestic | <input type="checkbox"/> Geothermal | <input type="checkbox"/> Monitoring |
| <input checked="" type="checkbox"/> Stock | <input type="checkbox"/> Irrigation | <input type="checkbox"/> Industrial |
| | <input type="checkbox"/> Municipal | <input type="checkbox"/> Test Hole |

4. METHOD DRILLED

- | | | |
|--|---|--------------------------------|
| <input checked="" type="checkbox"/> Cable | <input type="checkbox"/> Reverse Rotary | <input type="checkbox"/> Bored |
| <input checked="" type="checkbox"/> Forward Rotary | <input type="checkbox"/> Jetted | <input type="checkbox"/> Auger |

If other, specify _____

5. WATER QUALITY

Was a water sample collected for: Waldemar Alt
 Chemical Analysis? Yes No
 Bacteriological Analysis? Yes No
 If so, to what laboratory was it sent? _____

6. WELL CONSTRUCTION

Diameter of hole 7 1/2 inches. Depth 200 feet.

- | | | | |
|---------|-----------------------------------|---|-----------------------------------|
| Casing: | <input type="checkbox"/> Steel | <input checked="" type="checkbox"/> Plastic | <input type="checkbox"/> Concrete |
| | <input type="checkbox"/> Threaded | <input checked="" type="checkbox"/> Welded | <input type="checkbox"/> Other |

If other, specify _____

Pipe Weight:	Diameter:	From:	To:
<u>200</u> lb/ft	<u>4 1/2</u> inches	<u>+1</u> feet	<u>200</u> feet
_____ lb/ft	_____ inches	_____ feet	_____ feet
_____ lb/ft	_____ inches	_____ feet	_____ feet

Was perforated pipe used? Yes No

Perforated pipe set from 160-180 ft to 190-200 feet

Was casing left open end? Yes No

Was a well screened installed? Yes No

Material _____ Diameter _____ inches

Slot Size _____ set from _____ feet to _____ feet

Slot Size _____ set from _____ feet to _____ feet

Was packer or seal used? Yes No

If so, what material _____ Depth _____ ft.

(stainless steel, bronze, etc.)

Type of well: Straight screen Gravel packed

Depth grouted: From 0 To 50

Grouting Material: Cement _____ Other X

If other explain: Wyo Ben E microplug

Well head completion: Pitless unit _____

12" above grade X Other _____

If other, specify _____

Was pump installed: Yes No

Was well disinfected upon completion? Yes No

7. WATER LEVEL

Static water level 85 feet below surface

If flowing: closed-in pressure _____ psi

GPM flow _____ through _____ inch pipe

Controlled by: Valve Reducers Other

If other, specify _____

8. WELL TEST DATA

Pump Bailer Other

Pumping level below land surface:

140 ft. after 2 hrs. pumping 8-10 gpm

_____ ft. after _____ hrs. pumping _____ gpm

_____ ft. after _____ hrs. pumping _____ gpm

9. WELL LOG

Formation	Depth (ft.)	
	From	To
brown sand	0	13
grey sand	13	23
blue sand	23	26
coal	26	35
grey clay	35	36
coal	36	39
grey clay	39	56
coal	56	58
grey clay	58	88
coal	88	91
grey clay	91	117
coal	117	119
grey clay	119	150
grey sand	150	167
coal	167	169
grey sand	169	178
grey clay	178	188
grey sand	188	195
(Use separate sheet if necessary)		
coal	195	198
grey clay	198	205

10. DATE COMPLETED 9-19-91

11. WAS WELL PLUGGED OR ABANDONED?

Yes No

If so, how _____

12. REMARKS:

put 150' of drop pipe plus the pitless. 158" total pump lead

13. DRILLER'S CERTIFICATION

This well was drilled under my jurisdiction and this report is true to the best of my knowledge.

Opp Well Drilling 19
 Driller's or Firm's Name Certificate No.

Alan Ullin, N.D.
 Address

Terry Wagner 9-19-91
 Signed by Date

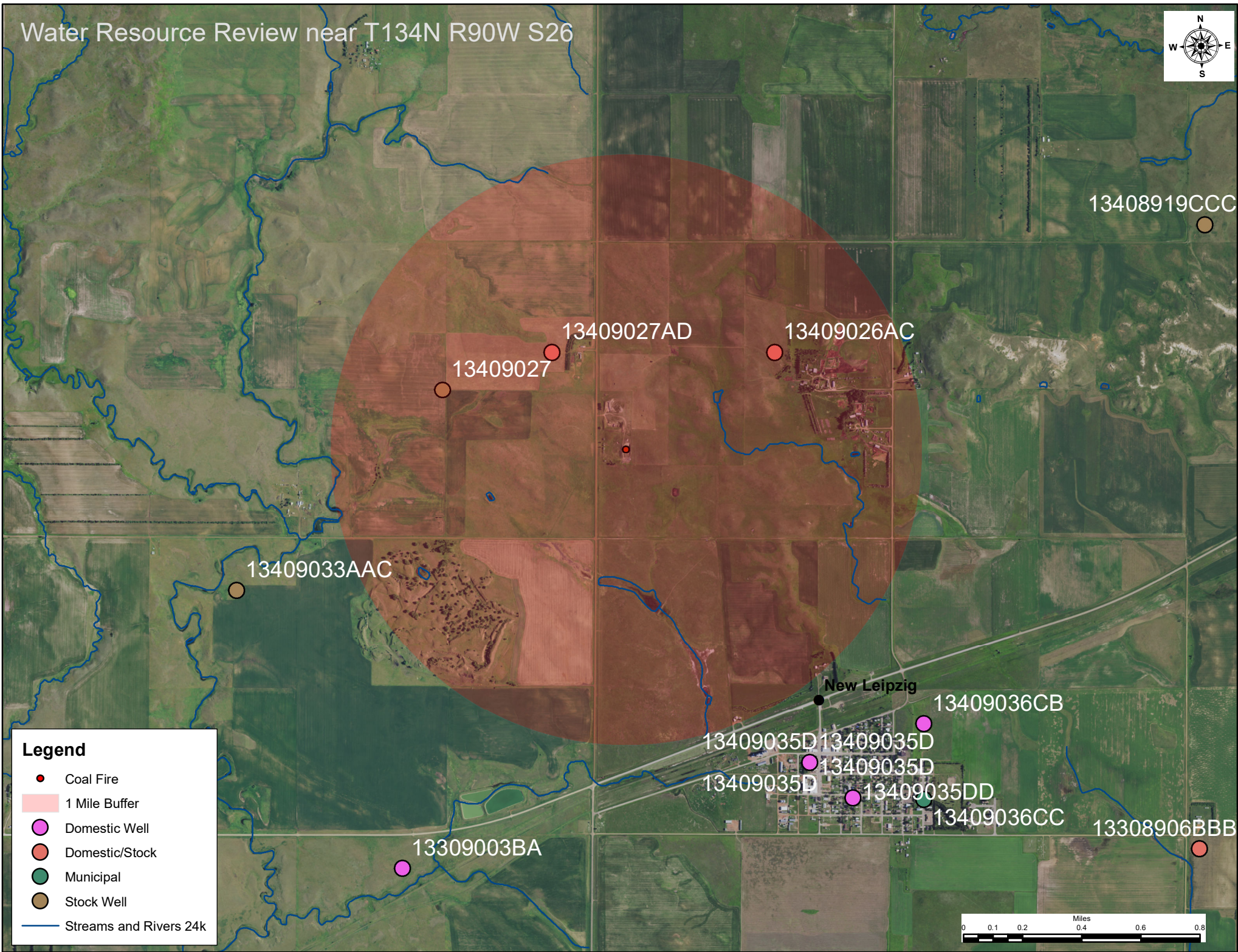
George F. Opp 9-22-91

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Board of Water Well Contractors within 30 days after completion or abandonment of the well.

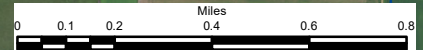
<p>1. WELL OWNER</p> <p>Name <u>Jim Davenport</u></p> <p>Address <u>New Leipzig, N.D.</u></p>	<p>7. WATER LEVEL</p> <p>Static water level <u>175</u> feet below surface</p> <p>If flowing: closed-in pressure _____ psi</p> <p>GPM flow _____ through _____ inch pipe</p> <p>Controlled by: <input type="checkbox"/> Valve <input type="checkbox"/> Reducers <input type="checkbox"/> Other</p> <p>If other, specify _____</p>																																																								
<p>2. WELL LOCATION</p> <p>Sketch map location must agree with written location.</p> <div style="text-align: center;"> <p>NORTH</p> <p>1 MILE</p> </div> <p>County _____ Sec. (1 mile) <u>Grant</u></p> <p><u>1/4 SE 1/4 NE 1/4</u> Sec. <u>27</u> Twp. <u>134</u> N. Rg. <u>90</u> W.</p>	<p>8. WELL TEST DATA</p> <p><input type="checkbox"/> Pump <input type="checkbox"/> Bailer <input checked="" type="checkbox"/> Other</p> <p>Pumping level below land surface:</p> <p><u>280</u> ft. after <u>3</u> hrs. pumping <u>10-15</u> gpm</p> <p>_____ ft. after _____ hrs. pumping _____ gpm</p> <p>_____ ft. after _____ hrs. pumping _____ gpm</p>																																																								
<p>3. PROPOSED USE</p> <p><input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Geothermal <input type="checkbox"/> Monitoring</p> <p><input checked="" type="checkbox"/> Stock <input type="checkbox"/> Irrigation <input type="checkbox"/> Industrial</p> <p><input type="checkbox"/> Municipal <input type="checkbox"/> Test Hole</p>	<p>9. WELL LOG</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Formation</th> <th colspan="2">Depth (ft.)</th> </tr> <tr> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr><td><u>brown clay</u></td><td><u>0</u></td><td><u>16</u></td></tr> <tr><td><u>rock</u></td><td><u>16</u></td><td><u>17</u></td></tr> <tr><td><u>brown sand</u></td><td><u>17</u></td><td><u>43</u></td></tr> <tr><td><u>blue sand</u></td><td><u>43</u></td><td><u>55</u></td></tr> <tr><td><u>coal</u></td><td><u>55</u></td><td><u>67</u></td></tr> <tr><td><u>grey clay</u></td><td><u>67</u></td><td><u>74</u></td></tr> <tr><td><u>coal</u></td><td><u>74</u></td><td><u>75</u></td></tr> <tr><td><u>grey clay</u></td><td><u>75</u></td><td><u>153</u></td></tr> <tr><td><u>grey sand</u></td><td><u>153</u></td><td><u>173</u></td></tr> <tr><td><u>blue grey sand</u></td><td><u>173</u></td><td><u>182</u></td></tr> <tr><td><u>coal</u></td><td><u>182</u></td><td><u>185</u></td></tr> <tr><td><u>grey clay</u></td><td><u>185</u></td><td><u>261</u></td></tr> <tr><td><u>coal</u></td><td><u>261</u></td><td><u>265</u></td></tr> <tr><td><u>clay</u></td><td><u>265</u></td><td><u>270</u></td></tr> <tr><td><u>dark grey sand</u></td><td><u>270</u></td><td><u>325</u></td></tr> <tr><td><u>rock</u></td><td><u>325</u></td><td><u>326</u></td></tr> <tr><td><u>black clay</u></td><td><u>326</u></td><td><u>340</u></td></tr> </tbody> </table>	Formation	Depth (ft.)		From	To	<u>brown clay</u>	<u>0</u>	<u>16</u>	<u>rock</u>	<u>16</u>	<u>17</u>	<u>brown sand</u>	<u>17</u>	<u>43</u>	<u>blue sand</u>	<u>43</u>	<u>55</u>	<u>coal</u>	<u>55</u>	<u>67</u>	<u>grey clay</u>	<u>67</u>	<u>74</u>	<u>coal</u>	<u>74</u>	<u>75</u>	<u>grey clay</u>	<u>75</u>	<u>153</u>	<u>grey sand</u>	<u>153</u>	<u>173</u>	<u>blue grey sand</u>	<u>173</u>	<u>182</u>	<u>coal</u>	<u>182</u>	<u>185</u>	<u>grey clay</u>	<u>185</u>	<u>261</u>	<u>coal</u>	<u>261</u>	<u>265</u>	<u>clay</u>	<u>265</u>	<u>270</u>	<u>dark grey sand</u>	<u>270</u>	<u>325</u>	<u>rock</u>	<u>325</u>	<u>326</u>	<u>black clay</u>	<u>326</u>	<u>340</u>
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<p>6. WELL CONSTRUCTION</p> <p>Diameter of hole <u>7 1/2</u> inches. Depth <u>325</u> feet.</p> <p>Casing: <input type="checkbox"/> Steel <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Concrete</p> <p><input type="checkbox"/> Threaded <input checked="" type="checkbox"/> Welded <input type="checkbox"/> Other</p> <p>If other, specify _____</p> <p>Pipe Weight: _____ lb/ft Diameter: <u>4 1/2</u> inches From: <u>+1</u> feet To: <u>325</u> feet</p> <p>_____ lb/ft _____ inches _____ feet _____ feet</p> <p>_____ lb/ft _____ inches _____ feet _____ feet</p> <p>Was perforated pipe used? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Perforated pipe set from <u>300</u> ft to <u>320</u> feet</p> <p>Was casing left open end? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Was a well screened installed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Material _____ Diameter _____ inches</p> <p>Slot Size _____ set from _____ feet to _____ feet</p> <p>Slot Size _____ set from _____ feet to _____ feet</p> <p>Was packer or seal used? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If so, what material _____ Depth _____ ft.</p> <p>(stainless steel, bronze, etc.)</p> <p>Type of well: Straight screen <input type="checkbox"/> Gravel packed <input checked="" type="checkbox"/></p> <p>Depth grouted: From <u>10</u> To <u>80</u></p> <p>Grouting Material: Cement _____ Other <u>X</u></p> <p>If other explain: <u>Wyo Ben E microplug</u></p> <p>Well head completion: Pitless unit _____</p> <p>12" above grade <u>X</u> Other _____</p> <p>If other, specify _____</p> <p>Was pump installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Was well disinfected upon completion? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>11. WAS WELL PLUGGED OR ABANDONED?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If so, how _____</p>																																																								
<p>12. REMARKS:</p> <p><u>well owner will take water sample for analysis</u></p> <p><u>James Davenport</u></p>	<p>13. DRILLER'S CERTIFICATION</p> <p>This well was drilled under my jurisdiction and this report is true to the best of my knowledge.</p> <p><u>Opp Well Drilling</u> _____ 19</p> <p>Driller's or Firm's Name _____ Certificate No _____</p> <p><u>Glen Hillier, N.D.</u></p> <p>Address _____</p> <p><u>Terry Wagner</u> _____ 10 19 92</p> <p>Signed by _____ Date _____</p> <p><u>George F. Opp - 10-26-92</u></p>																																																								

Water Resource Review near T134N R90W S26



Legend

- Coal Fire
- 1 Mile Buffer
- Domestic Well
- Domestic/Stock
- Municipal
- Stock Well
- Streams and Rivers 24k



13408919CCC

13409027AD

13409026AC

13409027

13409033AAC

New Leipzig

13409036CB

13409035D

13409035D

13409035D

13409035D

13409035DD

13409036CC

13308906BBB

13309003BA



Public Service Commission State of North Dakota

COMMISSIONERS

Julie Fedorchak
Randy Christmann
Sheri Haugen-Hoffart

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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

Jerry D. Reinisch
U.S. Fish and Wildlife Service
3425 Miriam Avenue
Bismarck, ND 58501-7926

Dear Mr. Reinisch:

The Public Service Commission has been notified of a coal fire at the City of New Leipzig landfill in W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T134N R90W in Grant County (Unique GIS ID 38037-16497300). The fire is burning on the surface of a trash-filled pit. The fire poses a threat of wildfire if not extinguished soon. The contractor for our sinkhole filling project will conduct the project.

As part of the project approval process, our office requests concurrence that our proposed reclamation work will not adversely affect any threatened, endangered or rare animal or plant species. Please reply as soon as possible.

We expect this project to be completed expeditiously by November 2022 at a cost of approximately \$6,400. The attached map provides additional information.

Thank you for your assistance in this matter. If you have any questions or need more information, please contact me at jobreiner@nd.gov or 701.328.2412.

Sincerely,

A handwritten signature in blue ink that reads "Joan Breiner".

Joan Breiner, Ph.D.
Assistant Director
Abandoned Mine Lands Division

Enclosure

This Constitutes a report of the Department of the Interior prepared in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq). We have reviewed and have NO OBJECTION to this proposed project.

Field Supervisor

N



— Historical Mine Map

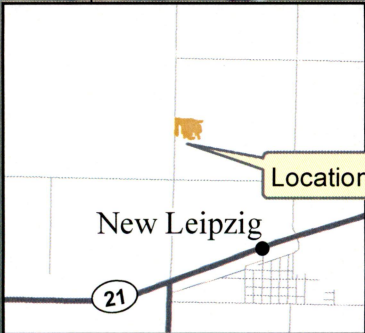
Section 26
T134 R90W



Location of Coal Fire



Location of Coal Fire



Banning Mine Area
 Northwest of New Leipzig
 Grant County
 ND PSC AML Division
 October 17, 2022

0 100 200
 Feet

New Leipzig Coal Fire

Biological Assessment

Prepared using IPaC Generated by Steele Mark (mrsteele@nd.gov) October 18, 2022

2 Species Effects Analysis

This section describes, species by species, the effects of the proposed action on listed, proposed, and candidate species, and the habitat on which they depend. In this document, effects are broken down as direct interactions (something happening directly to the species) or indirect interactions (something happening to the environment on which a species depends that could then result in effects to the species).

These interactions encompass effects that occur both during project construction and those which could be ongoing after the project is finished. All effects, however, should be considered, including effects from direct and indirect interactions and cumulative effects.

2.1 Monarch Butterfly

This species has been excluded from analysis in this environmental review document.

Justification for exclusion

This species has not been observed in the proposed work location. The proposed work will have no effect on the species.

2.2 Northern Long-Eared Bat

This species has been excluded from analysis in this environmental review document.

Justification for exclusion

This species has not been observed in the proposed work location. The proposed work will have no effect on the species.

2.3 Whooping Crane

This species has been excluded from analysis in this environmental review document.

Justification for exclusion

This species has not been observed in the proposed work location. The proposed work will have no effect on the species.



October 20, 2022

Joan Breiner
Abandoned Mine Lands Division
600 E Boulevard, Dept 408
Bismarck, ND 58505-0480

ND SHPO Ref.: 23-0043, New Leipzig coal fire in portions of [T134N R90W Section 26] Grant County, North Dakota

Dear Joan,

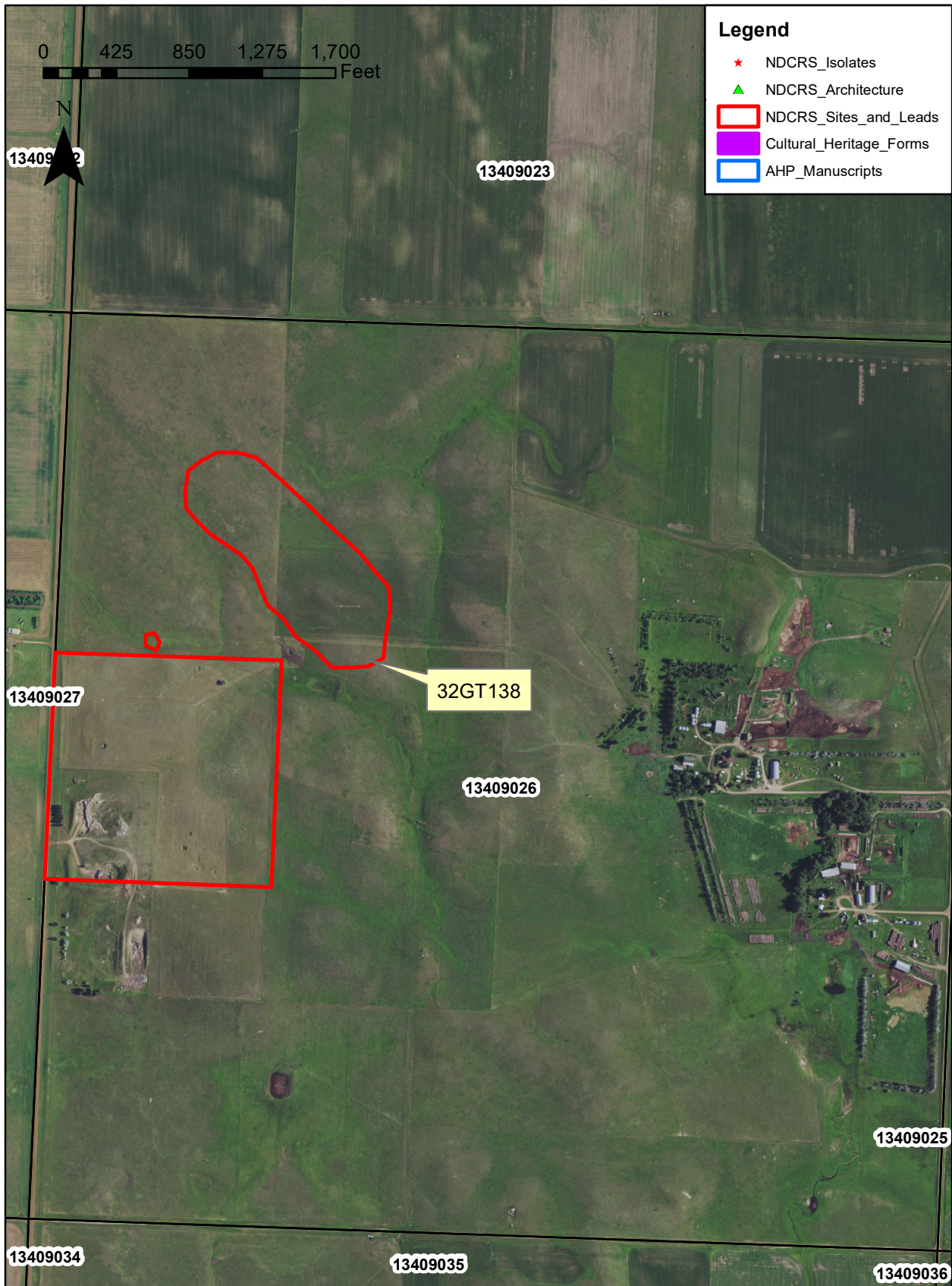
We have reviewed ND SHPO Ref.: 23-0043, New Leipzig coal fire in portions of [T134N R90W Section 26] Grant County, North Dakota. If consulted by a federal agency we would concur with a determination of "No Adverse Effect" for this project provided it avoids 32GT138, maps attached, and takes place in the location and manner described in the documentation. Should the fire spread, there are additional known sites approximately 0.75-1 mile away that should be avoided.

Thank you for the opportunity to review this project. If you have any questions please contact Lorna Meidinger, Lead Historic Preservation Specialist at (701) 328-2089, e-mail lbmeidinger@nd.gov.

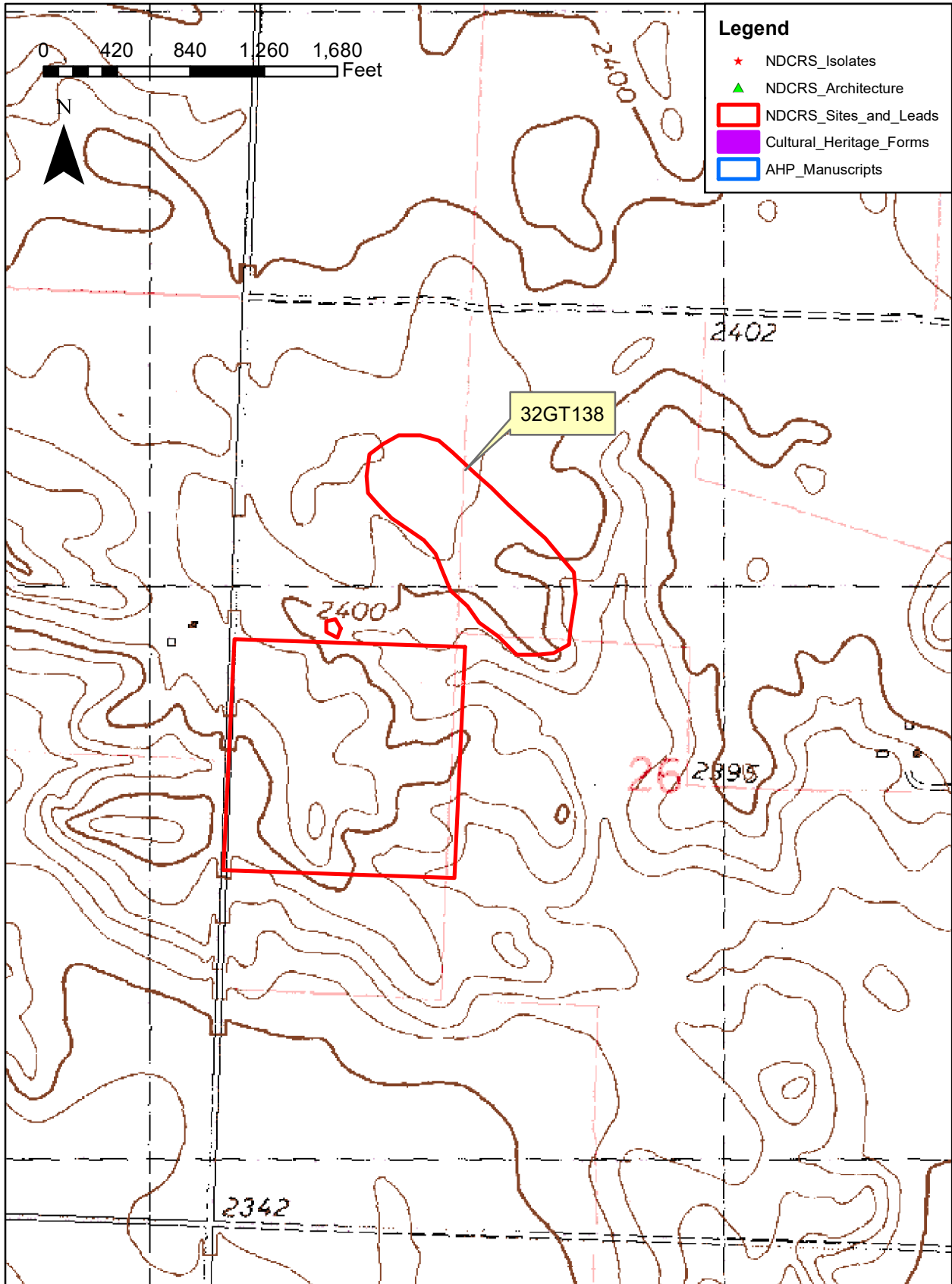
Sincerely,

for William D. Peterson PhD
State Historic Preservation Officer
(North Dakota)

23-0043



T134N R90W section 26 SHSND 10/19/2022



October 20, 2022

Joan Breiner
Public Service Commission
600 East Boulevard, Dept. 408
Bismarck, ND 58505-0480

Re: Coal Fire at City of New Leipzig

Dear Joan,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-referenced Coal Fire at the New Leipzig Landfill in Grant County, North Dakota.

NDPRD's scope of authority and expertise covers properties that NDPRD owns, leases, or manages; properties protected under Section 6(f) of the Land and Water Conservation Fund (LWCF); rare plants; and ecological communities established through the Natural Heritage Program.

The project does not appear to affect properties NDPRD owns, leases, or manages.

The project does not appear to affect any properties protected under Section 6(f) of the LWCF.

A North Dakota Natural Heritage biological conservation database query determines if any current or historical plant or animal species of concern or other significant ecological communities are known to occur within an approximate one-mile radius of the project area. Based on this review, we have no known plant and animal species of concern or significant ecological communities documented within or immediately adjacent to the project site.

We appreciate your commitment to rare plant, animal, and ecological community conservation, management, and inter-agency cooperation. For additional information, please contact me at 701-328-5370, 701-220-3377 (cell), or kgduttonhefner@nd.gov.

Thank you for the opportunity to comment on the proposed project.

Sincerely,



Kathy Duttonhefner, Chief Natural Resources Division

STANDARDIZED ENVIRONMENTAL ASSESSMENT

**New Leipzig Abandoned Mine Land Site
ND000030
Grant County, North Dakota**

Prepared by

North Dakota Public Service Commission

In Cooperation With

**United States Department of the Interior
Office of Surface Mining Reclamation and Enforcement
Casper Field Office**

October 2022

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Chapter 1: Purpose and Need for the Proposal

A. Need for the Action

The mission of the Abandoned Mine Lands (AML) Division of the North Dakota Public Service Commission (PSC) is to eliminate potential or existing hazards associated with abandoned surface and underground coal mines.

On September 27, 2022, the NDPSC-AML Division received a call regarding a coal fire at the New Leipzig municipal landfill in W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26 T134N R090W (Unique GIS ID 38037-16497300). The landfill is the site of an abandoned underground and surface coal mine.

The fire is in a portion of the landfill that is approximately 250 feet from the last known sinkhole and about 200 feet from the mine as shown on a 1939 mine map. Underground mining continued until 1951. The coal fire is smoldering at the surface and could easily ignite the dry vegetation and inert waste at the landfill. The area is currently classified as Abnormally Dry by the National Integrated Drought Information System (drought.gov). Three residences are between 0.25 and 0.75 miles from the fire. The New Leipzig city center is about 1.5 miles south of the landfill.

B. Project Background

Most of western North Dakota is underlain by large deposits of lignite coal and mining of lignite played a pivotal role in the development of western North Dakota. The earliest documented commercial underground lignite mine opened in 1873 near Sims, about 30 miles west of Bismarck and 35 miles northeast of New Leipzig.

The mine at the New Leipzig site (Section 26, T134N R90W) operated as an underground mine from 1929-1951 and as a surface mine from 1952-1957. Originally known as the Roberts Coal Mine, it was not listed as a new mine in 1929 and may have been in operation earlier. The name of the mine changed to Banning & Webb about 1936-1937. In 1945 the Banning & Webb became the Ketterling Coal Mine. No records were reported for the mine after 1957, and it is assumed it ceased operation. The mined coal produced between 800 to over 13,000 tons of coal annually as an underground mine. The surface mine produced an average of 10,500 tons annually. The coal was produced mainly used for local trade.

In 1983 the NDPSC conducted a reclamation project with blasting, excavation, grading and seeding to address the underground abandoned mine. Sinkholes continue to appear and in 2012 an exploratory drilling project was conducted. Sixteen drill holes encountered mine workings. No further reclamation work has been completed at the site. The landowner fills any sinkholes.

Chapter 2: Proposed Action and Appropriate Alternatives

A. No Action Alternative

The no action option does not solve the potentially hazardous AML conditions at the site. The fire will continue to burn potentially causing a grass fire and/or a long-term coal mine fire.

B. Proposed Action

Reclamation work at the proposed 2022 New Leipzig Coal Fire may include removing and stockpiling topsoil from the area, excavating to remove burning material, excavating trenches, burying all burning materials in the trenches, grading to reestablish drainage and blending into adjacent topography and reseeding all disturbed areas.

C. Other Reasonable Alternatives

Other reclamation options may include fencing, property buyout or condemnation. Fencing is not considered a long-term viable option. Property buyout or condemnation does not address the AML problems at these sites.

Chapter 3: Environmental Impacts

A. Cultural or historic resource values (the Archaeological Resources Protection Act of 1979; the Archaeological and Historic Preservation Act of 1974; the National Historic Preservation Act of 1986, as amended; the Antiquities Act of 1906, Executive Order 11593, concerning the protection and enhancement of the cultural environment; the American Indian Religious Freedom Act of 1978; the Historic Sites Act of 1935; and OMB Circular A-102).

Reclamation activities will be conducted in a manner that should have no significant effect on cultural or historic resources. This will include minimizing disturbances and restricting them to the immediate area of the fire and borrow area(s).

B. Water quality values (Clean Water Act, as amended)

Reclamation activities will be conducted in a manner that should have no significant effect on surface or groundwater quality or quantity. This will include minimizing disturbances and restricting them to the immediate area of the fire and borrow area(s). If necessary, erosion may be controlled with best management practices including mulching, installation of wattles, riprap, flexible mats, or other methods.

C. Wetlands values (Clean Water Act, Executive Order 11990, and Army/EPA Memorandum of Agreement (MOA) Concerning the Determination of Mitigation under Section 404(b) (1) Guidelines)

Reclamation activities will not affect any wetland areas.

D. Floodplain values (Executive Order 11988)

Reclamation activities will not adversely affect an identified floodplain.

E. Wildlife (Endangered Species Act and Fish and Wildlife Coordination Act)

Reclamation activities will be conducted in a manner that should have no significant effect on wildlife. Threatened (T), endangered (E) or candidate (C) species in Grant County, North Dakota identified by the U.S. Fish and Wildlife Service include Whooping Crane (*Grus Americana*) (E), Northern Long-Eared Bat (*Myotis septentrionalis*) (T) and Monarch Butterfly (*Danaus plexippos*) (C). None of these species are likely to be found or disturbed by the 2022 New Leipzig Coal Fire AML Project.

F. Prime and unique farmland values (Farmland Protection Policy Act)

Reclamation activities will not affect prime or unique farmland values.

G. Recreational resource values (Wild and Scenic Rivers Act, Clean Air Act)

No lands in these areas are classified as wilderness areas or lands being studied for wilderness designation.

No lands in these areas are identified as areas of critical environmental concern.

No lands in these areas are included in the Wild and Scenic Rivers category.

No parks or areas of critical ecological or aesthetic concern are found in these areas.

H. Air quality (Clean Air Act)

These areas are not in or near a Class I Air Quality Region. This project should not adversely affect air quality. Watering of construction areas could be required if needed to control fugitive dust, but most sites will be so small that it will not be necessary.

I. Socioeconomic factors

Work contracted for the 2022 New Leipzig Coal Fire AML Project will likely result in little change in local employment and revenues. The work will make the land safer and more useful, which will benefit the property owners and the public.

J. Political factors

Zoning jurisdictions for this area are held by county and local township authorities. The property is privately owned and used for the New Leipzig city landfill. Consent for right-of-entry is obtained before any reclamation activities and property owners or managers are usually notified before work begins.

The 2022 New Leipzig Coal Fire AML Project would be conducted at the request of the City of New Leipzig.

K. Existing Vegetative Cover

The fire is in a landfill pit with sparse vegetation. Topsoil will be saved to the extent possible and respread evenly after the fire is extinguished. Affected areas will be reseeded with locally adapted grass species native to western North Dakota.

L. Threatened and Endangered Plant Species

No threatened (T), endangered (E), plant species of concern (C) or significant ecological communities have been identified in Grant County.

M. Anticipated dates of Reclamation

Project work is expected to begin as soon as Authorization to Proceed is granted. The project is expected to be completed within three days of the start.

N. Estimated Construction Cost

The estimated cost for the project is approximately \$6,325.

O. Off-site Borrow and Disposal Areas

No offsite borrow or disposal areas are anticipated. If off-site borrow or disposal issues arise, they will be addressed through consultation with the North Dakota Department of Environmental Quality.

P. Noise Pollution

Noise pollution problems are not anticipated; however, if problems arise, remedial action measures could be addressed in consultation with the North Dakota Department of Environmental Quality.

Q. Environmental Justice Policy

Work will be conducted mainly at a municipal landfill and impacts on minority or low-income populations are expected to be minimal.

Chapter 4: Consultation and Coordination

A letter was sent to the State Historical Society of North Dakota on October 19, 2022, requesting concurrence for the 2022 New Leipzig Coal Fire AML Project. A response was received on October 20, 2022 with a “No Adverse Effect” determination.

A letter was sent to the U.S. Fish and Wildlife Service on October 19, 2022, requesting concurrence for the 2022 New Leipzig Coal Fire AML Project. A response was received on October 20, 2022 with a “No Objection” stamp.

A letter was sent to the North Dakota Department of Environmental Quality on October 19, 2022, requesting concurrence for the 2022 New Leipzig Coal Fire AML Project. A response was received on October 19, 2022.

A letter was sent to the Natural Heritage Program of the North Dakota Parks and Recreation Department on October 19, 2022, requesting concurrence for the 2022 New Leipzig Coal Fire AML Project. A response was received on October 20, 2022.

Preparer

 10/28/2022

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ND Public Service Commission