

**From:** Welch, Guy A. <gwelch@nd.gov>  
**Sent:** Tuesday, March 21, 2023 7:56 AM  
**To:** Jay Volk <jvolk@summitcarbon.com>  
**Cc:** Emmer, Jonathan W. <jemmer@nd.gov>; Brinkman, Zanna A. <zbrinkman@nd.gov>  
**Subject:** RE: Phone Call

Good Morning Jay,

I talked with Zanna briefly after our phone conversation yesterday. She concurred that OSM is not involved with third party entities installing pipelines on lands permitted for surface coal mining activities. This looks to me like a non-issue.

Mining companies would need to update the permit to show where pipeline easements of record have been ascertained and take measures to avoid adverse impacts to pipelines. This may include depicting the pipeline on the pit layout and facilities map and existing facilities map. Additional precautions may need to be taken when a haul road is designed to pass over a pipeline, as is currently the case at the Coyote Creek Mine, and a mining company's blasting plan may need to be updated accordingly.

Guy