



# Public Service Commission

## State of North Dakota

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COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

*sent via email only*

January 25, 2024

600 East Boulevard, Dept. 408  
Bismarck, North Dakota 58505-0480  
Web: [www.psc.nd.gov](http://www.psc.nd.gov)  
E-mail: [ndpsc@nd.gov](mailto: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 82601

**RE: Request for Authorization to Proceed for the 2024 Exploratory Drilling AML Project in North Dakota.**

Dear Mr. Fleischman:

Enclosed is the documentation to support our Request for Authorization to Proceed for the 2024 Exploratory Drilling AML Project in North Dakota. The categorical exclusion is attached for the proposed project.

We have requested concurrence for our proposed project from the State Historical Society of North Dakota, the U.S. Fish and Wildlife Service, the North Dakota Parks and Recreation Department, and the North Dakota Department of Environmental Quality. Copies of our letters and the responses we received are attached.

All affected property owners for this project have been contacted and consents for right-of-entry will be executed before any work begins.

The e-AMLIS Problem Areas Description numbers, names, and project type for the proposed sites are:  
ND000003 — South Scranton — Exploratory Drilling  
ND000528 — Scranton — Exploratory Drilling  
ND000054 — New Salem — Exploratory Drilling

The proposed grants for funding this project are S22AF00047-00 and S23AF00108-00. We have posted updated priority documentation for this project in the documents section in e-AMLIS. If you need more information or have any questions, please call Matthew Fischer at 701-328-4779 or me at 701-328-4094.

Sincerely,

Jonathan Emmer  
Director  
Reclamation and AML Divisions

Enclosures

cc via email only: John Sieving

AML\2024\2024 Exploratory Drilling\ATP\Requests sent to OSMRE\I 2024\_Auth\_to\_Proceed\_rqst\_ltr\_1-25-24

Mr. Jeffrey Fleischman  
January 25, 2024  
Page 2 of 2

## **List of Attachments**

### List of Attachments

A brief narrative about the proposed 2024 Exploratory Drilling AML Project.

Categorical Exclusion Determination (NEPA 6.6) for the proposed 2024 Exploratory Drilling AML Project.

Requests for concurrence for the 2024 Exploratory Drilling AML Project and the responses received from:

ND State Historical Society (response included).

ND Department of Environmental Quality (response included). ND Parks & Recreation Department (response included).

U.S. Fish and Wildlife Service (response included).

Eligibility determination for the proposed 2024 Exploratory Drilling AML Project.

## Project Narrative

The 2024 Exploratory Drilling AML Project: This project will locate and characterize underground mine workings beneath public roads and other infrastructure. This investigatory project is expected to be conducted near New Salem & Scranton, North Dakota between June and September 2024. The historical mining in New Salem includes the McCormick Deep Mine, which is estimated to be 190 to 240 feet underground. This mine produced over 400,000 tons of coal in 29 years. Mining operations in Scranton started in 1909 and spanned into the 1940s. Over 485,000 tons of coal were produced between the two largest mines. Surface disturbance for this type of project is minimal as the contractor will drill four-inch holes and backfill them with the cuttings. The estimated cost for this project is \$300,000.

AML\2024\2024 Exploratory Drilling\ATP\Requests sent to OSMRE\2 Project Narrative

APPENDIX 6.6 AML CATEGORICAL EXCLUSION DETERMINATION FORM  
(REVISED JULY 2019)

ABANDONED MINE LANDS  
CATEGORICAL EXCLUSION DETERMINATION

State: North Dakota PA # ND000003, ND000528, ND000054

Project Name: 2024 Exploratory Drilling

Project Description/Proposed Action: *[Provide a detailed description of the project/proposed action (include what will be done and how)]*

The 2024 Exploratory Drilling AML Project will locate and characterize hazardous underground mine working beneath public roads and other infrastructure. The investigatory project is expected to be conducted near the cities of New Salem & Scranton, North Dakota between June and September 2024. Drilling will generally be done in road right-of-ways and industrial areas. Surface disturbance will be very minimal. The estimated cost for this project is \$300,000.

**Yes responses require submission of an Environmental Assessment (EA).**

**I. GENERAL EXCEPTIONS**

Does the project type specifically require an EA in 516 DM Chapter 13, as specified in Item I of Appendix 6.5 of OSMRE's NEPA Handbook (2019)?

No  Yes

**II. DEPARTMENT OF THE INTERIOR EXCEPTIONS**

Will the project have any of the following:

A significant adverse effect on public health or safety? No  Yes

An adverse effect on any of the following unique geographic characteristics? No  Yes

If yes, check the ones that apply.

Parks (State, Local, or National)

Wild or Scenic Rivers

- Recreation or Refuge Lands
- Wetlands
- Wilderness Areas
- Floodplains
- Ecologically Significant or Critical Areas
- Sole or Principal Drinking Water
- Prime Farmland
- Aquifers

Highly controversial environmental effects?

No  Yes

Highly uncertain and potentially significant environmental effects or unique or unknown environmental risks?

No  Yes

A precedent for future action or a decision in principle about future actions with potentially significant environmental effects?

No  Yes

Directly related to other actions with individually insignificant but cumulatively significant environmental effects?

No  Yes

Adverse effects on properties listed or eligible for listing on the National Register of Historic Places?

No  Yes

Adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species?

No  Yes

Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Wetlands Protection) or The Fish and Wildlife Coordination Act?

No  Yes

Threaten to violate a Federal, State, Tribal or local law or requirement imposed for the protection of the environment?

No  Yes

Involve unresolved conflicts concerning alternative uses of available resources (NEPA Sec. 102(2)(E))?

No  Yes

Have a disproportionate, significant adverse effect on low income or minority populations (EO 12898)?

No  Yes

Restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 13007)

No  Yes

Contribute to the introduction, continued existence, or spread of noxious Weeds or non-native invasive species known to occur in the area or actions



that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and EO 13112)?

No  Yes

**III. RESOURCE IMPACT EXCEPTIONS**


Are there any unresolved issues, or adverse effects requiring specialized mitigation, for any of the following resources? If yes, check the ones that apply.

No  Yes

- |   |  |
|---|--|
| <input type="checkbox"/> Topography                         | <input type="checkbox"/> Historic and Cultural           |
| <input type="checkbox"/> Land Use (includes prime farmland) | <input type="checkbox"/> Recreation                      |
| <input type="checkbox"/> Soils                              | <input type="checkbox"/> Air Quality                     |
| <input type="checkbox"/> Vegetation (includes wetlands)     | <input type="checkbox"/> Noise                           |
| <input type="checkbox"/> Hydrology                          | <input type="checkbox"/> Other (includes socioeconomics) |
| <input type="checkbox"/> Fish and Wildlife                  |  |

**IV. ATTACH CONSULTATION LETTERS AND A LOCATION MAP**

**V. RESPONSIBLE OFFICIAL CERTIFICATION**

Signature:  Date: 1/23/24  
 Name and Title: Director of AML and Reclamation Divisions

**VI. OSMRE DETERMINATION**

This project conforms with the exclusion criteria in 516 DM Chapter 13, and is excluded from further NEPA compliance.

This project does not conform with the exclusion criteria in 516 DM Chapter 13, and requires an Environmental Assessment. As such, OSMRE will complete an *Evaluation of a Proposed Action* template (see Appendix 4.1 of OSMRE's NEPA Handbook (2019)).

OSMRE Reviewer Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Name and Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Name and Title: \_\_\_\_\_



# Public Service Commission

## State of North Dakota

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### COMMISSIONERS

Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

600 East Boulevard, Dept. 408  
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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

*sent via email only*

December 15, 2023

William Peterson, Ph.D.  
State Historic Preservation Officer  
State Historical Society of North Dakota  
612 East Boulevard Avenue  
Bismarck, ND 58505-0830  
[billpeterson@nd.gov](mailto:billpeterson@nd.gov)

Dear Dr. Peterson:

The Public Service Commission is planning reclamation activities in 2024 at two Abandoned Mine Land (AML) Sites near New Salem and Scranton, North Dakota. All project work will be completed by contractors selected through competitive bidding.

As part of the project approval process, our office requests concurrence that the following proposed reclamation work will not adversely affect any historical or archaeological resources. Please reply regarding this proposed project by **January 15, 2024**.

The 2024 Exploratory Drilling AML Project: This project will locate and characterize underground mine workings beneath public roads and other infrastructure. This investigatory project is expected to be conducted near New Salem and Scranton, North Dakota between June and August 2024. Surface disturbance for this type of project is minimal as the contractor will drill four-inch holes from a truck mounted drilling rig and fill the holes with cuttings from the drilling process. The estimated cost for this project is \$300,000. The attached maps provide more information and show the proposed project locations.

Thank you for your assistance in this matter. If you have any questions or need more information, please contact the project manager, Brett Job, at [bjob@nd.gov](mailto:bjob@nd.gov) or 701-989-4041.

Sincerely,

Jonathan Emmer  
Director  
Abandoned Mine Lands Division

Enclosures







**2024 Exploratory Drilling**

T131N R100W Sec 23, 24, & 26  
Scranton, ND  
Bowman County  
ND PSC AML Division



Work Area

Work Area





January 11, 2024

Jonathan Emmer  
Abandoned Mines Division  
600 East Boulevard, Dept 408  
Bismarck, ND 58505

**ND SHPO Ref: 24-0074 2024 Exploratory Drilling AML Project near New Salem and Scranton, ND in portions of [T131N R100W Sections 24 and 26 and T139N R85W Section21] Bowman and Morton Counties, North Dakota**

Dear Jonathan,

We've reviewed the project ND SHPO Ref: 24-0074 2024 Exploratory Drilling AML Project near New Salem and Scranton, ND in portions of [T131N R100W Sections 24 and 26 and T139N R85W Section21] Bowman and Morton Counties, North Dakota as submitted to our office on December 15, 2023.

We concur with a determination of "No Historic Properties Affected" for the project near Scranton, ND.

The project near New Salem, ND is within the boundaries of 32MOX340 (McCormick Mine). We concur with a determination of "No Adverse Effect" provided any historic surface features (foundations, equipment, building remains, etc.) are avoided if possible.

Thank you for the opportunity to review this project. Please include the ND SHPO Ref number in future correspondence for this project. If you have any questions please contact Margaret Patton, Research Archaeologist at 701-328-3576 or [mmpatton@nd.gov](mailto:mmpatton@nd.gov).

Sincerely,

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

24-0074





# Public Service Commission

## State of North Dakota

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Randy Christmann  
Sheri Haugen-Hoffart  
Julie Fedorchak

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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

*sent via email only*

December 15, 2023

Luke Toso  
U.S. Fish and Wildlife Service  
Ecological Services  
3425 Miriam Avenue  
Bismarck, ND 58501-7926  
[luke\\_toso@fws.gov](mailto:luke_toso@fws.gov)

Dear Mr. Toso:

The Public Service Commission is planning reclamation activities in 2024 at two Abandoned Mine Land (AML) Sites near New Salem and Scranton, North Dakota. All project work will be completed by contractors selected through competitive bidding.

As part of the project approval process, our office requests concurrence that the following proposed reclamation work will not adversely affect any threatened, endangered, or rare plant species. Please reply regarding this proposed project by **January 15, 2024**.

The 2024 Exploratory Drilling AML Project: This project will locate and characterize underground mine workings beneath public roads and other infrastructure. This investigatory project is expected to be conducted near New Salem and Scranton, North Dakota between June and August 2024. Surface disturbance for this type of project is minimal as the contractor will drill four-inch holes from a truck mounted drilling rig and fill the holes with cuttings from the drilling process. The estimated cost for this project is \$300,000. The attached maps provide more information and show the proposed project locations.

Thank you for your assistance in this matter. If you have any questions or need more information, please contact the project manager, Brett Job, at [bjob@nd.gov](mailto:bjob@nd.gov) or 701-989-4041.

Sincerely,

Jonathan Emmer  
Director  
Abandoned Mine Lands Division

Enclosures

cc via email only: Jerry Reinisch ([jerry\\_reinisch@fws.gov](mailto:jerry_reinisch@fws.gov))

AML\2024\2024 Exploratory Drilling\ATP\Concurrence Letters\2024\_Advsry\_auth\_to\_proceed\_ltr\_12-15-23





**2024 Exploratory Drilling**  
T139N R85W Sec 16 & 21  
New Salem, ND  
Morton County  
ND PSC AML Division



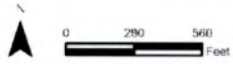
Work Area





**2024 Exploratory Drilling**

T131N R100W Sec 23, 24, & 26  
Scranton, ND  
Bowman County  
ND PSC AML Division



Work Area

Work Area







## Public Service Commission State of North Dakota

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December 15, 2023

Luke Toso  
U.S. Fish and Wildlife Service  
Ecological Services  
3425 Miriam Avenue  
Bismarck, ND 58501-7926  
[luke\\_toso@fws.gov](mailto:luke_toso@fws.gov)

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Sincerely,

Jonathan Emmer  
Director  
Abandoned Mine Lands Division

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.). The U.S. Fish and Wildlife Service has no comments or concerns regarding the proposed project as described. If the project changes or new information becomes available, please contact this office again so potential impacts to wildlife resources may be reevaluated.

LUKE TOSO Digitally signed by LUKE TOSO  
Date: 2024.01.02 11:37:03 -06'00'

Supervisor, North Dakota Ecological Services Field Office Date

Enclosures

cc via email only: Jerry Reinisch ([jerry\\_reinisch@fws.gov](mailto:jerry_reinisch@fws.gov))

AML\2024\2024 Exploratory Drilling\ATP\Concurrence Letters\2024\_Advsry\_auth\_to\_proceed\_ltr\_12-15-23





# Public Service Commission

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*sent via email only*

December 15, 2023

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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

Kathy Duttonhefner  
Natural Resources Management Coordinator  
ND Parks & Recreation Department  
604 East Boulevard Ave. Dept. 750  
Bismarck, ND 58503  
[kgduttonhefner@nd.gov](mailto:kgduttonhefner@nd.gov)

Dear Ms. Duttonhefner:

The Public Service Commission is planning reclamation activities in 2024 at two Abandoned Mine Land (AML) Sites near New Salem and Scranton, North Dakota. All project work will be completed by contractors selected through competitive bidding.

As part of the project approval process, our office requests concurrence that the following proposed reclamation work will not adversely affect any threatened, endangered, or rare plant species. Please reply regarding this proposed project by **January 15, 2024**.

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Sincerely,

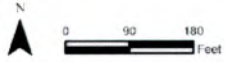
Jonathan Emmer  
Director  
Abandoned Mine Lands Division

Enclosures





**2024 Exploratory Drilling**  
T139N R85W Sec 16 & 21  
New Salem, ND  
Morton County  
ND PSC AML Division

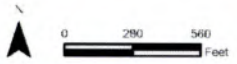


Work Area



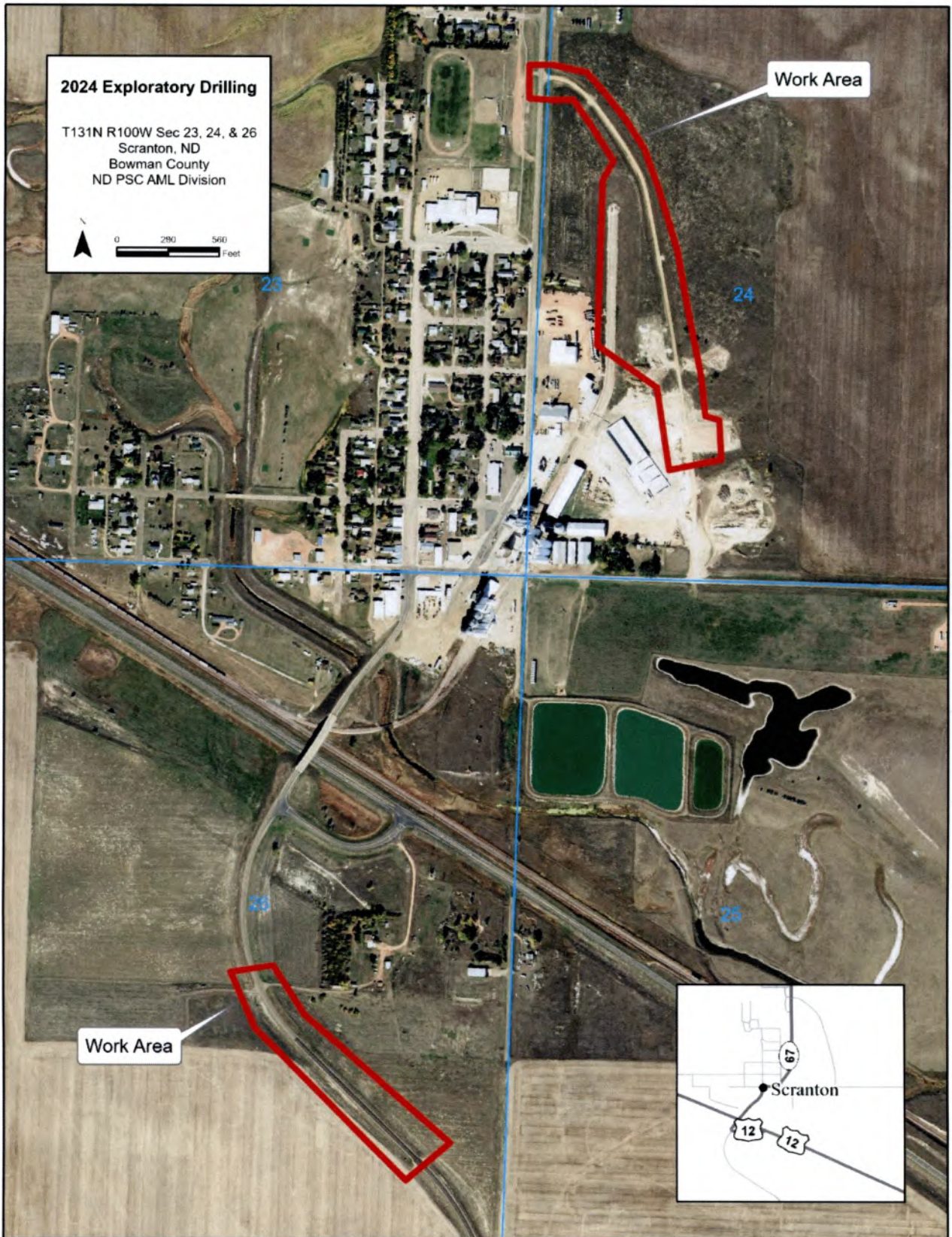


**2024 Exploratory Drilling**  
T131N R100W Sec 23, 24, & 26  
Scranton, ND  
Bowman County  
ND PSC AML Division



Work Area

Work Area







January 17, 2024

Jonathan Emmer  
ND Public Service Commission  
600 East Boulevard Dept. 408  
Bismarck, ND 58505

Re: Abandoned Mine Land (AML) Sites: Scranton and New Salem

Dear Jonathan,

The North Dakota Parks and Recreation Department (NDPRD) has reviewed the above-proposed AML Sites near New Salem and Scranton, 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 may appear affect properties protected under Section 6(f) of the LWCF.**

A LWCF project has been identified near the proposed project's vicinity. Attached is a map identifying the approximate location of the Scranton Recreation Complex. Properties that have received funding from the LWCF program have a designated 6(f) property boundary that carries restrictions on modifications to the property, including but not limited to utilities or any divesture of land. For additional information regarding LWCF properties, don't hesitate to contact Char Langehaug, ND Parks and Recreations Department's Grants Coordinator, at [clangehaug@nd.gov](mailto:clangehaug@nd.gov) or 701-328-5364.

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, no known plant or animal species of concern or significant ecological communities are 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, contact Natural Resources Division Chief Kathy Duttenehfer at 701-328-5370, 701-220-3377 (cell), or [kgduttenehfer@nd.gov](mailto:kgduttenehfer@nd.gov).

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

Sincerely,

A handwritten signature in black ink that reads "Kathy Duttenehfer". The signature is written in a cursive, flowing style.

Kathy Duttenehfer, Chief Natural Resources Division

604 E Boulevard Ave Dept. 750 | Bismarck, ND 58505

PHONE: 701-328-5357 | FAX: 701-328-5363 | EMAIL: [parkrec@nd.gov](mailto:parkrec@nd.gov) | WEBSITE: [www.parkrec.nd.gov](http://www.parkrec.nd.gov)

North Dakota Natural Heritage Inventory  
Rare Animal and Plant Species and Significant Ecological Communities

State Scientific Name	State Common Name	State Rank	Global Rank	Federal Status	Township Range Section	County	Last Observation	Estimated Representation Accuracy	Precision
Numenius americanus	Long-billed Curlew	S2	G5		131N100W - 13; 131N100W - 12; 131N100W - 02; 131N099W - 07; 131N100W - 23; 131N100W - 11; 131N100W - 14; 131N099W - 18; 131N100W - 01; 131N100W - 15; 131N100W - 10; 131N100W - 24	Bowman	1965-06-11		M
Numenius americanus	Long-billed Curlew	S2	G5		131N099W - 19; 131N100W - 24; 131N099W - 20; 131N100W - 13; 131N099W - 07; 131N099W - 18; 131N099W - 30; 131N099W - 29; 131N099W - 17; 131N100W - 25	Bowman	1965-06-11		M

Land and Water Conservation Fund Projects

**Project Name**

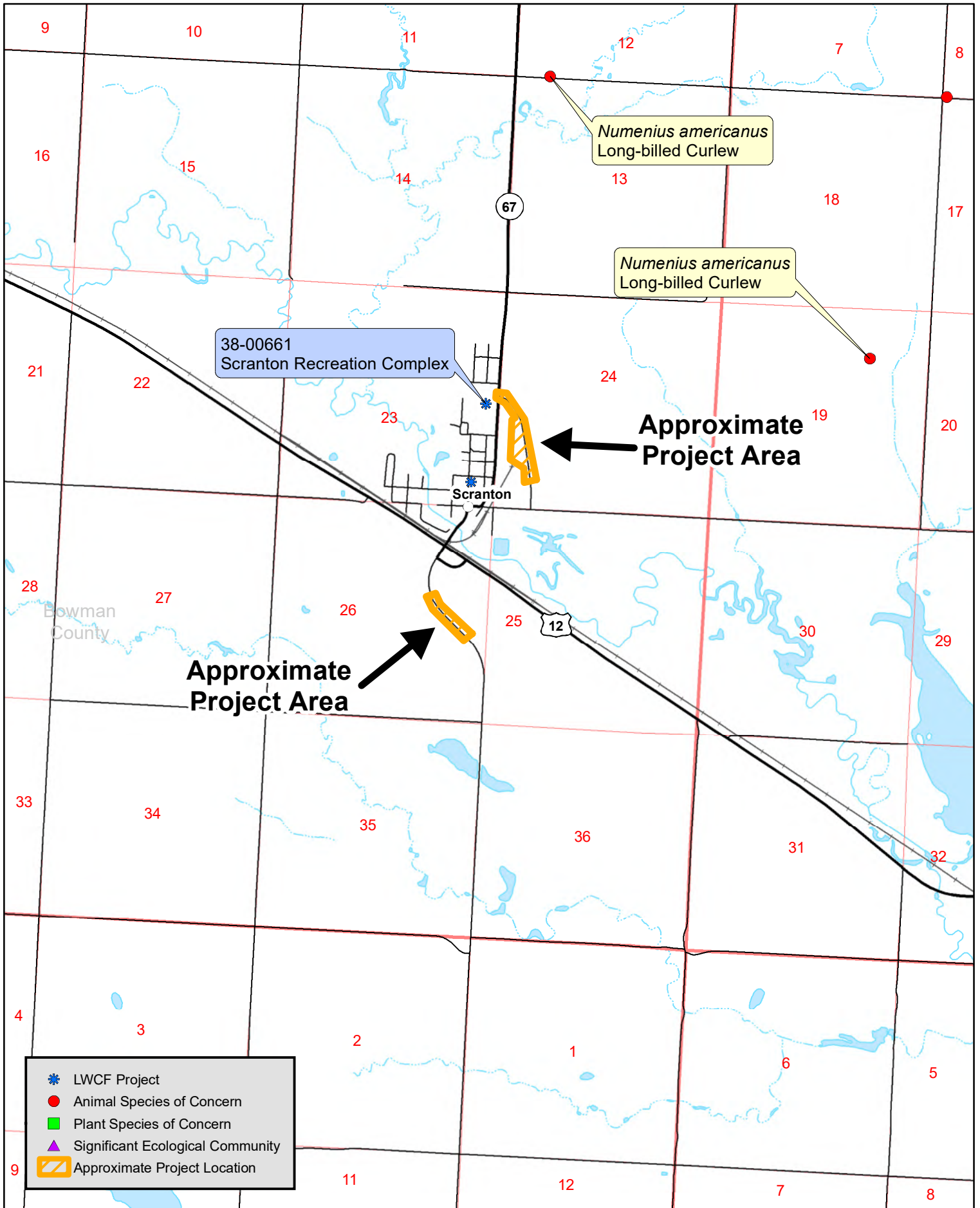
Scranton Recreation Complex

**Project Number**

38-00661



# North Dakota Parks and Recreation Department North Dakota Natural Heritage Inventory



*Numenius americanus*  
Long-billed Curlew

*Numenius americanus*  
Long-billed Curlew

38-00661  
Scranton Recreation Complex

**Approximate  
Project Area**

**Approximate  
Project Area**

Scranton

- ★ LWCF Project
- Animal Species of Concern
- Plant Species of Concern
- ▲ Significant Ecological Community
- Approximate Project Location



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Fax: 701-328-2410  
TDD: 800-366-6888 or 711

*sent via email only*

December 15, 2023

Mr. Karl Rockeman, P.E.,  
Director, Division of Water Quality  
North Dakota Department of Environmental Quality  
4201 Normandy Street  
Bismarck, ND 58503  
[krockema@nd.gov](mailto:krockema@nd.gov)

Dear Mr. Rockeman:

The Public Service Commission is planning reclamation activities in 2024 at two Abandoned Mine Land (AML) Sites near New Salem and Scranton, North Dakota. All project work will be completed by contractors selected through competitive bidding.

As part of the project approval process, our office requests concurrence that the following proposed reclamation work will not adversely affect any surface or groundwater resources. Please reply regarding this proposed project by **January 15, 2024**.

The 2024 Exploratory Drilling AML Project: This project will locate and characterize underground mine workings beneath public roads and other infrastructure. This investigatory project is expected to be conducted near New Salem and Scranton, North Dakota between June and August 2024. Surface disturbance for this type of project is minimal as the contractor will drill four-inch holes from a truck mounted drilling rig and fill the holes with cuttings from the drilling process. The estimated cost for this project is \$300,000. The attached maps provide more information and show the proposed project locations.

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Sincerely,

Jonathan Emmer  
Director  
Abandoned Mine Lands Division

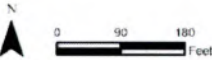
Enclosures





**2024 Exploratory Drilling**

T139N R85W Sec 16 & 21  
New Salem, ND  
Morton County  
ND PSC AML Division



Work Area

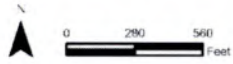
New Salem





**2024 Exploratory Drilling**

T131N R100W Sec 23, 24, & 26  
Scranton, ND  
Bowman County  
ND PSC AML Division



Work Area

Work Area





NORTH  
**Dakota** | Environmental Quality  
Be Legendary.™

---

December 19, 2023

Mr. Jonathan Emmer  
Director  
Abandoned Mine Lands Division  
Public Service Commission  
600 East Boulevard Avenue  
Dept 408  
Bismarck, ND 58505-0408

Subject: 2024 Proposed Mine Reclamation Projects Near New Salem and  
Scranton

Mr. Emmer,

The North Dakota Department of Environmental Quality (NDDEQ) has reviewed the proposed mine reclamation projects summarized in your December 15, 2023, letter. The proposed exploratory drilling areas have been mapped in relation to aquifers, wellhead protection areas, and existing wells (maps included). Based our review, it does not appear that the proposed activities will significantly impact groundwater quality. However, all reclamation activities should be conducted in a manner that minimizes potential impacts to water supply wells located in the vicinity of the sites.

We appreciate the opportunity to review the planned exploratory drilling activities. If you have any questions, please contact me at 701-328-5213.

Sincerely,



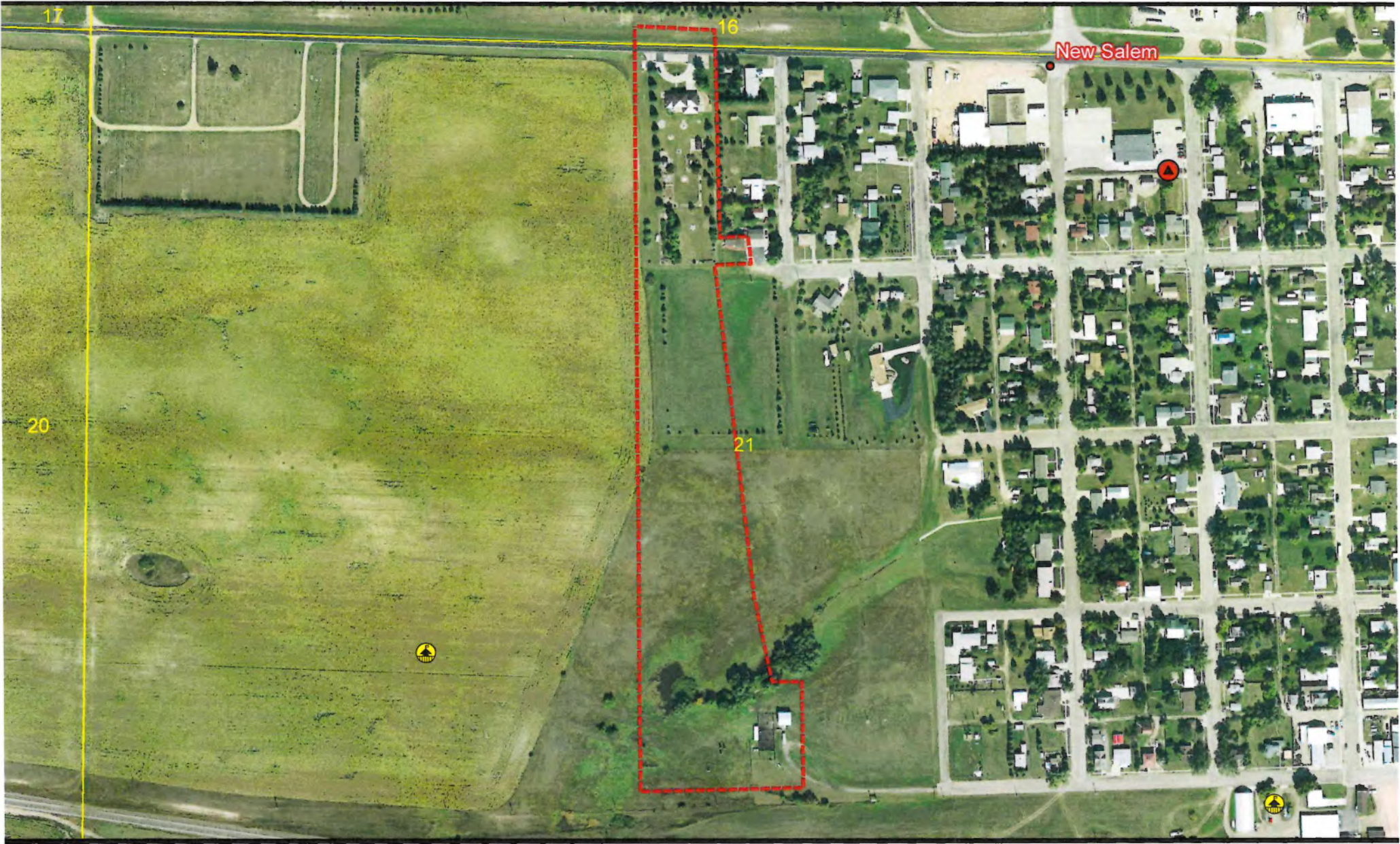
Carl Anderson  
Groundwater Protection Manager  
NDDEQ – Division of Water Quality



	Domestic Well		Area of Interest
	Municipal Well		PLSS Sections
	Observation Well		
	Stock Well		







**New Salem, ND Exploratory Drilling 2024**

Area of Interest	Geothermal	Stock		
County Roads	Industrial	Aquifer		
Commercial	Irrigation	Sensitive GW Area		
Domestic	Monitoring	Community SWPA		
Domestic/Stock	Municipal	Non-Community SWPA		

Tanner Woutat 12/18/2023





# Public Service Commission State of North Dakota

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## COMMISSIONERS

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January 9, 2024

Mr. Jeff Fleischman, Chief  
Denver Field Division Office of Surface Mining  
P.O. Box 11018  
Casper, WY 82601

Dear Mr. Fleischman:

This letter is submitted under 30 CFR 874.12 as the required eligibility determination for land included in the 2024 Exploratory Drilling Project.

### **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 upon available historical information, I find that the described real properties were mined for coal; that the coal mining activity occurred before August 3, 1977; and, that the property has been left in an abandoned and unreclaimed state. I further find that there is 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 properties meet the eligibility requirements of 30 CFR 874.12 for abandoned mine reclamation.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Schuh".

John Schuh  
General Counsel