



NEWS RELEASE
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PSC Receives High Marks on Federal Review of Coal Regulatory and Abandoned Mine Lands Program

BISMARCK, ND – The North Dakota Public Service Commission’s Coal Regulatory and Abandoned Mine Lands (AML) Program recently received results from its annual federal evaluation. The evaluation conducted by the federal Office of Surface Mining Reclamation and Enforcement (OSMRE) concluded that no issues or concerns were raised and that the PSC “has efficient and successful coal regulatory and AML programs.”

“The complimentary language in these reviews emphasizes the outstanding work our AML and Reclamation teams do throughout the year,” said Commissioner Randy Christmann who holds the coal mining, reclamation, and abandoned mine lands portfolio. “Their efforts are assuring that North Dakota’s landscape will be safe, productive, and beautiful for future generations.”

Coal Regulatory Program:

The North Dakota Public Service Commission (NDPSC) is the state agency charged with the responsibility for the permitting and regulation of the coal mining industry in North Dakota. North Dakota currently has six surface coal mining operations, with a total of 26 permits. Twenty-one permits are actively mining while the remaining five are exclusively in reclamation. A total of 133,527 acres are currently permitted for mining. Approximately 78,013 (58%) of those permitted acres have been disturbed by mining operations, and 54,094 of those acres have been backfilled, graded, top-soiled and seeded to achieve the intended post-mining land use. Of the 54,094 acres that have been backfilled, graded, top-soiled and seeded, 15,741 acres have received final bond release where Commission jurisdiction has ended.

In OSMRE’s report, they reported that “North Dakota has an effective program with no issues in need of corrective action. The Reclamation Division carries out its duties using the appropriate technical expertise and with a high level of professionalism.”

Abandoned Mine Lands (AML) Program:

The goal of this program is to eliminate hazards related to coal mining that was conducted prior to the enactment of the 1977 federal reclamation act. PSC staff in the AML program design and manage the reclamation projects, and then the actual reclamation work is done by contractors. Since the state program began in 1982, the North Dakota AML program has conducted over 158 primary reclamation projects, 31 emergency projects and numerous construction maintenance and sinkhole filling projects. Almost 27 miles of dangerous surface mine pits and highwalls, and over 1,600 acres of underground mine subsidence have been reclaimed.

OSMRE states in the report that “the state administers an excellent program in full compliance with their approved plan.” They also state that the program “met the goals of abating hazards and improving site conditions at all projects conducted. These projects have reduced the likelihood of death or injury to property owners and the public.”

The Commission receives funds from OSMRE for the AML program from the collection of a federal reclamation fee that is collected on all coal that has been mined since the late 1970s. The North Dakota AML program received about \$2.8 million this year. The report highlights the efficient use of those funds in North Dakota stating “the NDPSC maintains a very cost effective program with 14 percent of the grant dedicated to administrative costs. The remainder of the grant is spent on project design and construction.”

Both of the programs were headed by long-time director Jim Deutsch, who retired at the end of November after 42 years with the Public Service Commission. The Commission thanks him for his years of dedicated service and achievements that are evident in federal reviews like this. Dean Moos, former Assistant Director in the Reclamation Division, has taken over as director as of Dec. 1.

The North Dakota Public Service Commission is a constitutionally created state agency with authority to permit, site and regulate certain business activities in the state including electric and gas utilities, telecommunications companies, power plants, electric transmission lines, pipelines, railroads, grain elevators, auctioneers, commercial weighing devices, pipeline safety and coal mine reclamation. For more information, contact the Public Service Commission at (701) 328-2400 or www.psc.nd.gov.

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