



Public Service Commission  
State of North Dakota

SCANNED

Date 7-15-08

File OSM-Eligibility-pkg-7-15-08

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July 15, 2008

Mr. Jeff Fleischman, Director  
OSM Casper Field Office  
PO Box 11018  
Casper, WY 82602-5004

**Re: Eligibility Determination for 2008 Ruud Parshall Emergency Site**

Dear Mr. Fleischman:

This letter is submitted under 30 CFR 874.12 as the required eligibility determination for reclamation of the land included in the proposed 2008 Ruud Parshall Emergency Site. This site is located in the SE¼ of Section 13, T152N, R90W, approximately two miles north of Parshall, ND.

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 prior to 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 statutes of the State of North Dakota or the government of the United States?

Based upon available information, I find that the described real property was mined for coal, that the coal mining activity occurred prior to 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,

*William E. Dodd for*

James R. Deutsch  
Director, AML Division

AM-08-577 Filed: 7/15/2008 Pages: 6  
Eligibility Determination and Emergency  
Investigation Report Sent to OSM

Public Service Commission  
Bill Dodd

## **AML EMERGENCY INVESTIGATION**

<b>Type of Problem:</b>	Subsidence
<b>Reported by:</b>	Richard Ruud
<b>Address:</b>	Parshall, ND 58801
<b>Telephone:</b>	701-862-3298
<b>Date Complaint Received:</b>	July 8, 2008
<b>Person Notified of Complaint:</b>	Bill Dodd
<b>Address of Complaint:</b>	Approximately 2 miles north of Parshall, ND
<b>City:</b>	Parshall
<b>County:</b>	Mountrail
<b>State:</b>	North Dakota

### **SITE INVESTIGATION**

<b>Date:</b>	July 9, 2008
<b>Time:</b>	10:00 A.M.
<b>Name of State Investigators:</b>	Bill Dodd, AML Division
<b>OSM Representative(s) Present:</b>	None
<b>Others Present:</b>	Richard Ruud

**Name of others contacted (Local, State, Federal, Insurance Agencies, Utilities, etc.):**  
Alan Boehms - OSM, was contacted by phone on July 8 and 14, 2008

### **LOCATION OF SITES**

#### **Directions of locations (Describe Route):**

The Richard Ruud Farmstead is located in the SE¼ of Section 13, T152N, R90W, Mountrail County, approximately 0.5 miles north of the intersection of ND Highways 37 and 23 or about 2 miles north of Parshall, North Dakota.

<b>USGS Quadrangle Name:</b>	Parshall, N. Dakota
<b>Coordinates:</b>	47.983554N, 102.130781W

### **MINE INFORMATION**

<b>Mined by:</b>	unknown	
<b>Duration of Mining:</b>	unknown	
<b>Type of Mining:</b>	Underground	
<b>Seam Name:</b>	unknown	<b>Thickness of Seam:</b> approximately 9 feet

### **CONTINUING RECLAMATION RESPONSIBILITY**

**Permitted Operation:** No    **Permit Number(s):** N/A  
**Bond Status:** Returned, Forfeited, Available: N/A  
**Amount:** N/A  
**Date:** N/A

### **PRESENT OWNER(S)**

**Surface Owner's Name:** Richard Ruud  
**Address:** PO Box 512  
**City:** Parshall  
**State:** North Dakota  
**Zip Code:** 58770  
**Telephone:** 701-862-3298

**Were the Property Owners Involved in the Mining:** No  
**If yes, explain:**

**Date Property Acquired by Owner:** 1987  
**If Potential Subsidence, Do Owners Have Insurance:** No  
**If yes,**  
**Agency:**  
**Agent:**  
**Address:**  
**Phone Number:**  
**Mineral Owner's Name:** Unknown

### **AFFECTED PARTIES**

Primarily the Ruud family.

### **SITE INFORMATION**

**Date that problem began or was first noticed:**  
Richard Ruud said he first noticed this problem on July 3, 2008.

**Is there any active mining or related activities in or around the area:** No

**Name of Operator(s):**

**Nature of problem:**  
Subsidence

**Source of problem:**  
Underground Mine

**Potentially Affecting:**

**Persons:** Estimated Number: 3+  
**Housing:** Yes, subsidence beneath an occupied residence  
**Building:**  
**Estimated acres affected:** less than 1

**PROBLEM DESCRIPTION**

**Describe the problem (Detail: size, shape; Is problem spreading, expanding; first noticed, etc.)**

On Tuesday July 8, 2008, Richard Ruud called to report a dangerous mine subsidence near his home. There was a deep sinkhole immediately beside and underneath his home. The AML Division conducted an underground mine reclamation project at this residence in 1996 and confirmed that it was undermined and eligible for AML reclamation.

Bill Dodd, NDPSC, relayed this report to Alan Boehms, OSM Casper Field Office, and requested concurrence for an emergency declaration. Alan Boehms gave verbal concurrence to the emergency declaration provided the report was accurate and all required documentation would be submitted as soon as possible.

Bill Dodd called three concrete suppliers requesting bids for flowable fill concrete grout to be delivered and poured into the sinkhole. Watford City Ready Mix, Inc., was the only supplier that responded, with an estimate of \$102.50 per cubic yard, delivered cost.

Bill arrived at the Ruud residence at approximately 10:00 a.m., July 9, and confirmed the report. The sinkhole was along the west foundation wall of the house. It was about 2' diameter at the surface, belling out to about 8' diameter, and about 13-14' deep. The hole extended laterally under the basement of the house. By lowering a camera down the hole and also using a fishing camera it was determined that the sinkhole extended at least 10 feet laterally underneath the basement floor.

Bill called the ready mix plant to request delivery of one truckload of grout. The first load, containing 9 cubic yards, arrived at approximately 1:45 p.m. and was poured into the hole. A second truckload was ordered and was poured at 3:20 p.m. These both flowed underneath the house and did not fill the vertical portion of the sinkhole at all. The ready mix could not deliver any more grout until the following afternoon.

Three more truckloads were poured on the afternoon of July 10 until the vertical portion of the sinkhole began to fill. While the fourth load (sixth total) was being poured, the level of grout in the sinkhole dropped suddenly. Upon inspection, it was found that the head pressure of the grout in the sinkhole caused a serious heaving feature in the basement floor.

The floor in a basement storage room (approximately 12X14') was raised about two feet in the center, cracking and breaking the concrete floor. Richard and Bill immediately began clearing

out the room and shoveling up the grout that seeped out of the breaks in the floor. With the help of Richard's family and friends, the concrete floor of the storage room was broken with a sledge hammer and the grout was shoveled out down to the elevation of the bottom of the foundation walls. The grout was also removed from the sinkhole with a backhoe. Upon examination, it was also found that the sewer line was ruptured and had filled with grout. The septic tank was also mostly filled with grout.

At the time of this report, Richard Ruud was arranging to have the septic tank removed and replaced and have the basement floor repaired. The AML Division requests OSM concurrence that these repairs will be considered part of the emergency project site cleanup.

There was a mine void beneath the Richard Ruud home that did constitute an AML emergency. The mine void was filled with flowable fill concrete grout. Although this project caused damage to the Ruud's home and septic system, it did eliminate an extremely hazardous mine problem. AML Division staff believes this was the timeliest, most effective and inexpensive means to address this hazardous mine related problem.

### **OTHER INFORMATION**

**Describe any other information available and its location (i.e., maps, inspections, reports, etc.)**

The AML Division conducted a drilling and grouting project at this location in 1996 and has drilling logs, drill hole location maps and other information for this site.

### **ELIGIBILITY**

**Declaration of eligibility from State:** ND Public Service Commission

**Name:** James R. Deutsch

**Address:** 600 E Blvd Ave., Dept. 408

**City:** Bismarck

**State:** North Dakota

**Zip Code:** 58505-0480

**Telephone:** (701)328-2400

Oral \_\_\_\_\_ Date \_\_\_\_\_ Written X \_\_\_\_\_ Date July 15, 2008

**Eligible:** YES X (an eligible site must be mine related, abandoned with inadequate reclamation prior to August 3, 1977, and no continuing reclamation responsibility.)

### **REMARKS**

Since this emergency project was conducted to repair a single sinkhole beneath an occupied residence, no other agencies were consulted with regard to NEPA issues. However, NEPA compliance was addressed prior to the 1996 reclamation project at this site.

### **ADDED VALUE**

It is doubtful that reclamation of this site will add significant value to the property. However, remedial action to eliminate the hazards will be a help to the property owners. Eliminating the hazard will increase the safety for the Ruud's and any other users of the property.

### **PROPOSED REMEDIAL ACTION:**

- Pour flowable fill concrete grout into the sinkhole to completely fill it.
- Clean up and restore the area.

**ESTIMATED COST:**       \$25,000 or less

**Investigator:** William E. Dodd      **Signature:** William E Dodd 7-15-08  
**Address:** 600 E Blvd Ave., Dept. 408  
**City:** Bismarck  
**State:** North Dakota  
**Zip code:** 58505-0480  
**Telephone:** (701) 328-4101

**Project Title:** 2008 Ruud Parshall Emergency  
**Number:** to be assigned