



**OFFICE OF SURFACE MINING  
RECLAMATION AND ENFORCEMENT**

**Annual Evaluation Summary Report**

**For The  
North Dakota Public Service Commission  
Abandoned Mine Lands Program**



**Evaluation Year 2009 (July 1, 2008 to June 30, 2009)**

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*Cover Photo*  
*Mine subsidence feature near Beulah, Mercer County, ND.*

## **I. INTRODUCTION**

Evaluation of the state reclamation program is conducted by the Casper Field Office (CFO) of the Office of Surface Mining Reclamation and Enforcement (OSM). The 2009 evaluation period started on July 1, 2008 and concluded June 30, 2009. Evaluation methods are based upon OSM Directive AML-22 and a Performance Agreement (PA) between the State and OSM. This agreement incorporates a shared commitment by the State and OSM in determining how annual evaluations will be conducted. The State takes an active role in the entire evaluation process. The process is designed to evaluate whether the State, through its Abandoned Mine Land Reclamation (AMLR) program, is achieving the overall objective of Section 102 of the Surface Mining Control and Reclamation Act (SMCRA) which states that AMLR programs are to:

"... promote the reclamation of mined areas left without adequate reclamation prior to the enactment of this Act and which continue, in their unreclaimed condition, to substantially degrade the quality of the environment, prevent or damage the beneficial use of land or water resources, or endanger the health or safety of the public ..."

As a result of the PA, specific topics were identified for review and review methodologies were developed for the evaluation period, in concert with the State. The review methodologies are described in detailed oversight work plans, developed for the review of each specific topic. The reviews were designed to result in an overall measure of the State's success in achieving planned reclamation goals. By focusing on end results, OSM is able to determine the root causes of problems (if any) and concentrate its resources on prevention by providing assistance to the State for any needed program improvement. The specified topics selected for review were those identified by OSM and the State from past experience which have the most potential for preventing the State from achieving their planned reclamation goals. At the end of the evaluation period, OSM prepared this annual report and gave the State the opportunity to comment on its contents.

## **II. GENERAL INFORMATION ON THE NORTH DAKOTA PROGRAM**

On December 23, 1981, the Secretary of the Department of the Interior approved the North Dakota AMLR Plan under the provisions of Title IV of SMCRA. With that approval, the State assumed primary authority for the reclamation of non-emergency abandoned mine land (AML) reclamation projects within the State. On September 27, 1993, the Secretary approved North Dakota's May 25, 1993 amendment to its AMLR Plan allowing North Dakota to assume responsibility for an emergency response reclamation program. The North Dakota Public Service Commission (NDPSC), Abandoned Mine Lands Division (AMLD) currently administers these programs.

The North Dakota AMLR program continues to operate under the guidelines of SMCRA, the approved State Reclamation Plan, the Federal Assistance Manual, and associated rules, regulations and policy decisions. The State administers an excellent AMLR program in full compliance with their approved AMLR Plan.

North Dakota received \$2.97 million dollars in EY2009 to accomplish the necessary reclamation of hazardous abandoned mines. All project design work is completed in house by staff personnel, and actual reclamation work is contracted out to private construction firms.

AMLD initiates reclamation activities each spring as soon as weather conditions allow. Many rural sites are accessible only by dirt and gravel roads, which must be allowed to dry sufficiently before heavy equipment can travel on them. Work may start as much as two months earlier on sites that are located near the paved road system, and it continues until halted by the severe weather conditions usually encountered in North Dakota during the winter. Some types of work, such as drilling to locate underground voids, can be continued into the winter months. Coal outcrop fire suppression projects are also conducted during winter months. However, this is generally the time of the year when future projects are designed, and coordination necessary to get projects ready for the next construction season takes place. All of the reclamation completed in North Dakota to date has been on abandoned coal mines, and no non-coal work is planned. (see Part VIII. **Chart #2**).

The CFO continues to enjoy an excellent working relationship with the staff of the North Dakota AMLD. Their personnel are experienced, knowledgeable and dedicated to the goals of the program. AMLD also maintains a good relationship with other State and Federal agencies that must be contacted during the course of preparing projects for reclamation.

One AMLR grant was awarded to the State during this evaluation period and it became effective on March 1, 2009. The grant was approved well within OSM's performance period requirement of 60 days. No problems or issues exist in the North Dakota AMLR program.

The following is a list of acronyms used in this report:

AML	Abandoned Mine Land
AMLD	Abandoned Mine Land Division
AMLIS	Abandoned Mine Land Inventory System
AMLR	Abandoned Mine Land Reclamation
CFO	Casper Field Office
FBMS	Financial and Business Management System
NDPSC	North Dakota Public Service Commission
OIG	Office of the Inspector General
OSMRE	Office of Surface Mining Reclamation and Enforcement
PA	Performance Agreement
PAD	Problem Area Description
SMCRA	Surface Mining Control and Reclamation Act
TIPS	Technical Innovation and Professional Services

### **III. NOTEWORTHY ACCOMPLISHMENTS**

The AMLD staff is active in several national organizations dedicated to reclamation of abandoned mined lands including the National Association of Abandoned Mine Land Programs (NAAML), Interstate Mining Compact Commission (IMCC), Interstate Technical Group on Abandoned Underground Mines (ITGAUM) and Western Regional Technical Team (WRTT). AMLD staff have participated in benchmarking workshops to develop training courses in underground mine mapping with GIS and AML Drilling and Grouting.

AMLD staff has authored technical articles for the NAAML newsletter and papers for national conferences and workshops. All of these papers and articles have been placed on the NDPSC-AMLD website to make them available for use by other reclamation programs and the public.

AMLD is scanning and filing most of its documents and reports digitally in a central directory. This eliminates the need to retrieve paper copies. The division has also scanned most available maps and inventory information for abandoned mines in North Dakota and is currently developing a GIS database for all known abandoned mine information. This database will aid the division in project selection, prioritization and design; and will also allow public access to information on abandoned mines via the Internet.

AMLD utilizes new technologies to aid in reclamation including geophysical void detection, borehole camera, RTK survey-grade GPS, GPS Camera, and mobile computing using ArcPAD.

#### **IV. NORTH DAKOTA UTILIZATION OF OSMRE TECHNOLOGICAL ASSISTANCE**

AMLD utilized the FLIR (Forward Looking InfraRed) camera as part of the “shared equipment program.” OSM-TIPs (Technical Innovative and Professional Services) also loaned the GeoVision Borehole Camera system to the North Dakota Program, who used the equipment in a comparative evaluation of the GeoVision system and the Mini PTZ Model Mk2 borehole camera system.

NDPSC retains highly qualified staff capable of utilizing OSM TIPs software and equipment. Staff routinely use mobile computing technology, and require TIPs support of ArcPad, GIS, AutoCAD, and Remote Sensing software licenses to perform their regulatory duties. The AMLD has representatives that are Geospatial Data Stewards, participate on the Western Region Technology Transfer Team, and had several staff attend the OSM TIPs Geospatial Conference. Continued involvement in these technical conferences and teams will foster additional partnerships and innovative approaches to resolve technical challenges.

During the evaluation period, five Reclamation staff and one AML staff attended a total of eleven NTTP (National Technical Training Program) training courses. Four Reclamation staff and two AML staff attended a total of seven TIPs course. One North Dakota AML staff member participated as an instructor for NTTP during this reporting period.

OSM’s Technical Librarian filled one reference request and provided four article reprints to North Dakota staff members.

#### **V. POST RECLAMATION MAINTENANCE**

NDPSC AMLD post reclamation monitoring schedule calls for each project to be closely monitored for a period of three years after it is completed. However, the most heavily undermined parts of the State do not have significant rock strata to support the soil over the abandoned underground mines. Large, deep subsidence holes often appear overnight, and history shows that once they are filled with dirt or earthen materials, additional slumping may occur at some point. Also, once a subsidence event appears, others usually follow in a short time in the same general area. The AMLD has adopted a policy of checking all known subsidence prone areas every time any of the staff are in the area, to keep better control of any hazards that exist, and to better correct recurring problems on sites that have been reclaimed. Surface mine reclamation sites are also monitored for any post mine reclamation or other problems. The monitoring process is assisted by the good relationship and close contact the AMLD has with

landowners. The staff is often notified of new subsidence events the same day that they occur on private and public land. Only subsidence events that are a public hazard are presently being reclaimed.

During the evaluation year, approximately 350 dangerous sinkholes caused by collapse of abandoned underground coal mines were filled at properties in western North Dakota. The AML program and funding should be continued so that the subsidence problems that are posing safety hazards and taking large amounts of crop and pasture land out of use in parts of North Dakota can be addressed.

## **VI. RESULTS OF EVALUATION YEAR 2009 REVIEW**

The North Dakota AML PA was signed on June 3, 2008. The current PA will remain applicable until such time as a re-evaluation is deemed appropriate. The PA describes the team's purpose and the topics selected for review to evaluate the performance of the AML program. On-the-ground, performance-based results were the principal focus of program evaluation and documentation.

Results of the 2009 evaluations are summarized below. The evaluations included field visits to AML projects, interviews with NDPSC-AMLD staff, and reviews of the AMLR Program's project specifications, grant applications and reports, and internal State and AMLIS inventories. This report describes the 2009 evaluations of three topics selected for review during the 2009 evaluation year.

### **A. Summary Evaluation of Overall Reclamation Success**

Our 2009 evaluation of overall reclamation success determined if NDPSC-AMLD's reclamation met project goals. The 2009 review sample included four major reclamation projects completed during evaluation year 2009. One of the projects completed during evaluation year 2009 reclaimed approximately 7,000 linear feet of dangerous highwall and leveled spoil piles in an area of approximately 125 acres. One project addressed underground mine voids beneath heavily utilized roadways and residential areas. Another project addressed elimination of approximately 350 sinkholes resulting from underground mine collapse near the cities of Noonan, Williston, Scranton, New Leipzig, Beulah, Dickinson, New Salem, Wilton, Washburn, Sawyer, and Garrison. The fourth project planted approximately 24,000 linear feet of tree rows on a reclaimed mine site.

We compared NDPSC-AMLD's reclamation to project specifications, results of interagency consultation, and other information. Our evaluation focused on determining whether reclamation met project goals by implementing the scope of work to abate original hazards, complying with conditions (if any) resulting from interagency consultation, and improving overall site conditions compared to pre-reclamation conditions. Generally, we agreed projects met their goals if abatement and reclamation measures were intact and functional and if no problems compromising those measures were apparent. We considered site conditions improved overall if hazards to public health and safety were abated and associated reclamation reduced environmental problems such as erosion and sedimentation while promoting revegetation.

We concluded that the projects we visited met their respective goals. NDPSC-AMLD

met the goals of abating hazards and improving site conditions at the ten projects conducted in 2009. Highwalls associated with abandoned surface coal mines were properly eliminated and the regraded areas were revegetated. Underground mine voids were backfilled remotely with injection of pressurized grout through drilled injection holes to eliminate the threat of subsidence. The injection holes were properly reclaimed. Sinkholes associated with underground mine voids were properly eliminated and the backfilled areas were revegetated.

#### B. Summary Evaluation of AML Emergency Investigations and Abatement Efforts

Our 2009 evaluation of AML emergency investigations and abatement efforts determined if the emergency criteria of the State AMLR plan are satisfied and the project(s) are completed as described in the AML Emergency Investigation report. The 2009 review sample included all AML emergency reports received during the evaluation year, and all emergency projects completed during the evaluation year. During evaluation year 2009 the NDPSC-AMLD received one citizen report of an AML emergency. The sole report resulted in an AML emergency reclamation project. The project addressed the sudden occurrence of a sinkhole resulting from pre-SMCRA underground coal mining.

We reviewed all files of emergency reports received during the evaluation year, AML Emergency Investigation reports, work specifications contained in bid solicitations and results of interagency consultations. Our evaluation focused on determining whether proper consideration was given to all citizen reports of emergency conditions, and determining if the emergency reclamation projects were completed as described in the AML Emergency Investigation reports.

We concluded the NDPSC-AMLD is adhering to the provisions of the emergency program contained in the State AMLR plan. The AMLD promptly responded to each emergency report received, conducted thorough investigations of each report, and properly submitted AML Emergency Investigation reports to CFO in order to obtain authorization for expenditure of AML emergency funding. The single emergency project was completed as described in the AML Emergency Investigation report and specifications contained in bid solicitations.

#### C. Summary Evaluation of AML Grant Application and Reporting Procedures

Our 2009 evaluation of grants financial management elements within the NDPSC-AMLD Program focused on AML grant application and reporting procedures. The review concentrated on explanations and discussions regarding the new funding sources and their identifying subaccount numbers. Discussions began with a historical overview of North Dakota's Inactive Mine Program through the current new funding scheme for the State. The State of North Dakota is considered to be a Non-Certified Coal State because it has not completed all coal reclamation projects that meet the requirements of 30 CFR 874.13(a). The discussions centered upon the new sources of funding for the State of North Dakota and any problems that their financial system may be encountering as a result of these changes. According to the 2006 statutory changes at 30 CFR Part 886, Uncertified States such as North Dakota, are entitled to the following types of funding:

State Share Funds, SMCRA Section 402(g) (1), which can be used for coal or

non-coal reclamation projects;

Historic Coal Funds, SMCRA 402(g) (5), can also be used for coal or non-coal reclamation;

Prior Balance Replacement Funds, SMCRA 411(h)(1), these funds are to be granted in seven equal annual payments from FY 2009 through 2014, and can be used only for coal projects;

Emergency Program Funds, SMCRA 402(g) (3), are available to Uncertified States with emergency programs under SMCRA 410.

The State of North Dakota qualifies for all of the AML funding described above including the emergency program funding. As part of this review the various fund types were explained along with their allowable uses. In FY 2008 these new funds and their subaccount numbers were introduced to the State's Abandoned Mine Land Program, and there was some confusion encountered with how they could be applied.

Some confusion was experienced by some States when FY 2008 mid-year restrictions were imposed on what funds could or could not be used for non-coal projects. It turns out that the North Dakota program spends 100% of its AML grant funds on coal projects so these changes did not impact their AML budget structure significantly. They did have to change some subaccount numbers to accommodate the new fund restrictions, although their administrative and non-water construction expenses remained the same, since they were working on coal projects only.

The NDPSC Administrative Staff Officer had many comments about what they have experienced and ideas about how to improve the grant procedure, and more specifically the Financial and Business Management System (FBMS) process. Suggestions included modifications to how old data is stored or removed, password requirements, addressing the functionality of buttons within FBMS, State access to closeouts and fund transfers, and the need for FBMS training, especially for new employees.

This review found that the NDPSC-AMLD has had little difficulty with all the funding changes that have occurred since 2008. This is because the NDPSC-AMLD devotes 100% percent of its program administration and construction work to coal work. There is no question if funds are to be used for coal or non-coal work. This makes it easier for the State to understand which subaccounts they are to use. The State of North Dakota believes that FBMS training should be available for new State employees. The State believes the best method for providing this training is through some form of virtual computer training that would always be available for employees to learn and refresh their memories.

#### D. Summary Evaluation of Abandoned Mine Land Inventory System (AMLIS)

Our 2009 evaluation of AMLIS determined if the information the State entered into AMLIS agrees with information in its files. This topic was mandated for review due to a

September, 2004 report issued by Interior's Office of the Inspector General (OIG). The report criticized the accuracy of AMLIS data, based on the OIG review of AMLIS data for four eastern States' AML programs. The OIG's review concluded that AMLIS data did not match data in those States' files and recommended establishing "a quality control system that ensures that States, Tribes, and OSM, as applicable, review and certify the accuracy of data entered into AMLIS." In response to the OIG's recommendation, OSM required its field offices to implement two requirements. The first requirement is to "assure that each State and Indian Tribe AML program has procedures in place to ensure and certify the accuracy of data entered into AMLIS" as part of the FY2004 oversight (subsequently changed to FY2005). OSM Headquarters subsequently advised field offices to drop the certification requirement. As a result, the focus is to make sure States and Tribes have requisite systems in place. The CFO and NDPSC-AMLD chose to include this assurance as part of the evaluation year 2006 oversight. The evaluation year 2006 oversight determined North Dakota has such a system in place that is adequate to ensure accurate data is entered into AMLIS.

The second requirement implemented by OSM in response to the OIG's recommendation stated, "[o]nce these State and Indian Tribe procedures are in place, OSM will annually review a random sample of [PADs] to see if the information entered into AMLIS agrees with the information in the PAD." As a result, the focus is to make sure the data States and Tribes entered into AMLIS PADs (an integral part of AMLIS) agrees with the information in their files. The CFO and NDPSC-AMLD chose to include this assurance as part of the evaluation year 2009 oversight. The evaluation goal was to determine if the information North Dakota enters into AMLIS, for projects completed during the evaluation year, agrees with information in its files.

The NDPSC-AMLD compiles data from various sources for input into AMLIS. These sources include project information spreadsheets, project diaries, close-out reports to the PSC and meeting minutes from PSC-approved payment of contractor invoices. Data pertaining to emergency projects include procurement and contract data compiled in Project Summary Books, site-specific project data and site photographs. Project completion data is tracked on an EXCEL spreadsheet. Information in the spreadsheet includes project name, location, contract number, contractor, year of contract, year of completion, cost and method of reclamation.

Information entered into AMLIS is performed by designated Project Managers on the NDPSC-AMLD staff. This information is based on the above-mentioned data sources. Since AMLIS data is not intended to include maintenance project information, maintenance project data is housed in a separate location from other project data. The NDPSC-AMLD keeps records of maintenance projects in a separate booklet describing procurement, contracting, scope of work and photographs for each of the maintenance projects.

Completion information entered into AMLIS for the nine projects completed during the evaluation year was analyzed and compared to the information contained within the NDPSC-AMLD files.

We concluded the information NDPSC-AMLD entered into AMLIS for completed projects agrees with the information in its files.

## VII. PUBLIC AND INTERAGENCY PARTICIPATION

The AMLD goes to great lengths to develop and maintain a good working relationship with all State and Federal agencies it works with. This carries over into the relationship with local agencies and groups, and to the landowners who have AML sites on their land. When a project must be completed in phases, the AMLD designs each phase consulting with several agencies to obtain the necessary clearances and permits. Each phase is bid and implemented separately, while planning for reclamation construction is done for the entire project. This saves a lot of staff time for the AMLD and the other agencies involved, and the private landowner can be given a schedule of when his property will be in use by the reclamation contractor. Habitat enhancement for wildlife and waterfowl is incorporated into each project where it is feasible, and retention of surface water for landowners is a high priority. The AMLD has worked closely with the Game and Fish Department in the design of impoundments and establishing seed mixtures for revegetation. They have also recorded a significant amount of the mining history of the State to be provided to educational facilities, and to mitigate the loss of important cultural resources during the reclamation process.

The NDPSC provides further opportunities for public participation and involvement through its internet website and public service announcements. The AMLD posts current consumer bulletins pertaining to AML hazards, project specifications and technical articles produced by NDPSC-AMLD staff.

Photographs on pages 14 through 17 further demonstrate the degree of hazardous conditions encountered in various areas of the State, and the excellent reclamation accomplished by the AMLD to eliminate the hazard.

## VIII. ACCOMPLISHMENTS AND INVENTORY REPORTS

Several projects are presently ready for immediate construction if additional funding were to become available. These are listed in **Chart I**. Since implementation of their approved AMLR program, the AMLD has eliminated safety hazards and threats to the environment posed by abandoned coal mines, as provided for in SMCRA. **Chart II** shows hazard categories and abatement status since program approval. **Chart III** shows projects completed during the 2009 evaluation year.

**CHART #1  
NORTH DAKOTA  
CONSTRUCTION READY PROJECTS\*  
June 2009**

Project Site	Cost	Environmental Benefits
Williams – Williston Phase 5	\$500,000	Subsidence Prevention Public Safety
Beulah/Zap Phases 11 through 13	\$2,000,000	Subsidence Prevention Public Safety
Buechler/Velva Highwalls	\$3,000,000	Dangerous Highwall Elimination Public Safety
Garrison Phase 5	\$700,000	Subsidence Prevention Public Safety
Columbus/Larson Phase 10	\$700,000	Dangerous Highwall Elimination Public Safety
Scranton-Bowman Reeder	\$950,000	Subsidence Prevention Public Safety
Wilton	\$950,000	Subsidence Prevention Public Safety
Exploratory Drilling & Site Investigation	\$600,000	Reclamation Preparation
Maintenance	\$600,000	Sinkhole Filling, Site Repair, Tree Planting
<b>TOTAL</b>	<b>\$10,000,000</b>	<b>Restoration of Land and Public Safety</b>

- ❖ Construction ready projects are those for which information is available for preliminary project designs.

**Chart #2. NORTH DAKOTA ABANDONED MINE LAND RECLAMATION NEEDS AND ACCOMPLISHMENTS SINCE PROGRAM APPROVAL**

Problem nature	Unit	Coal-related problems				Noncoal-related problems	
		Abatement status			Total	Abatement status	
		Unfunded	Funded	Completed		Funded	Completed
<b>Priorities 1, 2 and 3 (Protection of public health, safety, and general welfare)</b>							
Dangerous highwalls	Lin. Feet	82,375	5,000	84,999	172,374	0	0
Dangerous impoundments	Count	0	0	4	4	0	0
Industrial/Residential Waste	Count	1	0	0	1	0	0
Dangerous piles & embankments	Acres	0	0	297	297	0	0
Gobs	Acres	1	0	0	1	0	0
Hazardous Equip. & Facilities	Count	5	0	14	19	0	0
Hazardous Water Body	Count	25	0	18	43	0	0
Industrial/Residential Waste	Count	16	0	2	18	0	0
Portals	Count	10	0	13	23	0	0
Polluted Water: Agric. & Indust.	Acres	1	0	6	7	0	0
Polluted Water: Human Consumption		1	0	0	1	0	0
Subsidence	Acres	3,153.7	5	1,319.5	4,478.2	0	0
Spoil Area	Acres	110	0	0	110	0	0
Surface Burning	Acres	0	0	1	1	0	0
Vertical Opening	Count	42	0	88	130	0	0
Water Problems	Gal/Min	10	0	0	10	0	0

**Note:** All data in this table are taken from the Abandoned Mine Land Inventory System (AMLIS) 2<sup>nd</sup> Quarter Report, June 2009.

**CHART #3  
NORTH DAKOTA  
COMPLETED PROJECTS - EVALUATION YEAR 2009  
July 1, 2008 to June 30, 2009**

<b>Project Name</b>	<b>Project Cost</b>	<b>Economic Impacts</b>	<b>Environmental Benefits</b>
2008 Columbus 9 Surface Mine Project	\$1,197,988*		Dangerous Highwalls
2008 Williams Co 9 Ph 4 Pressure Grouting Project	\$667,211*		Subsidence Prevention
2008 Maintenance 1 Sinkholes - Noonan	\$12,500		Subsidence Reclamation
2008 Maintenance 2 Sinkholes – Scranton, New Leipzig, Beulah	\$41,825		Subsidence Reclamation
2008 Maintenance 3 Sinkholes – Williston	\$22,750		Subsidence Reclamation
2008 Maintenance 4 Sinkholes-Beulah, Scranton, Dickinson, New Salem, Wilton, Sawyer Washburn, Garrison	\$57,000*		Subsidence Reclamation
2008 Parshall (Ruud) Emergency Sinkhole Filling	\$16,700		Subsidence Reclamation
2009 Columbus Maint. Tree Planting	\$18,480*		Tree Planting
2009 Coal Fires Fire Suppression Project	\$40,000*		Coal Fire Suppression
<b>TOTAL</b>	<b>\$2,074,454</b>		

**Note:** All data in this table are taken from the Abandoned Mine Land Inventory System (AMLIS) 2<sup>nd</sup> Quarter Report, June 2009.

**IX. PHOTOS**

The following photographs have been attached to this report to further demonstrate the degree of hazardous conditions encountered in various areas of the State, and the excellent reclamation accomplished by the AMLD to eliminate the hazards.



**2008 Parshall (Ruud) Emergency Project:** Mine Subsidence beneath private residence (prior to remediation).



**2008 Parshall (Ruud) Emergency Project:** The same site after remediation.



**2009 Hazen West:** Dangerous highwall adjacent to N.D. Highway 200 between Beulah and Hazen North Dakota.



**2009 Hazen West:** Leveling spoil piles and reclaiming a dangerous highwall.



**2009 Hazen West:** Aerial view of the same site.



**2008 Sinkhole Maintenance:** Mine subsidence near Beulah, ND.



**2008 Sinkhole Maintenance:** This previously filled sinkhole has continued subsiding and will require future maintenance.



**2008 Williams Co 9 Phase 4:** Drilling and grouting of mine voids to prevent road subsidence.

## APPENDIX A

### North Dakota PSC Comments on this Report

North Dakota PSC relayed the following comments about the draft OSM Annual Evaluation Summary Report for EY2009:

- On Page 2, the date that the AMLR grant was awarded to the State was incorrectly shown to be March 1, 2008. The correct date is March 1, 2009.
- On Page 3, Part IV. The first two paragraphs more accurately describe technological assistance supplied to the regulatory program. These paragraphs were removed from the report.
- On Page 3, it was noted that one ND AML staff member participated as an NTTP instructor. The correction has been made.
- On Pages 3 and 4, minor additions and grammatical corrections were suggested for V. POST RECLAMATION MAINTENANCE, including raising the number of dangerous sinkholes caused by mine collapse from 300 to 350.
- On Page 4, the date the North Dakota AML PA was signed was incorrectly shown as January 3, 2008. The correct date is June 3, 2008.
- It was suggested that more information be included in the Grants Management section. As a result, on Page 5, Section C. was re-titled; Summary Evaluation of AML Grant Application and Reporting Procedures. This section includes additional information from the FY2009 Evaluation Plan Performance Review, conducted by the OSM Grants Management Specialist.

The Casper Field Office agrees with all North Dakota PSC comments and has made appropriate changes to the report.