

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Annual Evaluation Summary Report

for the

Regulatory

Program

Administered by the Public Service Commission

of the State of

NORTH DAKOTA

for

Evaluation Year 1999

(October 1, 1998 to September 30, 1999)



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* Cover photo shows reclaimed native grassland and woodlands in Permit BCGH-8204 at the Glenharold Mine.*

I. Introduction

The Surface Mining Control and Reclamation Act of 1977 (SMCRA) created the Office of Surface Mining Reclamation and Enforcement (OSM) in the Department of the Interior. SMCRA provides authority to OSM to oversee the implementation of and provide Federal funding for State regulatory programs that have been approved by OSM as meeting the minimum standards specified by SMCRA. This report contains summary information regarding the North Dakota Program and the effectiveness of the North Dakota program in meeting the applicable purposes of SMCRA as specified in Section 102. This report covers the period of October 1, 1998 to September 30, 1999. Detailed background information and comprehensive reports for the program elements evaluated during the period are available for review and copying at the Casper Field Office.

Comments regarding the oversight process, recommendations for additional review topics, and suggestions for improvement of future reports are encouraged and should be submitted to the Director of the Casper Field Office.

The following list of acronyms are used in this report:

AML	Abandoned Mine Land
AMLR	Abandoned Mine Land Reclamation
AVS	Applicant Violator System
BTTI	Branch of Technical Training and Information
CFO	Casper Field Office
CO	Cessation Order
EY	Evaluation Year
MOU	Memorandum of Understanding
NDAC	North Dakota Administrative Code
NDCC	North Dakota Century Code
NOV	Notice of Violation
PSC	Public Service Commission, Reclamation Division
OSM	Office of Surface Mining Reclamation and Enforcement
RSI	Random Sample Inspections
SHPO	State Historic Preservation Office
SMCRA	Surface Mining Control and Reclamation Act of 1977
SPATS	State Program Amendment Tracking System
TDN	Ten Day Notice
TIPS	Technical Information Process System

II Overview of the North Dakota Coal Mining Industry

The coal fields in North Dakota are located in the Williston Basin, which is part of the Great Plains Coal Province. They underlie approximately 40 percent of the State's surface area. Most of the coal is produced commercially from two mining districts located in the western part of the State: (1) Beulah-Zap and (2) Hagel. Recoverable coal reserves in North Dakota are generally classified as lignite, which is characterized by low heating value (6,600 BTU), average high moisture content (40 per cent) and low sulfur (less than 1.0 per cent). The minable beds in the Williston Basin vary in thickness from three to 30 feet; economic stripping ratios range from 1.5:1 to 11:1. All active mines in North Dakota are large-scale surface mines that provide coal for mine-mouth or regional electrical generation facilities and a coal gasification facility located nearby.

The first commercial mine in North Dakota opened in Morton County in 1873. As the railroad developed across the State, demand for coal increased and was supplied by underground mines. North Dakota was one of the first states to shift from underground to large-scale commercial surface mining. By 1927, 40 per cent of the State's production was by surface mining methods, compared with 2 per cent for the nation. In 1959, 86 per cent of North Dakota's coal production was from surface mines, and since 1966, the State's total production has been from this mining method. In 1884, North Dakota produced 35 thousand tons of lignite; in 1998 it produced 30.8 million tons.

In 1969, North Dakota enacted its first reclamation law and followed in 1973 and 1975 with major revisions to this law. A new law was enacted in 1979 that is consistent with SMCRA. Coal mining in North Dakota is concentrated around the western half of the State. This area consists of approximately 28,000 square miles, and has an estimated total resource of 350 billion tons, or about two-thirds of the total lignite reserves of the United States. North Dakota has a demonstrated recoverable coal reserve base of 35 billion tons.

North Dakota mines provide employment for approximately 1,200 people in five counties. However, the coal industry's impact on the State's people and economy has secondary effects since most of the coal production fuels electric power generation plants within the State.

III. Opportunities for Public Participation

The North Dakota coal reclamation and enforcement program allows for public input and participation throughout its program. CFO reviewed the timeliness and adequacy of responses to request for information and assistance on surface coal mining and reclamation matters from the public and industry. The PSC is adhering to the State's policies and procedures regarding opportunities for public participation. This review is detailed in Section V., Paragraph C., Page 12.

IV. Major Accomplishments / Issues / Innovations

The North Dakota Public Service Commission (PSC) continues to implement a very effective and successful regulatory program as set forth in Section 102 of the Surface Mining Control and Reclamation Act of 1977. The North Dakota permanent regulatory program is now in its nineteenth year.

The North Dakota program operates very efficiently considering the number of mines, tonnage of coal produced, and acreages disturbed and reclaimed each year. The PSC carries out its required functions and other work using the appropriate technical expertise and professionalism. Reclamation Division staff that reviews permit applications also carries out the mine inspections and evaluates bond release applications. Any concerns and problems that arise are resolved in a fair, straightforward and cooperative manner. This includes working with all interested parties, including industry, landowners and citizen groups as appropriate. The cooperative effort is also reflected in the high quality of reclamation work and the low number of violations that occur each year in North Dakota. Most violations that are issued have not been serious, with no or only minor environmental damage.

The pattern of excellence in mine land reclamation is one of the most notable aspects of the North Dakota Regulatory program. The high quality of reclamation work carried out is reflected in the number of Excellence in Surface Mining and Reclamation awards that North Dakota mines have received. Since the OSM started the Excellence in Surface Coal Mining and Reclamation Award Program in 1986, North Dakota mines have received nine national awards. Several reclaimed tracts that were subject to the ten-year revegetation liability period have received final bond release. The postmining land uses on these tracts include cropland, native grassland, tame pastureland, hayland and woodland.

The PSC has been encouraging mining companies to file bond release applications as reclaimed land becomes eligible for release and the number of bond release applications has been increasing. North Dakota was one of the first states with the ten-year

revegetation liability period to adopt detailed revegetation standards and sampling procedures for proving reclamation success on reclaimed lands. These guidelines were initially adopted in 1987 and since then several revisions have been made. Additional changes and fine-tuning of the document were proposed during the 1999 evaluation period and these changes should be adopted in 2000. In addition, the PSC plans to propose some rule changes that may encourage the filing of final bond release applications somewhat sooner.

The PSC, with assistance from OSM, has been moving forward with its electronic permitting initiative. During the 1999 evaluation period the Reclamation Division worked closely with the Falkirk Mining Company for the electronic submittal of a revision application to add new acreage to the permit. The submittal has the entire permit document on one compact disk. This application, which nearly doubles the size of the permit area, was filed in early November 1999. The electronic filing allows several staff members to access the permit document at the same time, it allows for faster searches of specific information. One of the goals is to shorten the review time. A long term goal of this initiative is to have permit documents on file at the PSC and county offices in the electronic format. This will eliminate storage problems at many of the county offices. OSM assisted in the electronic permitting initiative by providing the Reclamation Division with a CD-ROM tower (which is connected to the PSC's computer network) and a wide-bed scanner that is available for mining companies to use for scanning permit related documents. The PSC is also encouraging other companies to prepare electronic submittals.

The PSC has also recently obtained digital cameras and a global positioning system (GPS) unit from OSM for use in the reclamation program. The digital cameras make it easy for staff to incorporate photos into inspection reports and other documents. It is envisioned that the GPS unit will be used for determining precise soil probing locations when PSC staff check soil respread thicknesses on reclaimed tracts. Also, the PSC has been e-mailing copies of most inspection reports to the mining companies, OSM, county auditors, and others. This saves mailing costs and provides for faster distribution of the inspection reports.

The PSC continues to strive to become more efficient in carrying its regulatory program as staff levels have been reduced over the past several years. Such efficiencies have allowed the PSC to continue to implement the permitting, inspection, and enforcement functions very successfully to ensure full compliance with SMCRA. North Dakota administers an excellent regulatory program using the appropriate technical expertise. The PSC performs its functions in a highly professional, cooperative, and fair manner.

V. Success in Achieving the Purposes of SMCRA

A. Off-site Impacts

For the purpose of oversight, an off-site impact is defined as anything resulting from a surface coal mining and reclamation activity or operation that causes a negative effect on people, land, water, or structures. The State program must regulate or control the mining or reclamation activity or result of the activity causing an off-site impact. In addition, the impact on the resource must be substantiated as related to a mining and reclamation activity, and must be outside the area authorized by the permit for conducting mining and reclamation activities. The CFO reviewed the following aspects of the North Dakota Program to identify any off-site impacts.

1. North Dakota conducted 164 complete inspections and 565 partial inspections, The Casper Field Office conducted 13 complete random sample inspections and three partial / focused inspections of coal mining operations in North Dakota.

The PSC issued two Notices of Violation and no Cessation Orders during this evaluation period. No pattern of violation exists. No-show cause hearings or alternative enforcement actions occurred during this evaluation period.

The CFO did not issue any enforcement actions (TDN, NOV, CO) during this review period.

A review of these inspections and enforcement actions indicates no negative off-site impacts were observed. One of the notices of violation was for encroachment onto an area that had received 100% bond release.

2. Downstream landowners have expressed concerns in the past on the impacts of sedimentation pond discharges on farming activities in downstream fields. A review of some downstream fields was conducted during the annual overflight. No off-site impacts were observed. (A sample of photos on page 6)



FALKIRK MINING COMPANY / FALKIRK MINE



KNIFE RIVER COAL COMPANY / GASCOYNE MINE



COTEAU PROPERTIES / FREEDOM MINE

B. Reclamation Success

OSM evaluated the effectiveness of the State program based on the number of acres that have received bond release (Table 5). The CFO believes this measure while valuable does not capture the total effectiveness of the State program due to the type of mining operations, size of mining operations and company policy (not to apply for release until large tracts are eligible for final bond release). The CFO determined that the State program is effective in its goal of having all disturbed lands reclaimed to their approved postmining land use; however, there is little motivation for the companies to seek bond release. Although the number of acres released from bond is small, it is increasing and a substantial amount of reclamation has and is occurring in North Dakota. Tables 5 and 6 indicate that while the acreage of land released from bond is much less when compared to the number of acres being actively reclaimed in any given year, there is significant acreage that qualifies for bond release application, particularly, for Phase I and II. In this review the CFO and the PSC have developed criteria to be reviewed annually for comparing the acres disturbed to the acres reclaimed on a statewide basis. A mine site specific summary is contained in Table

6. Reclamation in North Dakota is occurring as contemporaneously as required and practicable. The CFO will continue to report Reclamation Success and the status of disturbed lands in Table 6.
- inventory



KNIFE RIVER COAL COMPANY / BEULAH MINE



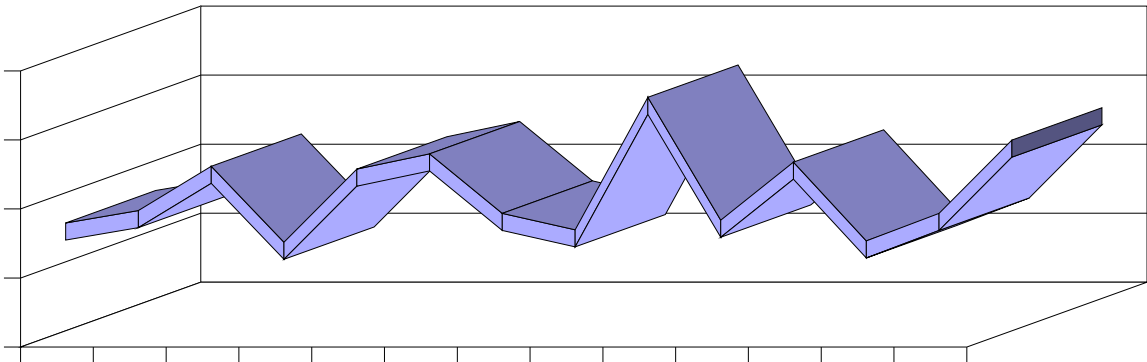
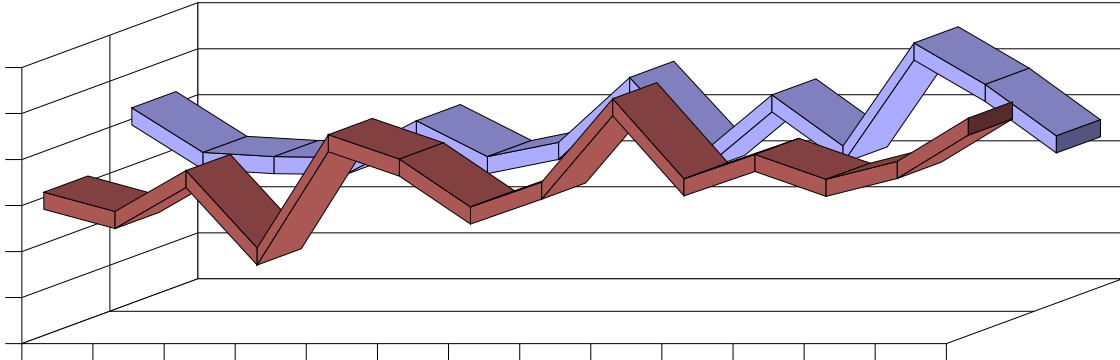
FALKIRK MINING COMPANY / FALKIRK MINE



BNI COAL, LTD / CENTER MINE

<i>*YEAR*</i>	<i>ACRES DISTURBED</i>	<i>ACRES RECLAIMED</i>	<i>RATIO OF RECL. VS DIST.</i>
1985	2030	1465	0.72
1986	1545	1255	0.81
1987	1500	1700	1.13
1988	1490	860	0.58
1989	1890	2090	1.11
1990	1500	1825	1.22
1991	1655	1305	0.79
1992	2360	1575	0.67
1993	1525	2480	1.63
1994	2170	1610	0.74
1995	1615	1875	1.16
1996	2735	1605	0.59
1997	2285	1800	0.79
1998	1725	2270	1.32

* Jan. 1 to Dec. 31*



C. Customer Service

The CFO reviewed the PSC's correspondence files for the timeliness and adequacy of responses to requests for information. General correspondence files are being maintained by the Reclamation Division and responses to written requests were timely; generally within a few days of receipt of the request.

On January 1, 1999, the Reclamation Division started logging general information requests received by telephone calls and office visits. During the last nine months of the evaluation period, the Reclamation Division received an average of five requests per month. The appropriate answers or information were provided or people were referred to other agencies with jurisdiction over the matter. Commonly asked questions and information requests pertained to gravel pit reclamation requirements, extended mining plans for specific mines, general reclamation requirements, the status of mining and reclamation activities, and mine specific questions.

Information is provided to landowners on permit related and bond release applications. The required landowner notices are provided and landowner participation in bond release inspections is encouraged. The Reclamation Division promptly responds to landowner questions and concerns.

The Reclamation Division also responds to numerous inquiries each month from mining companies regarding mining and reclamation requirements. Most often, immediate answers are provided. However, in some instances the subject matter has to be researched before a response is provided. This may involve the review of past decisions or the history of a particular requirement.

In summary, the PSC responds to information requests in an appropriate, timely and professional manner.

VI. OSM Assistance

OSM provided various types of assistance to North Dakota during EY-99. This assistance represented nearly \$510,485 in direct monetary assistance as well as other technical assistance.

The State received approximately \$500,200 in support of permitting, inspection and enforcement and administration of their permanent program through a grant, representing 65 percent of the total cost of the North Dakota program.

Seven North Dakota Public Service Commission employees received reclamation and enforcement training from OSM's Office of Technical Training for a support cost of approximately \$7,270 or 360 man hours of training. In addition, three PSC employees

received software computer training from OSM s Technical Information Processing Systems for an approximate cost of \$3,015 and approximately 120 man hours of training.

The Office of Technology Transfer assistance to North Dakota included the purchase of digital cameras to support the state s bond release efforts. Ten staff members participated in Statistical Analysis for Environmental Monitoring workshop, Regression Analysis workshop and an Interactive Bond Release Forum on Revegetation.

VII. General Oversight Topic Reviews

A. On-the-ground Reclamation Results

In this review the CFO and the PSC evaluated the specific permits identified in the previous EY-98 report to determine if replacement plans for ground water supplies (wells and developed springs) are contained in the approved reclamation plan.

The CFO and PSC review indicates that the approved reclamation plan do not contain a specific plan for replacement of ground water supplies nor do all permits identify specific supplies that will be replaced. Every permit and reclamation plan does contain a commitment to replace those supplies destroyed and necessary for the post-mining land use.

The CFO and PSC also evaluated the extent of differential settling on reclaimed lands to identify where settlement interferes with the achievement of the approved postmining land use. An overflight was conducted in May to determine if differential settling can be identified from the air for further review and inspection. The CFO and PSC will be continuing this evaluation in 2000. (A sample of photos on page 6)

B. Inspection & Enforcement

The North Dakota Public Service Commission continues to conduct frequent and thorough inspections. North Dakota conducted 164 complete inspections and 565 partial inspections, exceeding the required number of inspections on all permits during the evaluation year. The Casper Field Office conducted 13 complete random sample inspections and three partial / focused inspections of coal mining operations in North Dakota.

North Dakota inspection reports are complete, accurately document site conditions and mine activity, and give the status of any violations. They have continuity with previous reports. All performance standards were reviewed and documented during complete inspections and the reports contain a discussion of the current mine status. Each partial inspection report documents mining and reclamation activities,

performance standards and permit requirements reviewed, as well as the portions of the mine site inspected.

The PSC maintains an Inspectable units list and an inspection data base sufficient to meet its program requirements.

The PSC issued two Notices of Violation and no Cessation Orders during this evaluation period. No pattern of violation exists. No-show cause hearings or alternative enforcement actions occurred during this evaluation period.

The CFO did not issue any enforcement actions (NOV, CO) during this review period. No TDN s were sent to the State.

C. Bonding Practices

The CFO reviewed North Dakota s bonding practices in during EY-98 and the bond forms in EY-99. North Dakota is conducting its bonding program in compliance with the Cooperative Agreement and its approved state program. All federal lands are clearly identified by a separate legal description that is attached to the bond document.

E. Grants Management

CFO conducted financial oversight during the evaluation period. CFO visited PSC offices in Bismarck, North Dakota and reviewed financial information. Specifically, drawdowns, timeliness of grant applications and reports, audits, payroll and travel were reviewed.

A drawdown analysis was conducted for the existing Administration and Enforcement grant. Three monthly draws were sampled. Each drawdown had been done after the respective expense had been incurred and for the proper amount. No problems were found.

North Dakota is submitting grants and required reports in a timely manner.

An A-133 audit has been completed for two years ending June 30, 1998. There were no findings nor were there any disallowed costs. For future years, the Administrative and Enforcement A-133 topic in North Dakota will be risk analyses.

CFO conducted a review of payroll and benefits to ensure that charges were proper. Another purpose was to verify that payroll was being approved by the proper authority (supervisors). No problems were found.

Travel for the Title V program was reviewed relative to the State s policies and

procedures. Charges were appropriate and approval documentation had been completed and were appropriate.

Property management was reviewed and no problems were found.

CFO made one Administration and Enforcement grant award during EY99. The award was made in less than 60 days of the grant application, meeting the Government Performance Standards.

APPENDIX A

Tabular Summaries of Data Pertaining to Mining, Reclamation and Program Administration

These tables present data pertinent to mining operations, State and Federal regulatory activities within North Dakota. They also summarize funds provided by OSM and the North Dakota staffing. Unless otherwise specified, the reporting period for the data contained in all tables is the 1998 evaluation year (October 1, 1998 - September 30, 1999). Additional data used by OSM in its evaluation of North Dakota performance is available for review in the evaluation files maintained by the Casper Field Office.

TABLE 1

COAL PRODUCTION (Millions of short tons)			
Period	Surface mines	Underground mines	Total
Coal production ^A for entire State:			
Annual Period			
1997.0	29.7	0.0	29.7
1998.0	29.4	0.0	29.4
1999.0	30.8	0.0	30.8
	89.9	0.0	89.9

^A Coal production as reported in this table is the gross tonnage which includes coal that is sold, used or transferred as reported to OSM by each mining company on form OSM-1 line 8(a). Gross tonnage does not provide for a moisture reduction. OSM verifies tonnage reported through routine auditing of mining companies. This production may vary from that reported by States or other sources due to varying methods of determining and reporting coal production..

TABLE 2

<p align="center">INSPECTABLE UNITS As of September 30, 1999</p>													
Coal mines and related facilities	Number and status of permits								Insp. Unit ^D	Permitted acreage ^A (hundreds of acres)			
	Active or temporarily inactive		Inactive		Abandoned		Totals						
			Phase II bond release										
	IP	PP	IP	PP	IP	PP	IP	PP		IP	PP	Total	
STATE and PRIVATE LANDS REGULATORY AUTHORITY: STATE													
Surface mines	0	31	3	5	0	0	3	36	NA	5.5	686.1	691.6	
Underground mines	0	0	0	0	0	0	0	0	NA	0	0	0	
Other facilities	0	0	0	0	0	0	0	0	NA	0	0	0	
Subtotals	0	31	3	5	0	0	3	36	NA	5.5	686.1	691.6	
FEDERAL LANDS REGULATORY AUTHORITY: STATE													
Surface mines	0	23	0	4	0	0	0	27	NA	0	94.1	94	
Underground mines	0	0	0	0	0	0	0	0	NA	0	0	0	
Other facilities	0	0	0	0	0	0	0	0	NA	0	0	0	
Subtotals	0	23	0	4	0	0	0	27	NA	0	94	94	
ALL LANDS ^B													
Surface mines	0	31	3	5	0	0	3	36	NA	6	686	692	
Underground mines	0	0	0	0	0	0	0	0	NA	0	0	0	
Other facilities	0	0	0	0	0	0	0	0	NA	0	0	0	
Totals	0	31	3	5	0	0	3	36	NA	6	686	692	
Average number of permits per inspectable unit (excluding exploration sites)											1		
Average number of acres per inspectable unit (excluding exploration sites)											1773		
Number of exploration permits on State and private lands:									7	On Federal lands:		0	C
Number of exploration notices on State and private lands:									0	On Federal lands:		0	C
<p>IP: Initial regulatory program sites. PP: Permanent regulatory program sites.</p> <p>^A When a unit is located on more than one type of land, includes only the acreage located on the indicated type of land.</p> <p>^B Numbers of units may not equal the sum of the three preceding categories because a single inspectable unit may include lands in more than one of the preceding categories.</p> <p>^C Includes only exploration activities regulated by the State pursuant to a cooperative agreement with OSM or by OSM pursuant to a Federal lands program. Excludes exploration regulated by the Bureau of Land Management.</p> <p>^D Inspectable Units includes multiple permits that have been grouped together as one unit for inspection frequency purposes by some State programs.</p>													

TABLE 3

**STATE PERMITTING ACTIVITY
As of September 30, 1999**

Type of application	Surface mines			Underground mines			Other facilities			Totals		
	App. Rec.	Issued	Acres	App. Rec.	Issued	Acres ^A	App. Rec.	Issued	Acres	App. Rec.	Issued	Acres
New permits	0	0	0	0	0	0	0	0	0	0	0	0
Renewals	4	4	12,762	0	0	0	0	0	0	4	4	12762
Incidental boundary revisions		2	149		0	0		0	0	0	2	149
Revisions (exclusive of incidental boundary revisions)		26			0			0		0	26	
Transfers, sales and assignments of permit rights	0	0		0	0		0	0		0	0	
Small operator assistance	0	0		0	0		0	0		0	0	
Exploration permits	7	7		0	0		0	0		7	7	
Exploration notices ^B		0			0			0		0	0	0
Totals	11	39	12,911	0	0	0	0	0	0	11	39	12911

OPTIONAL - Number of midterm permit reviews completed that are not reported as revisions 0

^A Includes only the number of acres of proposed surface disturbance.

^B State approval not required. Involves removal of less than 250 tons of coal and does not affect lands designated unsuitable for mining.

TABLE 4

OFF-SITE IMPACTS													
RESOURCES AFFECTED		People			Land			Water			Structures		
DEGREE OF IMPACT		minor	moderate	major	minor	moderate	major	minor	moderate	major	minor	moderate	major
TYPE OF IMPACT AND TOTAL NUMBER OF EACH TYPE	Blasting												
	Land Stability												
	Hydrology												
	Encroachment				1								
	Other												
	Total	0	0	0	0	1	0	0	0	0	0	0	0
Total number of permits or mine sites with observed off-site impacts													
Permits <u> 1 </u> or Mine Sites <u> </u>													
Total number of permits or mine sites evaluated:													
Permits <u> 40 </u> or Mine Sites <u> </u>													
Total number of observations made to evaluate mine sites or permits for off-site impacts <u> 725* </u> or Mine Sites <u> </u>													

Report the degree of impact under each resource that was affected by each type of impact. More than one resource may be affected by each type of impact. Therefore, the total number of impacts will likely be less than the total number of resources affected; i.e. the numbers under the resources columns will not necessarily add horizontally to equal the total number for each type of impact. To report the number of mine sites or permits use the same criteria used to determine an inspectable unit in the State. Number of observations is based upon the criteria developed between each State and OSM and may include observations by both the State and OSM.

* Based on inspectable units (each permit area).

TABLE 5

ANNUAL STATE MINING AND RECLAMATION RESULTS		
Bond release phase	Applicable performance standard	Acreage released during this evaluation period
Phase I	* <input type="checkbox"/> Approximate original contour restored * <input type="checkbox"/> Topsoil or approved alternative replaced	870
Phase II	* <input type="checkbox"/> Surface stability * <input type="checkbox"/> Establishment of vegetation	870
Phase III	* <input type="checkbox"/> Post-mining land use/productivity restored * <input type="checkbox"/> Successful permanent vegetation * <input type="checkbox"/> Groundwater recharge, quality and quantity restored * <input type="checkbox"/> Surface water quality and quantity restored	870
	Bonded Acreage Status^A	Acres
	Total number of bonded acres at end of last review period (September 30, 1998) ^{B1}	69877
	Total number of bonded acres during this evaluation year	149
	Number of acres bonded during this evaluation year that are considered remining, if available	0
	Number of acres where bond was forfeited during this evaluation year (also report this acreage on Table 7)	0
^A Bonded acreage is considered to approximate and represent the number of acres disturbed by surface coal mining and reclamation operations. ^B Bonded acres in this category are those that have not received a Phase III or other final bond release (State maintains jurisdiction).		

Table 6a. Reclamation status of areas disturbed under the initial regulatory program. All numbers in the

table are in acres.^A

State North Dakota

Reporting year calendar year (CY) 1998

Permittee and mine name	Mine type		Disturbed area		3 Long-term mining or reclamation facilities ^B	4 Active mining areas (pits and areas in advance of the pits stripped of topsoil) and areas not yet backfilled and graded	Areas backfilled and graded		Areas soiled and seeded/planted		Areas where the regulatory authority has terminated jurisdiction	
	Surface	Under-ground	1	2			5	6	7	8		
			CY 1998	Total (all years)							CY 1998	Total (all years)
Knife River Coal Mining Company Beulah Mine	X		0	210	0	0	0	210	0	210	61	207
BNI Coal, Ltd. Center Mine	X		0	320	0	0	0	320	0	320	0	192
Falkirk Mining Company Falkirk Mine	X		0	51	0	0	0	51	0	51	0	0
Basin Cooperative Services, Inc. Glenharold Mine	X		0	1184	0	0	0	1184	0	1184	0	825
Bellaire Corporation d.b.a. North American Coal Company Indian Head Mine	X		0	357	0	0	0	357	0	357	293	357
BNI Coal, Ltd. Larson Mine	X		0	72	0	0	0	72	0	72	0	72
Royal Oak Enterprises, Inc. Royal Oak Mine	X		0	43	0	0	0	43	0	43	0	43
Total	7		0	2237	0	0	0	2237	0	2237	354	1696

^A Blanks in the table denote zeros.

^B Long-term mining or reclamation facilities include haul and access roads; temporary dams and impoundments; permanent dams and impoundments; diversion and collector ditches; water and air monitoring sites; topsoil stockpiles; overburden stockpiles; repair, storage, and construction areas; coal stockpile, loading, and processing areas; railroads; coal conveyors; refuse piles and coal mine waste impoundments; head-of-hollow fills; valley fills; ventilation shafts and entryways; and noncoal waste disposal areas (garbage dumps and coal combustion by-products disposal areas).

Table 6b. Reclamation status of areas disturbed under the permanent regulatory program. All numbers in the table are in acres.^A

State North Dakota Reporting year calendar year (CY) 1998

Permittee and mine name	Mine type		Disturbed area		3 Long-term mining or reclamation facilities ^B	4 Active mining areas (pits and areas in advance of the pits stripped of topsoil) and areas not yet backfilled and graded	Areas backfilled and graded		Areas where the regulatory authority (RA) has released phase I bond		Areas soiled and seeded/planted		Areas where RA has released phase II bond		Areas final seeded/planted for 10 years		Areas where RA has released phase III bond	
	Surface	Underground	1 CY 1998	2 Total (all years)			5 CY 1998	6 Total (all years)	7 CY 1998	8 Total (all years)	9 CY 1998	10 Total (all years)	11 CY 1998	12 Total (all years)	13 CY 1998	14 Total (all years)	15 CY 1998	16 Total (all years)
Knife River Coal Mining Company Beulah Mine	X		120	3320	1050	795	75	1475	294	294	40	1395	294	294	118	374	294	294
BNI Coal, Ltd. Center Mine	X		180	5182	1160	897	160	3125	0	126	265	3040	0	126	145	750	0	126
Falkirk Mining Company Falkirk Mine	X		515	11156	4858	1373	375	4925	0	1079	525	4865	0	246	126	1444	0	246
Coteau Properties Company Freedom Mine	X		910	12630	4035	2625	765	5970	6	315	810	5520	6	315	195	465	26	315
Knife River Coal Mining Company Gascoyne Mine	X		0	2360	125	0	0	2235	534	568	465	1870	534	586	61	228	701	753
Basin Cooperative Services, Inc. Glenharold Mine	X		0	4495	490	0	55	4005	0	688	165	3950	0	0	0	825	0	0
Bellaire Corporation d.b.a. North American Coal Company Indian Head Mine	X		0	2404	3	0	0	2401	0	2401	0	2401	187	2170	193	522	440	783
BNI Coal, Ltd. Larson Mine	X		0	650	0	0	0	650	0	478	0	650	0	435	0	610	0	0
Knife River Coal Mining Company New Leipzig Mine	X		0	25	0	0	0	25	0	25	0	25	0	25	0	0	0	35
Royal Oak Enterprises, Inc. Royal Oak-JK Mine	X		0	105	0	0	0	105	0	89	0	105	0	86	0	0	0	10
Royal Oak Enterprises, Inc. Royal Oak Mine	X		0	318	0	0	0	318	0	312	0	318	0	177	2	141	0	177
Consolidation Coal Company Velva Mine	X		0	387	0	0	0	387	0	387	0	387	0	387	2	172	587	587
Total	12		1725	43034	11721	5690	1430	25621	834	6762	2270	24526	1021	4847	842	5531	2048	3326

^A Blanks in the table denote zeros.
^B Long-term mining or reclamation facilities include haul and access roads; temporary dams and impoundments; permanent dams and impoundments; diversion and collector ditches; water and air monitoring sites; topsoil stockpiles; overburden stockpiles; repair, storage, and construction areas; coal stockpile, loading, and processing areas; railroads; coal conveyors; refuse piles and coal mine waste impoundments; head-of-hollow fills; valley fills; ventilation shafts and entryways; and noncoal waste disposal areas (garbage dumps and coal combustion by-products disposal areas).

TABLE 7

STATE BOND FORFEITURE ACTIVITY			
(Permanent Program Permits)			
	Number of Sites	Dollars	Disturbed Acres
Bonds forfeited as of September 30, 1998 ^A	0	0	0
Bonds forfeited during EY 1999	0	0	0
Forfeited bonds collected as of September 30, 1998 ^A	0	0	0
Forfeited bonds collected during EY 1999	0	0	0
Forfeiture sites reclaimed during EY 1999	0	0 ^B	0
Forfeiture sites repermited during EY 1999	0		0
Forfeiture sites unreclaimed as of September 30, 1999	0		0
Excess reclamation costs recovered from permittee	0	0	
Excess forfeiture proceeds returned to permittee	0	0	
^A Includes data only for those forfeiture sites not fully reclaimed as of this date. ^B Cost of reclamation, excluding general administrative expenses.			

TABLE 8

STATE STAFFING (Full-time equivalents at end of evaluation year)	
Function	EY 1999
Regulatory program	
Permit review	4.42
Inspection	2.21
Other (administrative, fiscal, personnel, etc.)	2.22
TOTAL	8.85

TABLE 9

FUNDS GRANTED TO NORTH DAKOTA BY OSM (Millions of dollars) EY 1999		
Type of grant	Federal funds awarded	Federal funding as a percentage of total program costs
Administration and enforcement	0.500	65.000
Small operator assistance	0.000	0.000
Totals	0.500	

TABLE 10

STATE OF NORTH DAKOTA INSPECTION ACTIVITY		
PERIOD: October 1, 1998 - September 30, 1999		
Inspectable Unit Status	Number of Inspections Conducted	
	Partial	Complete
Active*	461	124
Inactive*	104	36
Abandoned*	0	0
Exploration	0	4
TOTAL	565	164

* Use terms as defined by the approved State program.

TABLE 11

STATE OF NORTH DAKOTA ENFORCEMENT ACTIVITY PERIOD: October 1, 1998 - September 30, 1999		
Type of Enforcement Action	Number of Actions*	Number of Violations*
Notice of Violation	2	2
Failure-to-Abate Cessation Order	0	0
Imminent Harm Cessation Order	0	0

* Do not include those violations that were vacated.

TABLE 12

LANDS UNSUITABLE ACTIVITY STATE OF NORTH DAKOTA			
PERIOD: October 1, 1998 - September 30, 1999			
Number of Petitions Received	0		
Number of Petitions Accepted	0		
Number of Petitions Rejected	0		
Number of Decisions Declaring Lands Unsuitable	0	Acreage Declared as Being Unsuitable	0
Number of Decisions Denying Lands Unsuitable	0	Acreage Denied as Being Unsuitable	0