



INDUSTRIAL COMMISSION OF NORTH DAKOTA

Doug Burgum
Governor

Drew H. Wrigley
Attorney General

Doug Goehring
Agriculture Commissioner

Monday, September 19, 2022

Governor's Conference Room or Microsoft Teams – 1:00 p.m.

Join on your computer or mobile app

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Or call in (audio only)

[+1 701-328-0950,,44797317#](#)

- I. **State Energy Research Center (SERC) – Reice Haase**
 - A. **Consideration of \$258,000 funding request under Contract SERC 2019-01 Task 2 – “Provide Prompt Expertise for North Dakota” for the purposes of supporting grant applications under the Infrastructure Investment and Jobs Act related to Hydrogen Hubs and Direct Air Capture** (Attachment 1)
 - B. Other SERC business

Meeting Closed to the Public for Executive Session Pursuant to NDCC 6-09-35, 54-63.1-06, 44-04-19.1 and 44-04-19.2

(approximately 1:10 p.m.)

- I. **Bank of North Dakota Confidential Business – Todd Steinwand**
 - A. **Consideration of loan request – Craig Hanson** (Confidential Attachment 2)
 - B. Presentation of Concentrations of Credit Report as of June 30, 2022 (Confidential Attachment 3)
 - C. Problem loans (if any) (Confidential Attachment 4)
 - D. Confidential BND Advisory Board Minutes for July 21, 2022 Meeting (Confidential Attachment 5)
 - E. Other Bank of North Dakota confidential business (as defined under N.D.C.C. 6-09-35)

(approximately 1:40 p.m.)

- II. **Clean Sustainable Energy Authority Confidential Business – Al Anderson, Todd Steinwand/Kelvin Hullet**
 - A. Presentation of Confidential Data (Confidential Attachment 6)

Meeting Returns to Public Session

(approximately 1:55 p.m.)

III. Clean Sustainable Energy Authority (CSEA) – Al Anderson

A. Presentation of Financial Report (Attachment 7)

B. Consideration of the following Clean Sustainable Energy Authority recommendations for Grant Round 3:

- i. **C-03-01 – Liberty H2 Hub Front-End Engineering and Design**, Submitted by EERC, Total Project Costs: \$24,290,528; Amount Recommended: **\$10,000,000 hydrogen grant** (Attachment 8)
- ii. **C-03-02 – Project Phoenix: Manufacturing Bio-degradable Polymers Using Methane As Feedstock**, Submitted by Newlight Technologies, Inc., Total Project Costs: \$8,371,250; Amount Recommended: **\$4,185,625 grant** (Attachment 9)
- iii. **C-03-03 – Geothermal Power Generation for Oil and Gas Production**, Submitted by Enerplus Corporation (USA), Total Project Costs: \$2,197,000; Recommended: **\$1,098,500 grant** (Attachment 10)

C. **Consideration of Clean Sustainable Energy Authority recommendations on the CSEA Guidelines** (Attachment 11)

D. Other Clean Sustainable Energy Authority business

(approximately 2:15 p.m.)

IV. Bank of North Dakota – Todd Steinwand

A. Economic Update – Kristopher Ahmann (Attachment 12)

B. Nonconfidential BND Advisory Board Minutes for July 21, 2022 Meeting (Attachment 13)

C. Other Bank of North Dakota business

(approximately 2:35 p.m.)

V. North Dakota Department of Mineral Resources – Lynn Helms

A. Presentation of Oil and Gas Division Quarterly Report – Bruce Hicks (Attachment 14)

B. Update on Litigation* - Lynn Helms

- i. Case No. 31-2020-CV-0018 - Northern Oil and Gas, Inc. vs. Continental Resources, Inc; Board of University and School Lands and ND Industrial Commission et al

- ii. Case No. 27-2022-CV-00305 - Blue Steel Oil and Gas, LLC v. North Dakota Industrial Commission, Slawson Exploration Company, Inc and White Butte Oil Operations, LLC
- iii. North Dakota Industrial Commission v. U.S. Department of Interior
- iv. Dominek v Equinor et al

C. Other North Dakota Department of Mineral Resources business

* Possible Executive Session under N.D.C.C. 44-04-19.1(9) & 44-04-19.2 for attorney consultation

(approximately 3:30 p.m.)

VI. Western Area Water Supply Project – Tami Madsen

- A. Presentation of Semi-Annual Report (Attachment 15)
- B. **Consideration of a \$64,000 capital expenditure** (Attachment 16)
- C. Other Western Area Water Supply Project business

**Meeting Closed to the Public for Executive Session Pursuant to NDCC
44-04-18.4, 44-04-19.1 and 44-04-19.2**

(approximately 3:50 p.m.)

VII. North Dakota Mill

- A. Discussion of commercial information including the North Dakota Mill's marketing strategies and sales plan.

Meeting Returns to Public Session

(approximately 4:30 p.m.)

VIII. North Dakota Public Finance Authority – Karlene Fine

- A. **Consideration of the re-appointment of John Phillips to the PFA Advisory Board** (Attachment 17)
- B. Other Public Finance Authority Business

(approximately 4:35 p.m.)

IX. Office of the Industrial Commission – Karlene Fine

- A. **Consideration of Industrial Commission meeting minutes** (Attach. 18)
- B. Other Industrial Commission Administrative business