

# Office of Surface Mining

on federal land through a cooperative agreement with the Office of Surface Mining, the state becomes eligible for financial assistance of up to 100 percent of the amount the federal government would have spent to regulate coal mining on those lands. Table 9 shows grant amounts provided to states during 1997 to administer and enforce regulatory programs.

## Regulation of Surface Mining on Federal and Indian Lands

Section 523(a) of the Surface Mining Law requires the Secretary of the Interior to establish and implement a federal regulatory program that applies to all surface coal mining operations that take place on federal land. The Office of Surface Mining enacted the current federal lands program on February 16, 1983.

The federal lands program is important because the federal government owns significant coal reserves, primarily in the West. The development of federal coal reserves is governed by the Federal Coal Management Program of the Department of the Interior's Bureau of Land Management. Of the 234 billion tons of identified coal reserves in the western United States, 60 percent is federally owned.

Through cooperative agreements, the administration of most surface coal mining requirements of the federal lands program may be delegated by the Secretary of the Interior to states with approved regulatory programs. By the end of 1997, the Secretary had entered into such cooperative agreements with Alabama, Colorado, Illinois, Montana, New Mexico, North Dakota, Ohio, Oklahoma, Utah, Virginia, West Virginia, and Wyoming. Also, a cooperative agreement with Kentucky was proposed in 1997.



We enforce the Surface Mining Law requirement to return reclaimed

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**TABLE 8  
REGULATORY PROGRAM STATISTICS  
1997**

	Alabama	Alaska	Arizona	Arkansas	Colorado	Crow Tribe**	Georgia*	Hopi Tribe**	Illinois	Indiana	Iowa	Kansas	Kentucky	Kentucky*	Louisiana	Maryland	Missouri
Regulatory Program Staffing (FTE's 9/30/97)	29	3.4	NA	6.35	25	1	NA	NA	49.95	60.2	4.7	3.6	320	4.3	3.7	13.8	15.7
Abandoned Mine Land Staffing (FTE's 9/30/97)	22	3.5	NA	6.3	12	6.5	NA	2.5	17.96	26	5.3	11.5	86	0	1.5	5.8	12.3
New Permits	10	0	0	0	1	0	0	0	4	19	0	2	99	1	0	2	1
New Acreage Permitted	1,071	0	0	0	2,327	0	0	0	418	11,524	0	229	22,319	349	0	217	445
Total Acreage Permitted	94,994	5,871	417	1,395	159,770	5,440	303	62,830	99,043	284,758	6,000	6,036	1,642,700	25,710	45,100	6,346	45,735
Inspectable Units (9/30/97)	296	9	1	21	62	1	8	7	283	368	28	15	2,782	50	2	69	59
Complete Inspections	3,494	24	0	79	240	4	6	27	423	1,278	112	62	12,692	229	8	390	140
Partial Inspections	748	61	0	162	484	8	1	16	937	2,880	224	124	17,758	280	16	520	208
Notices of Violations (Actions)	161	1	0	3	19	0	0	7	36	111	77	6	1,062	17	3	9	74
Notices of Violations (Violations)	217	1	0	7	19	0	0	9	46	123	77	6	1,926	20	6	9	74
Failure -to-Abate Cessation Orders (Actions)	16	0	0	0	0	0	0	0	1	9	69	9	126	0	0	1	22
Failure-to-Abate Cessation Orders (Violations)	21	0	0	0	0	0	0	0	1	9	69	9	NA	0	0	1	22
Imminent Harm Cessation Orders (Actions)	1	0	0	0	0	0	0	0	0	0	0	0	11	6	0	0	1
Imminent Harm Cessation Orders (Violations)	1	0	0	0	0	0	0	0	0	0	0	0	11	7	0	0	1
Bond Forfeitures	12	0	0	0	0	0	0	0	0	0	0	0	44	0	0	0	24
Acreage of Phase III Bond Release	4,140	0	0	133	296	0	0	0	1,168	3,725	0	4,875	19,925	469	0	643	1,110

\*Federal Lands Program, \*\*Indian Lands Regulatory Program, NA - Information not available

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land to its approximate original contour

Under the Surface Mining Law, once the Secretary and a state have signed a cooperative agreement, the state regulatory authority assumes permitting, inspection, and enforcement responsibilities for surface coal mining activities on federal lands in that state. The Office of Surface Mining maintains an oversight function to ensure that the regulatory authority fully exercises its delegated responsibility under the cooperative agreement. In states without cooperative agreements, the required permitting, inspection, and enforcement activities under the Surface Mining Law are carried out by the Office of Surface Mining. During 1997, one new permit was issued by the Office of Surface Mining on federal land in Kentucky.

For states with leased federal coal, the Office of Surface Mining prepares the Mining Plan Decision Documents required by the Mineral Leasing Act, as amended, and documentation for other non-delegable authorities, for approval by the Secretary of the Interior. During 1997, nine mining plan actions were prepared and approved for coal mines on federal land.

Pursuant to Section 710 of the Surface Mining Law, the Office of Surface Mining regulates coal mining and reclamation on Indian lands. In the Southwest, three mines on the Navajo and Hopi reservations, a portion of an underground mine, and a portion of a coal haul road on the Ute Mountain Ute Reservation are permitted under the permanent Indian Lands Program, and one mine is operating under an interim permit. Also, on the Navajo Reservation a permit application was submitted for a coal preparation plant, in accordance with the permanent Indian Lands Program, and is operating under administrative delay. In addition, the Office of Surface Mining, in cooperation with the Bureau of Indian Affairs and the Navajo Nation, is overseeing the final reclamation of three mines on the Navajo Reservation that are still under the interim regulatory program.

**TABLE 8 (continued)  
REGULATORY PROGRAM STATISTICS  
1997**

	Montana	Navajo Tribe**	New Mexico	North Dakota	Ohio	Oklahoma	Pennsylvania	Tennessee	Texas	Utah	Ute Tribe**	Virginia	Washington	West Virginia	West Virginia*	Wyoming
Regulatory Program Staffing (FTE's 9/30/97)	18.9	NA	13.8	9.7	NA	33	307	56	45	24	NA	81	NA	255	NA	30.2
Abandoned Mine Land Staffing (FTE's 9/30/97)	10	24	11.5	5.8	NA	6	145	0	10	9	NA	16	NA	70	NA	12.5
New Permits	0	0	0	0	56	4	122	0	0	1	0	42	0	106	0	0
New Acreage Permitted	32	180	384	0	4,022	3,937	14,392	2,894	0	720	0	28,077	0	20,419	0	3,670
Total Acreage Permitted	60,300	32,448	71,990	72,060	139,327	39,800	504,140	25,298	207,100	144,282	265	58,713	14,931	286,390	20	319,470
Inspectable Units (9/30/97)	18	8	15	46	597	97	2,292	441	22	30	2	949	2	3,199	1	38
Complete Inspections	95	28	60	193	2,597	401	9,343	1,239	95	120	8	3,894	3	9,417	4	145
Partial Inspections	86	56	123	675	3,131	697	14,537	1,331	268	186	16	3,975	14	13,156	0	276
Notices of Violations (Actions)	8	5	6	2	145	44	974	35	14	35	0	236	1	1,241	0	16
Notices of Violations (Violations)	8	9	6	2	145	69	1,135	44	14	46	0	301	1	1,241	0	16
Failure-to-Abate Cessation Orders (Actions)	2	0	0	0	11	1	48	6	0	1	0	7	0	110	0	2
Failure-to-Abate Cessation Orders (Violations)	2	0	0	0	11	1	76	7	0	1	0	9	0	110	0	2
Imminent Harm Cessation Orders (Actions)	0	0	0	0	9	0	1	1	0	1	0	4	0	21	0	0
Imminent Harm Cessation Orders (Violations)	0	0	0	0	9	0	1	1	0	1	0	4	0	21	0	0
Bond Forfeitures	0	0	0	0	4	1	27	1	0	1	0	2	0	32	0	0
Acreage of Phase III Bond Release	0	0	0	541	10,525	7,492	12,697	1,065	1,933	0	0	3,959	0	6,592	0	0

\*Federal Lands Program; \*\*Indian Lands Regulatory Program; NA - Information not available