

Office of Surface Mining actively sought from its customers, the Office of Surface Mining and the states developed state-specific evaluation plans tailored to the unique conditions of each state program and governed by performance agreements. Through these performance agreements, the Office of Surface Mining and the states jointly are identifying common goals and are making progress in implementing the new oversight guidance. The new approach has resulted in more meaningful oversight and allows the Office of Surface Mining to focus its limited resources on those program aspects that have the greatest influence on actual on-the-ground conditions in a state.

If oversight activities indicate that a desired end result is not being achieved, the Office of Surface Mining will conduct an independent review to determine the root cause of the problem. Of course, if a safety or design issue arises, the Office of Surface Mining will work with the state to assure that the problem is corrected expeditiously.

Federal Programs

Section 504(a) of the Surface Mining Law requires the Office of Surface Mining to regulate surface coal mining and reclamation activities on non-federal and non-Indian lands in any state if:

- the state's proposal for a permanent program has not been approved by the Secretary of the Interior;
- the state does not submit its own permanent regulation program; or
- the state does not implement, enforce, or maintain its approved state program.

Although the Office of Surface Mining encourages and supports state primacy in the regulation of surface coal mining and reclamation operations, certain states with coal reserves have elected not to submit or maintain regulatory programs. Those states are called federal program states, and their surface coal mining and reclamation operations are regulated by the Office of Surface Mining. Full federal programs are in effect in 12 states: Arizona, California, Georgia, Idaho, Massachusetts, Michigan, North Carolina, Oregon, Rhode Island, South Dakota, Tennessee, and Washington.

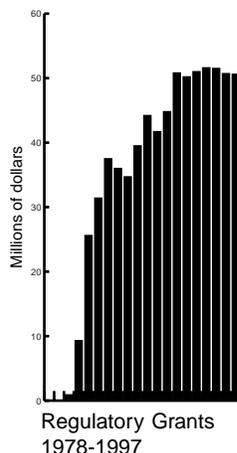
Of the federal program states, only Tennessee and Washington had active coal mining in 1997. Table 8 includes the Office of Surface Mining's regulatory actions in those two states during 1997.

**TABLE 7
FEDERAL OVERSIGHT OF STATE PROGRAMS
1997**

State	Inspections	Violations Cited in Office of Surface Mining Enforcement					
		Notice of Violations		Failure-To-Abate		Imminent Harm	
		Actions	Violations	Actions	Cessation Orders	Actions	Cessation Orders
Alabama	138	0	0	0	0	0	0
Alaska	0	0	0	0	0	0	0
Arkansas	13	0	0	0	0	0	0
Colorado	13	0	0	0	0	0	0
Illinois	142	0	0	0	0	0	0
Indiana	187	0	0	0	0	0	0
Iowa	16	0	0	0	0	0	0
Kansas	7	0	0	0	0	0	0
Kentucky	870	11	11	6	6	0	0
Louisiana	4	0	0	0	0	0	0
Maryland	48	1	1	0	0	0	0
Mississippi	15	0	0	0	0	0	0
Missouri	45	0	0	0	0	0	0
Montana	22	0	0	0	0	0	0
New Mexico	2	0	0	0	0	0	0
North Dakota	30	0	0	0	0	0	0
Ohio	197	0	0	0	0	0	0
Oklahoma	85	1	1	1	1	1	3
Pennsylvania	371	14	14	5	5	0	0
Texas	19	0	0	0	0	0	0
Utah	9	0	0	0	0	0	0
Virginia	335	0	0	0	0	0	0
West Virginia	432	20	20	11	11	0	0
Wyoming	14	0	0	0	0	0	0
Total	3,014	47*	47	23	23	1	3

* Of the 47 Notices of Violation and 23 Cessation Orders issued by the Office of Surface Mining, 45 NOV's and 20 CO's were related to Abandoned Mine Land fees.

Grants to States and Tribes



Section 201 of the Surface Mining Law authorizes the Office of Surface Mining to help state regulatory authorities develop or revise surface mining regulatory programs. In 1997, the Office of Surface Mining awarded \$600,000 for program development grants to the Crow, Northern Cheyenne, Hopi, and Navajo Tribes.

Section 705 of the Surface Mining Law authorizes the Office of Surface Mining to provide grants to states with approved regulatory programs in amounts not exceeding 50 percent of annual state program costs, matching state regulatory costs dollar for dollar. In addition, when a state elects to administer an approved program