

Abandoned Mine Land Reclamation Activities

Section 402(a) of the surface mining law requires that operators pay a reclamation fee for each ton of coal produced. The fees are deposited with the U.S. Treasury in a fund called the Abandoned Mine Reclamation Fund and are used to reclaim sites that were mined and left unreclaimed before the surface mining law was enacted in 1977. During fiscal year 1987, OSMRE collected over \$214 million in reclamation fees from coal producers. At the end of fiscal year 1987, the fund balance was approximately \$459.8 million.

The surface mining law provides guidance for the way in which the reclamation funds are to be allocated. Fifty percent of the fees collected in a State that has approved reclamation and regulatory programs are returned to that State for use in its reclamation program. The other fifty percent is the Federal share. Federal share funds are used by OSMRE under its Federal Reclamation Program (FRP) to address public health and safety emergencies caused by past mining practices as well as high-priority reclamation projects in non-program States. FRP also provides funds to non-program States through cooperative agreements for high-priority reclamation projects. A portion of the Federal share is used for the Rural Abandoned Mine Program (RAMP) administered by the US Department of Agriculture's Soil Conservation Service (USDA/SCS). Part of the fund is made available for use in the Small Operator Assistance Program (SOAP). Section 402(g)(4) authorizes the Secretary to use the balance of the funds for reclamation purposes either directly or through State reclamation projects.

Of the 24 States with regulatory primacy, all but Mississippi had approved AML programs and received funding for them from OSMRE during fiscal year 1987. Grant requests from 23 States were approved for \$160.1 million to fund projects addressing the highest reclamation priorities, as required by law. In addition, OSMRE approved cooperative agreements from the Crow, Hopi, and Navajo Tribes for approximately \$486,000 for the development of AML programs.

Approximately \$9.8 million was obligated to RAMP during fiscal year 1987 and \$1.9 million for operational grants for small operator assistance under SOAP. In addition, approximately \$15.7 million was obligated for Federal emergency and high priority construction projects. Tables 12, 13, and 14 provide summary data on fiscal year 1987 AML fee collections and AML funding.

During fiscal year 1987, OSMRE took several actions to assure that all fees owed the AML fund were collected and accounted for accurately and in a timely fashion. OSMRE upgraded the size and quality of its audit staff, developed rigorous audit procedures by which it conducts its work, and removed from the Fee Compliance Officers all of the extraneous duties that could detract from their principal mission. Additional fees totaling \$4 million were identified by OSMRE through its audit program in calendar year 1987.

OSMRE has also supported the initiatives discussed below in an effort to assure that all States and Indian Tribes which have AML problems will be able to establish and/or maintain sound AML programs.

Minimum-Level Program

OSMRE submitted a proposal to Congress to establish a minimum-level AML program for those States whose annual allocation is very small, but which continue to have high priority AML problems. Seven States - Arkansas, Iowa, Kansas, Maryland, Missouri, North Dakota, and Oklahoma - are eligible to receive supplemental funding under this proposal. Once minimum-level program States complete their high-priority projects, annual funding will be reduced to State-share money only. (Congress approved the proposal in fiscal year 1988.)

State-Share Set Aside

Public Law 100-34, signed by the President on May 7, 1987, amended Section 402(g) of SMCRA. The amendment allows a State to establish trust funds into which a State could deposit up to 10 percent of its appropriated annual State-share grant funds. Once placed in this trust fund, these funds, as well as any interest earned, can be expended by the State to accomplish reclamation after August 3, 1992, the date of expiration of the AML fund. Additional details on the amendment are provided on page 4 of this report.

Access by Tribes to the AML Fund

On July 11, 1987, legislation was enacted amending section 405(k) of SMCRA to allow access by the Navajo, Hopi, and Crow Indian Tribes to their share of the AML fund. The amendment exempts the Tribes from the requirement of having an approved regulatory program pursuant to Section 503 of SMCRA, prior to having an approved AML reclamation plan. With an approved AML reclamation plan the Tribes will receive grants from their share of the AML fund for reclamation of abandoned mine sites on Tribal lands. A more detailed discussion of this legislation is provided on page 5 of this report.

Table 12
Abandoned Mine Land Fee Collections and Funding

State or Indian Tribe	Fees Collected (FY 1987)	Federal Projects (FY 1987)	USDA/SCS		State Grant Allocation* ¹ (FY 1987)	Revenues Collected (FY 78-87)
			RAMP Projects (FY 1987)	SOAP Grants (FY 1987)		
Alabama	\$ 5,854,544	\$ 99,040	\$ 645,328	\$ 0	\$ 4,651,684	\$ 60,591,323
Alaska	497,520	0	0	0	257,777	3,226,950
Arkansas	28,810	0	304,665	0	124,204	543,092
Colorado	3,979,983	78,365	0	0	2,722,179	46,494,193
Georgia	0	10,916	0	0	0	134,926
Illinois	13,324,236	23,169	357,258	48,982	13,565,292	133,256,829
Indiana	10,711,289	73,028	149,549	0	4,890,981	99,920,687
Iowa	146,007	10,624	62,306	0	501,657	1,667,133
Kansas	577,407	630,448	0	0	1,257,665	4,160,801
Kentucky	35,070,546	2,384,948	1,735,284	0	22,390,453	334,179,375
Louisiana	243,460	0	0	0	32,096	383,307
Maryland	925,240	0	393,109	40,000	1,167,342	8,721,981
Missouri	1,481,983	2,108,567	55,044	0	3,049,660	18,297,289
Montana	10,971,283	62,676	0	0	7,070,892	93,880,426
New Mexico	3,080,492	79,486	0	0	2,082,779	27,467,637
North Dakota	2,545,930	3,010	156,834	0	2,575,918	18,675,502
Ohio	9,455,495	1,217,583	1,211,985	467,500	7,237,445	102,774,424
Oklahoma	919,270	56,281	303,636	0	1,301,273	14,678,803
Pennsylvania	16,140,410	1,408,414	1,534,813	1,300,000	34,702,160	198,093,931
Tennessee	1,236,857	2,679,644	528,004	0	0	18,149,538
Texas	5,001,316	13,794	36,023	0	6,312,561	34,626,962
Utah	2,235,359	3,058	0	0	1,316,081	18,797,552
Virginia	7,577,562	354,040	462,428	0	4,670,077	67,051,130
Washington	1,524,487	364,036	0	0	0	15,428,075
West Virginia	24,541,697	1,930,902	1,721,224	76,000	15,375,143	214,413,743
Wyoming	47,929,367	10,510	138,908	0	22,858,347	359,611,919
Other States	0	955,190	0	0	0	0
Crow Tribe	432,967	250,000	0	0	46,132	10,233,412
Hopi Tribe	1,364,009	60,000	0	0	27,777	6,396,377
Navajo Tribe	6,258,333	792,040	0	0	412,424	65,206,343
TOTAL	\$214,055,859	\$15,659,769	\$9,796,398	\$1,932,482	\$160,599,999	\$1,977,063,660

*1 Includes funds allocated by OSMRE to primacy State and Indian Tribes during fiscal year 1987 from both State and Federal shares of the AML fund.

Note: No AML fees were collected or expended in Mississippi during fiscal year 1987.

Table 13
Fiscal Year 1987 Grant Funding to Primacy States and Tribes*1

Indian Tribe	Plan Preparation	First Annual Submission of Projects	Subsidence Insurance Grants	10% State Set-Aside Grants	Administrative Grants	Construction Grants
Alabama	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,694,297	\$ 2,957,387
Alaska	0	0	0	0	96,916	160,861
Arkansas	0	0	0	0	0	0
Colorado	0	0	0	0	787,183	1,775,354
Illinois	0	0	0	0	1,613,394	11,951,898
Indiana	0	0	357,218	0	1,102,168	3,350,000
Iowa	0	0	0	0	359,992	141,665
Kansas	0	0	0	0	361,479	896,186
Kentucky	0	0	0	0	2,167,887	12,635,101
Louisiana	0	16,022	0	0	0	0
Maryland	0	0	0	0	194,142	903,000
Missouri	0	0	0	0	871,433	1,421,300
Montana	0	0	0	665,375	2,063,829	1,871,094
New Mexico	0	0	0	0	215,613	983,141
North Dakota	0	0	0	0	0	285,985
Ohio	0	0	0	0	2,013,941	5,084,692
Oklahoma	0	0	0	0	195,080	857,331
Pennsylvania	0	0	0	0	787,302	33,914,858
Texas	0	0	0	0	0	0
Utah	0	0	0	0	806,294	0
Virginia	0	0	0	0	1,225,915	3,394,162
West Virginia	0	0	0	0	3,706,449	10,517,020
Wyoming	0	0	432,304	2,285,834	3,621,150	14,015,943
Crow Tribe	14,442	0	0	0	0	0
Hopi Tribe	27,777	0	0	0	0	0
Navajo Tribe	0	284,334	0	0	0	0
TOTAL	\$ 42,219	\$ 300,356	\$ 789,522	\$ 2,951,209	\$ 23,884,464	\$ 107,116,978

*1 Includes grant awards to States and Indian Tribes from fiscal year 1987 allocations. Does not include funds awarded from monies allocated in prior fiscal years that have been recovered or carried over to fiscal year 1987.

Note: No AML fees were collected or expended in Mississippi during fiscal year 1987.

Table 14
Interior Department AML Program
Projects Completed or Under Contract*1

State or Indian Tribe	High Priority Projects		Emergency Projects	
	Amount FY 1987	Amount FY 78-87	Amount FY 1987	Amount FY 78-87
Alabama	\$ 0	\$ 5,594,442	\$ 99,040	\$ 8,353,733
Alaska	0	175,247	0	0
Arkansas	0	73,404	0	0
Colorado	54,593	393,538	23,772	1,472,506
Georgia	5,349	1,617,548	5,567	5,567
Illinois	0	3,702,706	23,169	1,695,712
Indiana	0	961,460	73,028	1,615,014
Iowa	0	45,203	10,624	108,503
Kansas	0	1,432,963	630,448	2,868,790
Kentucky	0	7,796,542	2,384,948	25,664,134
Louisiana	0	0	0	0
Maryland	0	1,419,707	0	458,581
Missouri	2,108,567	10,092,408	0	16,785
Montana	62,676	1,072,677	0	202,926
New Mexico	79,486	662,120	0	1,763,636
North Dakota	3,010	1,563,448	0	215,176
Ohio	0	7,895,781	1,217,583	5,120,919
Oklahoma	0	368,065	56,281	146,709
Pennsylvania	414	32,049,763	1,408,000	37,086,684
Tennessee	2,046,000	9,279,865	633,644	3,200,985
Texas	0	197,816	13,794	85,267
Utah	3,058	175,182	0	0
Virginia	0	5,650,713	354,040	3,101,319
Washington	311,309	1,701,221	52,727	307,905
West Virginia	70	10,743,098	1,930,832	16,316,381
Wyoming	10,360	760,372	150	380,805
Other States	846,603	3,673,205	108,587	442,248
Crow Tribe	250,000	1,345,268	0	0
Hopi Tribe	60,000	1,063,105	0	0
Navajo Tribe	790,730	1,722,476	1,310	571,700
TOTAL	\$ 6,632,225	\$113,229,343	\$ 9,027,544	\$111,201,985

*1 Funds obligated from the Secretary's share of the AML fund.

Note: No AML fees were collected or expended in Mississippi during fiscal year 1987.



Multiple seam mining using shovels.