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U.S. DEPARTMENT OF THE INTERIOR

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

DIRECTIVES SYSTEM

Subject Number: TSR-4

Transmittal Number: 750

Date: NOV 16 1992

Subject: Technical Studies/Applied Research

Approval: [signature] Title: Director

1. Purpose. This directive establishes procedures for the conduct and administration of technical studies and applied research initiated, conducted, or funded in support of the Title V regulatory program by the Office of Surface Mining Reclamation and Enforcement (OSM). The technical studies and applied research program includes all Title V technical projects funded through contracts, cooperative agreements, and grants as well as compliance studies by or on behalf of States and in-house technical studies by OSM professional staff.

2. Summary.

a. The purpose of this directive has been broadened to include compliance studies or other technical studies funded by grants or cooperative agreements with States and in-house technical studies by OSM professional staff.

b. The organizational titles have been changed to reflect the current organizational designations.

c. The directive now requires an annual research and technical studies plan to be developed, and technical and financial monitoring requirements to be included in contracts and cooperative agreements.

3. Definitions. All terms used in this directive are used consistently with those in the Surface Mining Control and Reclamation Act of 1977 (SMCRA) and CFR 30 Chapter VII, except for those new terms defined below.

a. Compliance Study is an investigation of a complex technical issue limited to a specific area or permit action whose purpose is to assist the regulatory authority in complying with provisions of the approved regulatory program.

b. Technical Studies/Applied Research Policy Committee (PC) develops annual priorities for Title V technical studies, selects projects for funding, and decides on continuation of funding, change in project focus, and the dissemination of results. The PC members include: Deputy Director for Operations and Technical Services (DD/OTS) who serves as chairperson, the Assistant Director for Reclamation and Regulatory Policy

(AD/RRP), the Assistant Director for Field Operations (AD/FO), and the Assistant Directors for Eastern and Western Support Centers (AD/SC's).

c. Technical Studies/Applied Research Technical Committee (TC) manages the Title V technical studies program. The TC members include: Chief, Division of Technical Services (Headquarters), Chief, Program Support Division (Eastern Support Center), Chief, Technical Assistance Division (Western Support Center), and a designee of the Assistant Director, Field Operations. TC members serve as project officers for those studies in which members of their staffs are assigned responsibilities as Contracting Officer's Technical Representatives. The Chairperson for the TC rotates on an annual basis among the members. The Division of Technical Services provides staff support for TC activities.

4. Policy/Procedures.

a. Policy. OSM will conduct and/or support appropriate studies in both technical and regulatory areas and in methods of mining and reclamation:

(1) To resolve technical regulatory issues that are national or regional in scope; and,

(2) To foster the development of improved methods of mining and reclamation that will enhance environmental protection aspects of the regulatory program while reducing the burden on the coal mining industry.

b. Procedures. The following procedures will be followed annually.

(1) The TC will prepare a letter for wide distribution by March 31 seeking suggestions for technical studies and applied research topics. Suggestions on meritorious projects identified by Support Center staff, Field Offices, industry, States, environmental groups, and others shall be submitted through OSM program Assistant Directors by June 1. The TC shall consolidate the suggestions for research and brief the PC on the outreach findings by July 1.

(2) The PC will select technical studies and applied research priorities for the upcoming fiscal year, obtain the Director's approval of the priorities, and provide the priorities to the TC by July 31 for implementation.

(3) Prior to the beginning of the fiscal year, the TC shall develop an annual research and technical studies plan for the year. The plan will describe all existing research projects and technical studies which relate to the upcoming year's

priorities. The plan will propose funding levels for the upcoming year's applied research solicitation. The plan will identify funding requirements for research support activities and any existing studies or new initiatives for which funding is being considered during the fiscal year. The plan will identify a process and criteria for evaluating unsolicited proposals received during the year and identify any conferences, seminars, or other technology transfer activities to be conducted during the year. The Chairperson of the TC will submit the annual research and technical studies plan to the Chairperson of the PC for approval by September 30.

(4) When the approved annual research and technical studies plan includes a solicitation for any new projects, the TC will develop a schedule to obligate research program funds within 7 months after receipt of the annual appropriation from Congress by managing the following tasks.

(a) Develop a statement of the year's research priorities for publication in the Commerce Business Daily.

(b) Develop a scope of work for each priority and criteria for evaluating proposals. Develop technical and financial reporting requirements for contracts, cooperative agreements, and grants. Minimum reporting requirements shall include quarterly technical progress reports, annual reports of findings for each project objective, and fiscal statements that directly support the project's accomplishments.

(c) Assist the contracting officer in preparing a request for proposals.

(d) Evaluate proposals received in response to the solicitation. Proposals will be ranked in each priority according to technical merit by individuals knowledgeable in the subject matter of the proposal. OSM will include outside reviewers on the evaluation teams.

(e) Present a ranked list of projects recommmended for funding to the PC for action.

(f) Appoint Contracting Officer's Technical Representatives (COTR's) for each project. COTR's for projects whose principal investigator is located east of the Mississippi River, except for Tennessee, will be approved by the Assistant Director, Eastern Support Center; COTR's for projects whose principal investigator is located in Tennessee will be approved by the Assistant Director, Field Operations; COTR's for projects whose principal investigator is located west of the Mississippi River will be approved by the Assistant Director, Western Support Center; COTR's for projects conducted with other Federal agencies or whose principal investigator is located outside the United

States will be approved by the AD/RRP. All COTR's must receive an approved training course in the responsibilities of a Contracting Officer's Technical Representative.

(5) The funding strategy shall be to minimize commitments for out year funding on projects to the extent practical while maximizing the number of projects selected. Considerations toward this end will include: a) fully funding multiyear projects except where out year efforts are linked to first year results; and b) funding shorter duration projects instead of longer duration projects for proposals with similar ratings.

(6) The TC will conduct an annual review of all existing Title V technical studies in order to develop funding recommendations for the research and technical studies plan.

c. Program Responsibilities.

(1) Director determines national technical studies and applied research policy, funding strategy, and approves annual study priorities.

(2) Deputy Director for Operations and Technical Services serves as Chairperson for the PC.

(3) Assistant Directors for Reclamation and Regulatory Policy, Field Operations, and Support Centers serve on the PC and approve COTR's for each project approved for funding. Assistant Directors will approve any in-house projects conducted by their technical staffs.

(4) Chief, Division of Technical Services coordinates and provides staff support to the PC and TC, including preparation of the minutes of committee meetings and support for the solicitation of timely and adequate proposals for technical projects, and prepares annual reports that summarize all ongoing and completed projects.

(5) Chief, Branch of Research and Technical Standards monitors technical project status through the COTR, coordinates and tracks projects including maintaining the Technical Studies and Applied Research Data Base, and selects staff to coordinate research priorities and selected projects with U.S. Geological Survey, U.S. Bureau of Mines, and other appropriate agencies to ensure projects do not duplicate studies and research being conducted elsewhere.

(6) Applied Studies Policy Committee develops annual priorities for technical areas to be studied, approves the annual research and technical studies plan, and makes final selection of projects to be funded. Reviews progress of technical studies and

applied research programs and makes decisions on continuation of funding, project extensions and amendments and the dissemination of research results.

(7) Technical Studies Committee manages the Title V research program, develops the annual research and technical studies plan, and develops recommendations to the PC for projects to be funded, for the continuation of projects, and for dissemination of results. Approves recommendations for no-cost time extensions for existing projects.

(8) Contracting Officer's Technical Representative assists in development of formal solicitations, monitors and coordinates technical and financial project activities and accomplishments, reviews or coordinates the review of final products, makes recommendations for final approval of technical products, provides information for the Technical Studies and Applied Research Data Base, and informs appropriate Field Offices on project initiation.

(9) Contracting Officer prepares announcement of solicitation for publication in Commerce Business Daily, prepares Requests for Proposals, notifies successful proposers, signs award documents, closes out contracts, and assists the TC in developing the requirements for monitoring projects.

5. Reporting Requirements.

a. The Chairperson of the TC shall submit an annual research and technical studies plan to the Chairperson of the PC by September 30.

b. The Chief, Division of Technical Services shall prepare an annual research status report covering all active research projects and all projects completed during the prior fiscal year by December 1.

c. COTR's shall submit quarterly reports on the status of their research projects to the Research and Technical Standards Branch.

6. Effect on Other Documents. This directive supersedes OSM Directive TSR-4, dated November 4, 1987.

7. Reference. Section 201(c)(5) of SMCRA.

8. Effective Date. Upon issuance.

9. Contact. Division of Technical Services, Branch of Research and Technical Standards, (202) 343-1504.

10. Keywords. Research, technical studies.

11. <u>List of Appendices</u>. None.