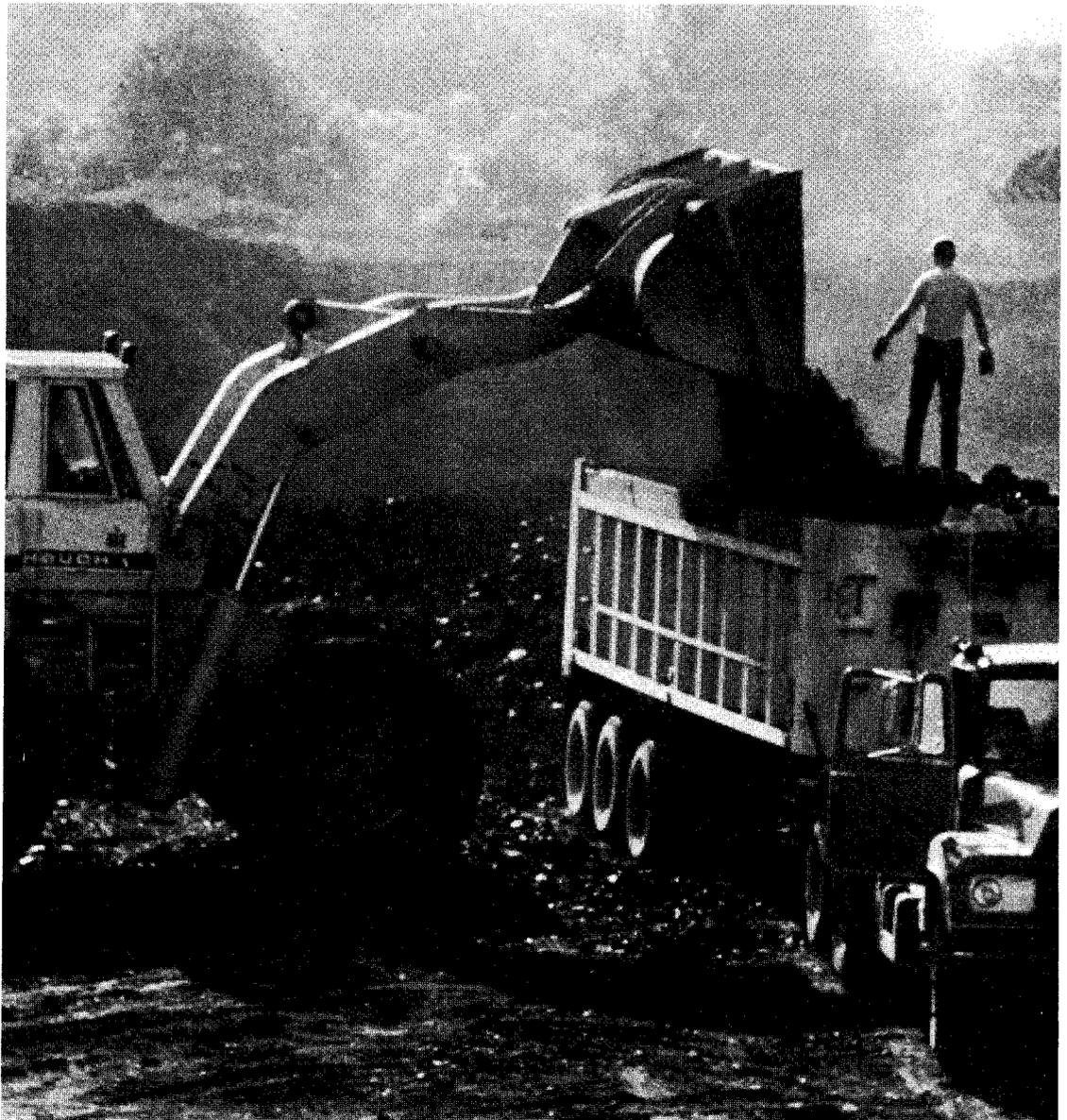


OSM AND THE STATES: A NATIONAL PARTNERSHIP

The Act creates a symbiotic relationship between OSM and coal-producing States in order to ensure the most successful program. Some of the activities and achievements of these States as they move toward that goal are capsulized over the next few pages.



REGION I

MARYLAND

REGULATORY/RECLAMATION AGENCY: Department of Natural Resources

LAWS RELATED TO OSM: Maryland's amendment to its surface mining law was signed May 14, 1979.

PROGRAM PROGRESS: Maryland completed draft regulations for its permanent program, which was under review by the State Attorney General at the end of 1979.

Maryland received the following initial program grants: for 1978, \$158,640; for 1979, \$122,412. In 1979 Maryland also received a program development grant of \$395,560.

State officials estimate there are about 25 small coal operators in Maryland qualified for the SOAP program. The SOAP grants to Maryland totalled \$171,523 by the end of 1979.

TOTAL COAL PRODUCTION IN 1978; 2,810,000 tons

PENNSYLVANIA

REGULATORY/RECLAMATION AGENCY: Department of Environmental Resources

LAWS RELATED TO OSM: Pennsylvania has drafted a proposed State law.

PROGRAM PROGRESS: Regulations on SOAP, coal exploration, and public participation were drafted, but by the end of 1979 had not yet been submitted to an Ad Hoc committee for review. Until Pennsylvania legislation is approved, only non-controversial regulations will be released for public review.

Pennsylvania received the following initial program grants: for 1978, \$232,920; for 1979, \$1,052,602.

OSM will run SOAP on behalf of the State for about 200 eligible small coal operators.

SMMRRI: Pennsylvania State University was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 80,449,000 tons

VIRGINIA

REGULATORY/RECLAMATION AGENCY: Department of Conservation and Economic Development

LAWS RELATED TO OSM: Virginia passed the Virginia Coal Surface Mining Control and Reclamation Act of 1979, Mar. 26, 1979.

PROGRAM PROGRESS: Final work committee meeting for revising regulations was held in late November 1979.

Virginia received the following initial program grants: for 1978, \$626,155; for 1979, \$786,490. The State also received two program development grants: 1978, \$285,989; and 1979, \$71,497.

In addition, Virginia received grants totalling \$987,275 to operate its SOAP program for an estimated 160 small coal operators.

TOTAL COAL PRODUCTION FOR 1978: 27,826,000 tons

WEST VIRGINIA

REGULATORY/RECLAMATION AGENCY: Department of Natural Resources

LAWS RELATED TO OSM: In February 1979 the West Virginia Legislature reenacted the State's revised 1978 law to extend it through implementation of OSM's permanent program.

West Virginia received the following initial program grants: for 1978, \$882,541; for 1979, \$1,222,152. The State received \$693,947 in SOAP grants. About 100 qualified West Virginia small coal operators were identified.

SMMRI: West Virginia University at Morgantown was granted MMRI status, 1978.

TOTAL COAL PRODUCTION FOR 1978: 83,757,000 tons

Production figures supplied by AML Fund records.

ALABAMA

REGULATORY AGENCY: Alabama Surface Mining Reclamation Commission

RECLAMATION AGENCY: Department of Industrial Relations

LAWS RELATED TO OSM: State legislation was drafted to enforce the Act.

PROGRAM PROGRESS: Drafting of permanent regulations began in October 1979. The State's public participation concept for preparation of its State plan was approved. The program plan was estimated to be 30 percent complete at the end of the year.

The State received the following initial program grants: for 1978, \$230,012; for 1979, \$486,936. Alabama received \$998,000 in SOAP grants to cover approximately 200 eligible small coal operators.

SMMRRI STATUS: University of Alabama granted MMRI status in 1979.

TOTAL COAL PRODUCTION FOR 1978: 18,806,000 tons

GEORGIA

REGULATORY AGENCY: Department of Natural Resources, Environmental Protection

STATUS OF STATE LAW: None now and none expected.

PROGRAM PROGRESS: Georgia officials notified OSM that it would not seek primacy due to the limited coal mining in the State. OSM will run SOAP for approximately two-four operators.

TOTAL COAL PRODUCTION FOR 1978: 101,000 tons

KENTUCKY

REGULATORY/RECLAMATION AGENCY: Department for Natural Resources and Environmental Protection

LAWS RELATED TO OSM: KRS Chapter 350, revised Sept. 7, 1978.

PROGRAM PROGRESS: Regulations were being prepared, and at the end of 1979 were estimated at 70 percent complete. The program plan was estimated to be 60 percent complete at the end of the year. The public participation concept was approved. The State received the following initial program grants: for 1978, \$2,133,018; and for 1979, \$5,708,043. It also received two program development grants: in 1978, \$1,565,622; and in 1979, \$863,929. Kentucky received \$8,377,654 in SOAP grants. At least 1,250 small coal mine operators were estimated to be eligible for the program in Kentucky.

SMMRRI STATUS: University of Kentucky, Lexington, was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 119,050,000 tons

MISSISSIPPI

REGULATORY AGENCY: Department of Natural Resources

LAWS RELATED TO OSM: Mississippi Surface Coal Mining and Reclamation Act, enacted April 1979.

PROGRAM PROGRESS: First draft regulations of State regulations reviewed by OSM; minor revisions required. Permanent program submission—received Aug. 2, 1979—was under review. Original submission found incomplete. A public hearing was held in December 1979, in Meridian, Miss. State received a \$116,244 program development grant in 1979.

TOTAL COAL PRODUCTION IN 1978: Coal mining is not expected to begin in Mississippi until 1981.

TENNESSEE

REGULATORY/RECLAMATION AGENCY: Department of Conservation

LAWS RELATED TO OSM: New State law expected.

PROGRAM PROGRESS. Proposed permanent regulations were 50 percent complete at the end of 1979. At that time there had been no OSM review. The regulatory authority was preparing its 13th draft of proposed legislation. The overall program plan was estimated at about 20 percent complete. Formal public participation had not yet been approved. State received the following initial program grants: \$26,240 for 1978; and \$534,162 for 1979.

Tennessee will run its SOAP, but grant had not been approved at the time this report was prepared.

TOTAL COAL PRODUCTION IN 1978: 9,620,000 tons

OHIO

REGULATORY/RECLAMATION AGENCY: Department of Natural Resources

LAWS RELATED TO OSM: Ohio interim law was still in effect at end of 1979.

PROGRAM PROGRESS: Regulations were drafted, but awaiting passage of legislation for promulgation. There had been no OSM review by the end of 1979. Ohio used its own State funds for program development.

The State received the following initial program grants: for 1978, \$370,541; and for 1979, \$1,500,000. Ohio also received \$796,065 in SOAP funds. Officials estimated around 120 eligible small coal operators were in the State.

SMMRRI STATUS: Ohio State University at Columbus was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 39,594,000 tons

INDIANA

REGULATORY/RECLAMATION AGENCY: Department of Natural Resources, Division of Reclamation

LAWS RELATED TO OSM: None.

PROGRAM PROGRESS. Even though Indiana still had litigation pending against OSM at end of 1979, the State regulatory authority had drafted legislation for submittal to the General Assembly. This legislation contained a caveat concerning the pending suit and indicated that the legislation was not intended to prejudice the suit in any way. OSM will operate SOAP on behalf of the State for approximately 185 small coal operators.

TOTAL COAL PRODUCTION IN 1978: 23,422,000 tons

ILLINOIS

REGULATORY AGENCY: Department of Mines and Minerals

RECLAMATION AGENCY: Abandoned Mined Land Reclamation Council

LAWS RELATED TO OSM: Public Act 81-1015, the Surface Coal Mining Land Conservation and Reclamation Act, passed Sept. 22, 1979, effective June 1, 1980.

PROGRAM PROGRESS: Illinois solicited input to draft legislation, and drafted the permanent regulatory program. The State reclamation plan was five percent complete by the end of 1979. Illinois used State funds for program development.

Illinois received the following initial program grants; for 1978, \$398,435; and for 1979, \$1,000,000. It also received \$312,500 in SOAP start-up funds. There were about 30 qualified small coal operators in Illinois.

SMMRRI: Southern Illinois University at Carbondale was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 47,856,000 tons

REGION IV

ARKANSAS

REGULATORY/RECLAMATION AGENCY: Arkansas Department of Pollution Control and Ecology

NEW LAW RELATED TO OSM: Arkansas Surface Coal Mining and Reclamation Act, 1979.

PROGRAM PROGRESS: Arkansas submitted a draft of its proposed permanent program to OSM on Oct. 29, 1979. After reviewing it unofficially for completeness and adequacy, OSM returned its comments to the State in December.

The State received the following initial program grants: \$65,055 for 1978; and \$152,496 for 1979. In 1979 Arkansas was awarded a program development grant of \$73,465.

TOTAL COAL PRODUCTION IN 1978: 506,000 tons

IOWA

REGULATORY/RECLAMATION AGENCY: Iowa Department of Soil Conservation, Mines and Minerals Division

NEW LAW RELATED TO OSM: An Act Relating to Mining and Providing Penalties, 1979.

PROGRAM PROGRESS: A first draft of Iowa's permanent program regulations was 50 percent complete. Iowa received the following initial program grants: \$44,599 for 1978; and \$83,310 for 1979. The State also was awarded a program development grant of \$28,600 in 1978.

TOTAL COAL PRODUCTION IN 1978: 443,000 tons

KANSAS

REGULATORY/RECLAMATION AGENCY: Kansas Corporation Commission

NEW LAW RELATED TO OSM: Mined-Land Conservation and Reclamation Act, 1979.

PROGRAM PROGRESS: Draft regulations for the permanent program were under State review at the end of 1979.

Kansas received the following initial program grants: \$48,379 for 1978; and \$95,343 for 1979. The State was awarded a program development grant of \$41,632 in 1979.

TOTAL COAL PRODUCTION IN 1978: 1,220,000 tons

LOUISIANA

REGULATORY/RECLAMATION AGENCY: Louisiana Department of Natural Resources

NEW LAW RELATED TO OSM: Surface Mining and Reclamation Act

PROGRAM PROGRESS: Louisiana contracted a law firm to prepare its permanent program submission. Draft regulations were completed, and a public hearing on the proposed program was held on Nov. 14, 1979.

The State received a \$102,811 program development grant in 1979.

TOTAL COAL PRODUCTION IN 1978: Louisiana coal production is expected to begin in 1981 in DeSoto Parish, with several lignite mines coming into production in a five-year period. There is no commercial coal mining in Louisiana now.

MISSOURI

REGULATORY/RECLAMATION AGENCY: Missouri Department of Natural Resources

NEW LAW RELATED TO OSM: Strip Mine Law

PROGRAM PROGRESS: Draft regulations for the permanent program were reviewed and commented upon. Missouri held a public hearing on its proposed program on Dec. 4, 1979. The draft program was submitted to OSM on Sept. 20, 1979. OSM first reviewed the regulations and offered unofficial comments to Missouri on Oct. 10, 1979. The balance of the program was under review by OSM at the end of 1979.

The State received the following initial program grants: \$46,412 for 1978; and \$164,218 for 1979. A program development grant of \$125,744 was awarded in 1978.

OSM will administer the SOAP on behalf of Missouri during the initial regulatory program. By the end of 1979 two small operators already had expressed interest in participating.

SMMRRI STATUS: The University of Missouri at Rolla was granted MMRI status in 1978.

TOTAL COAL PRODUCTION 5,621,000 tons

OKLAHOMA

REGULATORY AGENCY: Department of Mines

RECLAMATION AGENCY: Oklahoma Conservation Commission

NEW LAW RELATED TO OSM: Coal Reclamation Act of 1979

PROGRAM PROGRESS: Draft regulations for the permanent program were completed.

The State received the following initial program grants: \$121,182 for 1978; and \$468,249 for 1979. Oklahoma was awarded a program development grant of \$205,462 in 1978.

A \$208,600 SOAP operational grant was given to Oklahoma in 1979.

SMMRRI STATUS: The University of Oklahoma at Norman was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 5,568,000 tons

TEXAS

REGULATORY/RECLAMATION AGENCY: Texas Railroad Commission

NEW LAW RELATED TO OSM: Texas Surface Coal Mining and Reclamation Act

PROGRAM PROGRESS: Texas proposed permanent program regulations and held public meetings on them. On July 20, 1979, Texas became the first State in the Nation to submit to OSM an official proposal for a permanent program. OSM held a public review meeting, Sept. 5, 1979, to discuss the completeness of the proposal. A meeting to discuss the necessary amendments took place between OSM and Texas Railroad Commission representatives on Oct. 18 and 19, 1979. Amended regulations were received by Region IV on Nov. 13, 1979. OSM held a public hearing on the substance of the proposal Dec. 19 and 20, 1979, in Austin.

The State received initial program grants in the following amounts: \$196,089 for 1978; and \$208,951 for 1979. Texas was awarded a program development grant of \$185,634 for 1979.

As there were no small operators in Texas, the State did not initiate a SOAP under the initial regulations.

SMMRRI STATUS: The University of Texas at Austin was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 20,061,000 tons

REGION V

ALASKA

PROGRAM PROGRESS: A number of outstanding issues related to Alaska's program may have to await formulation and resolution until after the completion of the Alaska Study and Departmental response mandated by the Act. Study scheduled for completion by May 31, 1980.

SMMRRI STATUS: The University of Alaska at Fairbanks was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 728,000 tons

ARIZONA

PROGRAM PROGRESS: All current coal production is on Indian lands.

SMMRRI STATUS: The University of Arizona at Tucson was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 8,974,000 tons

CALIFORNIA

PROGRAM PROGRESS: No current coal mining under the Act, but State Department of Conservation was exploring amendment of existing legislation in anticipation of future production.

SMMRRI STATUS: The University of California at Berkeley was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: None.

COLORADO

REGULATORY/RECLAMATION AGENCY: Department of Natural Resources

NEW LAWS RELATED TO OSM: Colorado Surface Coal Mining Reclamation Act of 1979 and Colorado Mined Land Reclamation Act of 1976.

PROGRAM PROGRESS: Major revisions in the legislation were completed to permit significant strengthening of State programs. A cooperative agreement covering Federal lands was in preparation at the end of 1979.

The State received the following initial program grants: \$42,281 for 1978; and \$254,069 for 1979. Colorado also was awarded the following program development grants; \$71,007 for 1978; \$264,395 for 1979.

Colorado will run SOAP, but the grant had not been approved by the end of 1979. There are approximately 35 eligible small operators in Colorado.

SMMRRI STATUS: The Colorado School of Mines at Golden was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 13,477,000 tons

MONTANA

REGULATORY/RECLAMATION AGENCY: Montana Department of State Lands

NEW LAWS RELATED TO OSM: Montana Strip and Underground Reclamation Act, as amended by S515, HB406, and 739, 1979.

PROGRAM PROGRESS: The proposed permanent program was submitted in 1979 based on revised statutes and regulations. A modified cooperative agreement covering Federal land also was approved during the year.

The State received the following initial program grants: \$58,111 for 1978; and \$87,644 for 1979. Montana also was awarded a program development grant of \$150,966 in 1979.

Montana will run SOAP, but its grant application had not been submitted yet.

SMMRRI STATUS: Montana College of Mineral Sciences and Technology was granted MMRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 26,555,000 tons

NEW MEXICO

REGULATORY/RECLAMATION AGENCY: Energy and Minerals Department

NEW LAW RELATED TO OSM: New Mexico Surface Mining Act of 1979, enacted Mar. 17, 1979.

PROGRAM PROGRESS: Regulations for the permanent program were being drafted at the end of 1979 and the program was under development. A new cooperative agreement covering Federal lands was in preparation at the end of the year.

The State received the following initial program grants: \$67,742 for 1978; and \$139,744 for 1979. New Mexico also received a program development grant of \$149,954 in 1979.

OSM will run SOAP on behalf of New Mexico.

SMMRRI STATUS: New Mexico Institute of Mining and Technology

TOTAL COAL PRODUCTION IN 1978: 12,528,000 tons

NORTH DAKOTA

REGULATORY/RECLAMATION AGENCY: North Dakota Public Service Commission

NEW LAWS RELATED TO OSM: North Dakota Century Code, Chapter 38: Reclamation of Surface Mined Lands, as amended by Surface Mine Reclamation Act of 1979, Abandoned Mine Lands Reclamation Act of 1979, Surface Owners Protection Act of 1979, and Coal Exploration Act of 1979.

PROGRAM PROGRESS: Amendments to statutory authority were enacted, and regulations in preparation by the end of 1979. Proposed modifications to cooperative agreements covering Federal lands also were adopted.

The State received the following initial program grants: \$248,375 for 1978; and \$199,409 for 1979. North Dakota also was awarded two program development grants: \$462,624 for 1978; and \$589,200 for 1979.

TOTAL COAL PRODUCTION IN 1978: 13,984,000 tons

UTAH

REGULATORY/RECLAMATION AGENCY: Department of Natural Resources, Division of Oil, Gas and Mining

NEW LAWS RELATED TO OSM: Utah Mined Land Reclamation Act of 1953, as amended, (1979), Title 40, Chapter 8.

PROGRAM PROGRESS: Utah's legislature passed the State's Coal Reclamation Act in March 1979. Regulations to implement State law were being drafted at the end of 1979. The cooperative agreement covering Federal lands also was modified.

The State was awarded the following initial program grants: \$62,000 for 1978; and \$146,556 for 1979. Utah received a program development grant of \$141,380 for 1979.

OSM will run SOAP for approximately four small operators.

SMMRRI: The University of Utah at Salt Lake City was granted MMRRRI status in 1978.

TOTAL COAL PRODUCTION IN 1978: 8,733,000 tons

WASHINGTON

PROGRAM PROGRESS: The State declined to submit a permanent program.

OSM will run SOAP for one small operator.

TOTAL COAL PRODUCTION IN 1978: 4,699,000 tons

WYOMING

REGULATORY/RECLAMATION AGENCY: Department of Environmental Quality

NEW LAW RELATED TO OSM: Wyoming State Environmental Quality Act as amended, 1978.

PROGRAM PROGRESS: A proposed permanent regulatory program was submitted in August 1979. The cooperative agreement covering Federal lands also was modified in 1979.

The State received the following program grants: \$38,201 for 1978; and \$482,721 for 1979. Wyoming was awarded a program development grant of \$288,625 for 1978.

OSM will run SOAP for Wyoming for approximately four small operators.

SMMRRI STATUS: The University of Wyoming at Laramie was granted MMRR1 status in 1978.

TOTAL COAL PRODUCTION IN 1978: 58,110,000 tons

