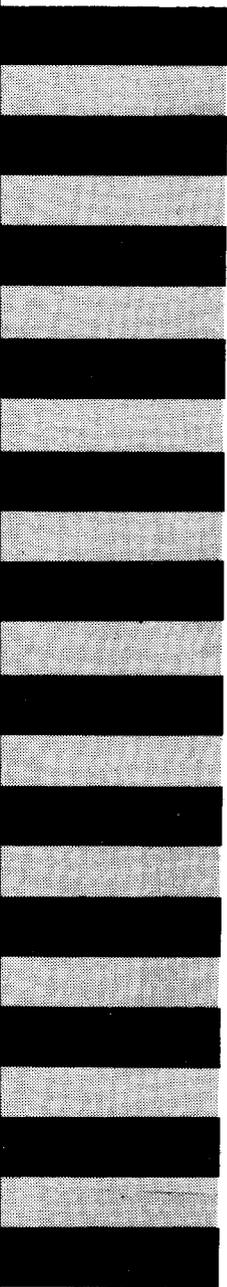


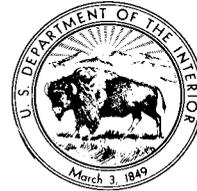
OSM Annual Report 1983



**UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING**

COVER PHOTO: Excess-spoil valley fill (center) and backfilled area returned to approximate original contour (background) in non-steep slope terrain near Mercerville, Ohio.

**Office of
Surface Mining
Annual Report
Fiscal Year
1983**



UNITED STATES GOVERNMENT PRINTING OFFICE: 1984

U.S. Department of the Interior

WILLIAM CLARK, *Secretary*

Office of Surface Mining

James R. Harris, *Director* *

* Resigned March 15, 1984. Deputy Under Secretary J. Lisle Reed served as Acting Director until August 19, 1984.

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EXECUTIVE SUMMARY

The Office of Surface Mining (OSM) realized gratifying results during FY 1983 from its 2-year effort to develop better State relationships in order to become a more effective and flexible agency. As OSM Director James R. Harris said before the U.S. Senate Committee on Appropriations, "...we are effectively promoting excellence and innovation in regulation and reclamation." The Director noted that OSM is committed to President Reagan's directive to draw upon the creative energies of the American people, by providing a framework within which environmentally sound technological improvements in surface coal mining and reclamation can be tested and perfected.

OSM looks forward to a mutually beneficial relationship among all groups concerned with the successful use of and benefits from the Surface Mining Control and Reclamation Act of 1977 (P.L. 95-87, "the Act").

The regulatory reform task initiated in 1981 was completed in FY 1983. Thirty-six final rules were promulgated during the year, with the last published on September 30, 1983. They include technical performance standards, permitting, abandoned mine land issues, and State program procedures. The new rules provide the flexibility necessary to promote technological innovation while maintaining the standards of environmental protection established in the Act. OSM's Environmental Impact Statement, which fairly and objectively analyzed these rule revisions, examined a variety of alternatives and determined that the chosen alternatives were environmentally sound.

Efforts to move the authority and responsibility for program implementation to the States continued successfully. Since 1980, OSM has granted program primacy to 25 coal-producing States. Of these, 12 States now have unconditional primacy: Alaska, Indiana, Missouri, and Utah were added to this list in FY 1983. OSM continues to work with the remaining States to remove approval conditions. Regulatory grants to States under the permanent program increased to nearly \$31.5 million this year.

OSM continued its oversight role in 1983 and submitted its first set of oversight reports to Congress for review. Oversight is carried out principally in OSM's field offices through review of a random sample of permits issued by the States with program primacy. Federal inspections of randomly selected sites are performed to provide Congress with a thorough and accurate report of the quality of State inspection activities. OSM has taken action to resolve problems in several States and to help the States improve implementation of their programs.

In States that do not have their own regulatory program, OSM is required to regulate all coal exploration, mining, and reclamation activities. Nine States—Georgia, Idaho, Massachusetts, Michigan, North Carolina, Oregon, Rhode Island, South Dakota, and Washington—now have full Federal programs. Of those States, only Georgia and Washington have active mining.

Regulatory Reform

State Programs

Oversight Policy

Federal Program

Federal Lands Program

OSM is required to implement a Federal lands program for surface coal mining and reclamation operations on Federal lands. The Federal lands program revisions became effective on March 18, 1983, and OSM now has cooperative agreements with five States and is processing such agreements with five other States. In these States, OSM has an oversight role for Federal lands while working in cooperation with the States.

During 1983, OSM continued its review of mining plans and permit applications for coal mining on Federal lands. Thirty-three mining plans/permit applications were received for processing during the year, bringing the total for processing to 143. Twenty-six of these were approved.

Indian Lands Program

Proposed rules for a Federal program on Indian lands were prepared during the year. Tribal-Federal agreements now exist between OSM and the Navajo, Hopi, and Crow Tribes. These agreements provide assistance to tribes for developing and implementing mining programs.

Inspection and Enforcement

State and Federal inspectors worked together to ensure that proper mining and reclamation procedures are followed in the field. OSM's 69 reclamation inspectors conducted 4,912 inspections during the year, and civil penalties of \$2.2 million were assessed. State inspectors became the primary inspectors in States with primacy.

Debt Collection

OSM's continuing debt collection system to collect unpaid reclamation fees resulted in recovery of approximately \$7 million of delinquent fees during the past year. Over \$700,000 was collected on overdue fines for civil penalties.

Abandoned Mine Land (AML) Reclamation

The AML program was established by the Act to reclaim and restore land and water resources adversely affected by past mining. In FY 1983, four additional State Abandoned Mine Land Reclamation programs were approved, bringing the total to 22 States with approved programs. These States are eligible for AML fund grants which come from fees collected on current coal mining operations. Grants totalling \$151 million were awarded during the year for State use in correcting AML problems. Fees collected for FY 1983 amounted to nearly \$197 million.

Technical Assistance

Research to improve mining and reclamation techniques continued through the experimental practices program. In 1983, three new experimental practices were approved. Other technical assistance activities included exploratory drilling and analysis in the West Virginia Otter Creek wilderness area, in response to a valid existing rights petition; drilling and monitoring studies to define the limits of the Centralia, Pennsylvania, mine fire; and studies to assess subsidence potential in heavily mined regions. Technical experts provided papers, speeches, and courses in their respective areas of knowledge, and provided technical assistance to State regulatory offices as needed.

Research

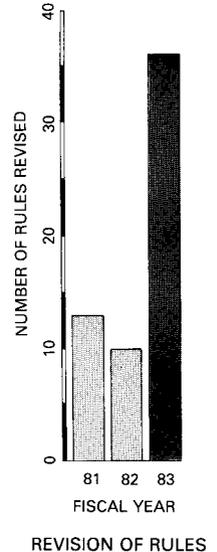
Eighteen research projects were funded in FY 1983. They cover a range of topics including sediment control technologies, data sources for use in preparing permit applications, subsidence hazards, and monitoring of approved experimental practices.

REGULATORY REFORM

Executive Order 12291, which required the elimination or revision of unnecessary or burdensome regulations, initiated OSM's regulatory reform effort in January 1981. Almost all of the permanent program rules initially promulgated under the Act to regulate surface coal mining and the surface effects of underground coal mining were revised by removing or rewriting those rules remanded by the courts and by generally making the rules more understandable and appropriate in application. The effort was successfully completed in FY 1983 with promulgation of the final rule package on September 30, 1983.

The reform effort totaled 59 final rulemakings. Fiscal years 1981 and 1982 were spent writing and publishing the proposed rules, holding hearings and public meetings, receiving and reviewing public comments, writing the Environmental Impact Statement, and drafting the final rules. Some 23 final rule actions occurred in FY 1981 and 1982, of which half were interim final rules or included initial program rules. In FY 1983, 36 final rule packages were promulgated.

Subject areas involved in the reform effort included technical performance standards, permitting, bonding, Federal lands, lands unsuitable for mining, inspection and enforcement, abandoned mine lands, Abandoned Mine Reclamation Fund, Small Operator Assistance Program, State program submission procedures and criteria, State program grants, and blasting.



Final Rules Published
During FY 1983

Subject	Federal Register citation	Date
Abandoned mine land programs; grants	48 FR 27363	June 14, 1983.
Abandoned Mine Reclamation Fund fee collection and coal production reporting.....	48 FR 11098	Mar. 15, 1983.
Alluvial valley floors.....	48 FR 29802	June 28, 1983.
Anthracite mines in Pennsylvania	47 FR 44942	Oct. 12, 1982.
Auger mining	48 FR 19314	Apr. 28, 1983.
Backfilling and grading	48 FR 23356	May 24, 1983.
Blaster training, examination, and certification.	48 FR 9486	Mar. 4, 1983.
Bonding	48 FR 32932	July 19, 1983.
Coal exploration.....	48 FR 40622	Sept. 8, 1983.
Coal mine waste	48 FR 44006	Sept. 26, 1983.
Definitions and terminology	48 FR 14814	Apr. 5, 1983.
Designating lands as unsuitable for mining....	48 FR 41312	Sept. 14, 1983.
Erosion control.....	48 FR 1160	Jan. 10, 1983.
Excess spoil.....	48 FR 32910	July 19, 1983.
Experimental practices	48 FR 9478	Mar. 4, 1983.
Federal lands program	48 FR 6912	Feb. 16, 1983.
Hydrology and geology permitting	48 FR 43956	Sept. 26, 1983.
Impoundments, permanent and temporary	48 FR 43994	Sept. 26, 1983.
Mine fire control and subsidence and strip mine rehabilitation in Appalachia (transfer from U.S. Bureau of Mines).....	48 FR 37377	Aug. 18, 1983.
Permitting	48 FR 44344	Sept. 28, 1983.

Final Rules Published
During FY 1983
(Cont.)

Subject	<i>Federal Register</i> citation	Date
Prime farmland	48 FR 21446	May 12, 1983.
Postmining land use/variances from approximate original contour	48 FR 39892	Sept. 1, 1983.
Remining	48 FR 41720	Sept. 16, 1983.
Revegetation	48 FR 40140	Sept. 2, 1983.
Roads	48 FR 22110	May 16, 1983.
Self-bonding	48 FR 36418	Aug. 10, 1983.
Siltation structures	48 FR 44032	Sept. 26, 1983.
Small Operator Assistance Program	48 FR 2266	Jan. 18, 1983.
Steep slope remining	47 FR 51316	Nov. 12, 1982.
Stream buffer zones and fish, wildlife, and related environmental values	48 FR 30312	June 30, 1983.
Submission procedures and criteria for State programs	48 FR 2266	Jan. 18, 1983.
Subsidence control, concurrent surface and underground mining operations, and contemporaneous reclamation	48 FR 24638	June 1, 1983.
Support facilities and coal preparation plants..	48 FR 20392	May 5, 1983.
Technical amendments (corrections)	48 FR 44777	Sept. 30, 1983.
Topsoil	48 FR 22092	May 16, 1983.
Use of explosives	48 FR 9788	Mar. 8, 1983.
Water quality standards and effluent limitations	47 FR 47216	Oct. 22, 1982.