

# RESEARCH PROGRAM

During fiscal year 1986, OSMRE conducted research, under Title V of SMCRA, on problems affecting current mining operations and, under Title IV, on problems occurring because of abandoned mines. At year's end, the Title IV AML research program was transferred to the Bureau of Mines.

## Research and Experimental Practice Program

The Title V regulatory research program of OSMRE is an important part of the mining and reclamation program. In the active mining area, the research is divided into two groups—one dealing with studies of interest to regulatory authorities and mine operators and the other concerned with experimental practices. In both instances, research programs are modest, short term (less than 3 years, in most cases), and have practical applications. In all studies, OSMRE personnel oversee the technical aspects of the project to assure compliance with contractual obligations and to detect areas that may require future work.

## Applied Research Studies

In fiscal year 1986, 12 projects were awarded for a total of \$348,162, and 13 studies that had been started in previous years were completed. Research projects can originate from virtually any source—within OSMRE, a university, another Federal agency, or a private contractor—and are reviewed and evaluated by OSMRE technical personnel.

Some projects awarded in fiscal year 1986 were:

- Investigation of Blasting Vibrations and Subsidence of Abandoned Underground Coal Mines
- Soil and Plant Selenium Study
- Development of Quality Seed and Plant Materials for Use in Coal Mine Reclamation
- Determination of Threshold Level Salt Damage to Crops Irrigated with Water Containing Mine Effluents

Examples of completed projects are:

- Federal High-Altitude Photography Program
- Prime Farmland Special Study—Soil vs. Crop Production as a Measure of Soil Productivity for Bond Release
- Second Workshop on Surface Subsidence Due to Underground Mining
- Development of Subsidence Damage Criteria
- Monitoring of a Highwall Retention Practice at Seminoe No. 1 Mine, Carbon County, Wyoming.

## Experimental Practices

Experimental practices are cooperative efforts among mine operators, state regulatory authorities, and OSMRE to develop and investigate innovative measures to accomplish mine operations and reclamation. A practice which varies from a design or performance standard of the regulations can be proposed and, if approved, put into operation by the mine operator. OSMRE oversees use of the practice. If the experimental practice proves equivalent to the standards in the regulations, it may be incorporated into the regulations through the use of rulemaking procedures. During fiscal year 1986, four practices continued to receive funding for monitoring.

Typical experimental practices deals with overburden backfilling and grading, excess spoil disposal, sedimentation ponds, and revegetation of slurry ponds.

## **EXCELLENCE IN SURFACE MINING AWARDS**

The Office of Surface Mining Reclamation and Enforcement developed its first Excellence in Surface Mining Achievement Awards during fiscal year 1986. Using recommendations from state regulatory authorities as the basis for entries, the awards were developed as part of the President's "Take Pride in America" campaign. The major goals of the awards program are to encourage citizen and private sector involvement in the care of America's resources, recognize the outstanding reclamation that is being achieved by companies under the surface mining law, capture and infuse in others a spirit of commitment to restoring the land after it is mined for coal, and provide a catalyst for the transfer of new or innovative technology for wider use. The first awards will be presented in mid-1987.

## INFORMATION SYSTEMS MANAGEMENT

Fiscal year 1986 saw significant achievements in OSMRE's Systems Development and Management processes.

During the year, Science Management Corporation (SMC) of Landover, Maryland, was awarded a contract to undertake the development of the Applicant Violator System. The Applicant Violator System (AVS) will be a computerized data information system that will contain data by which Federal and state permitting agencies can determine whether mining permits should or should not be issued to applicants, based on whether the applicants have outstanding violations or old penalties under the surface mining law. By court order, the system is to be operational on October 1, 1987. During 1986, SMC began development of the system software and started the process of collecting data from permit application files maintained by Federal and state permitting entities. A test data base, consisting of data from the States of Kentucky, Tennessee, and Wyoming, was developed and analyzed by the end of the calendar year. An Ad Hoc committee of state representatives assisted OSMRE in addressing systems and policy issues related to the Applicant Violator System.

Also during 1986, OSMRE awarded a three-year, \$13,000,000 contract to Computer Data Systems, Inc. (CDSI), of Rockville, Maryland, for operation and maintenance of all OSMRE data systems. Over the three-year period, CDSI will be responsible for providing technical assistance to OSMRE headquarters and field offices that maintain data systems, and for providing technical support to OSMRE and the states in carrying out information systems requirements needed for the effective administration of SMCRA.

The MITRE Corporation, OSMRE's systems engineering contractor, undertook the development of a systems integration plan (SIP), which is a long-range information systems management plan for OSMRE. The SIP will lay out systems alternatives for OSMRE over a five to seven-year period and will be the blueprint for the development of the Coal Data Management Information System (CDMIS), which will ultimately replace all existing OSMRE systems. The underlying concept of CDMIS is what is referred to as the SMCRA "continuum," beginning at the first action under the law, the submission of a permit application, and stretching to the final action under SMCRA, release of a bond. All points on the continuum are examined to determine the information needed to support administration of SMCRA at the Federal and state levels. Funds for the initiation of CDMIS are included in the fiscal year 1988 budget and the requirements analysis and initial systems development phase for CDMIS will be undertaken in early 1987.

The Technical Information Processing System (TIPS) was also initiated during 1986. TIPS is a program whereby advanced technical information and technical processes, such as computerized modeling and complex engineering and scientific analyses, are made available to Federal and state regulatory agencies through a host computer, which will be located in Denver, Colorado. The services of TIPS will be made available to state regulatory agencies at no charge to them as part of OSMRE's continuing program to provide technical assistance and service to state regulatory agencies.

OSMRE feels that information systems management is the key to the successful continued implementation of SMCRA. As a regulatory agency, OSMRE is totally dependent upon high quality, accurate, and current information to support its regulatory mission and the mission of those states that have assumed primacy. To that end, Information Systems Development and Management will continue to have a high profile in OSMRE in the years to come.

Reflecting that importance, a new Assistant Directorate for Information Systems Management was created on October 1, 1986, under the aegis of the Deputy Director for Administration and Finance. Among the other systems management functions that had already been formed by the Information Systems Management Staff, a new program information division was created to assume responsibility for the collection, validation, and maintenance of program-related statistics and data. For the first time, OSMRE will have a program by which data and statistics to support its mission will be collected and maintained in an efficient environment.

OSMRE's systems development budget has tripled over the past two years. This is a concrete indication of the Department's and Congress' support for enhanced information systems management and development as a key to the effective administration of the Surface Mining Control and Reclamation Act.

# ADMINISTRATION AND FINANCE

## Assessments and Collections

During fiscal year 1986, 1,805 citations for 2,869 coal mining violations were received from field inspectors for penalty assessments. OSMRE issued 2,632 notices of proposed assessment in the amount of \$22,715,020. A total of \$539,797 in escrow payments was received for cases under review by the Office of Hearings and Appeals, and \$1,590,884 in payment of outstanding assessments was received. In addition, 1,711 Final Orders of the Secretary in the amount of \$32,943,915 were mailed to debtors, and 319 cases showing a delinquent debt of \$7,726,270 were referred to the Solicitor's Office for legal action.

Implementation of the requirements of the Debt Collection Act and the use of a private collection contractor resulted in a more sophisticated and tougher approach in the agency's civil penalty collection efforts during fiscal year 1986. In addition, the agency established a lockbox for receipt of civil penalty payments. Debtors now send payments directly to the lockbox, thus providing for faster processing of payments and crediting of funds to the Treasury's account.

Plans were initiated during the year for decentralization of the assessments function. Completion of this effort is scheduled for fiscal year 1988. With decentralization, the assessment and penalty review functions will be located closer to the source of violations and, as a result, the time between the inspection and the development of the assessment will be reduced.

During fiscal year 1987, resources will be concentrated in the collection area to reduce the backlog of civil penalty cases. There are approximately 4,400 cases which must be reviewed for action. Once action has been taken on these cases, the agency's collection efforts will be able to focus solely on pursuing current debt.

## Audit and Internal Control

### Audit

**Organization**—In 1986, OSMRE's Fee Audit Program was placed under the control of the Division of Compliance Management (DCM). The DCM created a headquarters support group, Branch of Audit Coordination and Support, and three regional offices for control and direction of the audit program. In 1987, the division will further streamline and improve control of field operations by eliminating one-person offices that currently exist, and geographically consolidating offices for supervisory and program control.

**Planning and Procedures**—A new audit procedures manual was developed and implemented during the year and all auditors and technicians were trained in the use of the new manual. A national audit plan was developed by representatives of the field and headquarters staff for scheduling, prioritizing, and allocating resources for the 1987 program year. The plan takes into consideration all aspects of the coal industry structure and coal flow process. During 1986, the Division embarked on a rigorous plan for second and third party verification of operator coal sales, analyzing information collected by state and other federal agencies involved in the reporting of coal data.

**Audit Results**—While primarily concerned with maximizing voluntary fee compliance, through the use of selective targeting and effective auditing techniques OSMRE identified \$1.3 million of additional fees through its audit program. In addition, the Two-Acre Fee audit task force in the States of Kentucky and Virginia identified \$322,541 in unreported fees and collected \$113,733, for a 35 percent collection rate.

### Internal Control Review Program

In 1982, President Reagan signed into law the Federal Manager's Financial Integrity Act. Since that time, in accordance with Departmental guidance, OSMRE has established an internal control review program to ensure that Federal programs are not vulnerable to fraud, abuse, and waste.

In fiscal year 1986, OSMRE conducted 11 internal control reviews, and identified only two significant weaknesses. In the area of Assessments and Collections, adequate procedures had not been implemented to provide necessary management reports for monitoring assessments and collections activity and for ensuring full compliance with the Debt Collection Act. OSMRE is correcting the problem by modifying the Collection Management Information System to indicate interest, administrative costs, and penalties, and by implementing procedures for referring debt to credit bureaus and the Internal Revenue Service. By June 30, 1987, all corrective action will be completed.

The second identified weakness was in the area of Acquisition Management. OSMRE found that technical project officers had occasionally exceeded their designated authority by extending the scopes of work and performance periods for contracts and by allowing contract modifications to be negotiated after contract expiration. Corrective actions included increased training for technical project officers and increased supervisory control. All corrective actions will be completed by September 30, 1987.

### **Monitoring Potential Conflict of Interests**

OSMRE continued to monitor the state and Federal ethics programs by providing affected state and Federal agencies with guidance on the Act and corresponding statutes and regulations. In this endeavor, OSMRE published a final rule on "Restriction on Financial Interests of State Employees" in the October 17, 1986, **Federal Register**. This amendment is intended to ensure that multi-interest board members do not act on coal-related matters in which they have a direct or indirect financial interest.

### **Decentralization**

The organizational realignment of OSMRE, which took place in October 1985, established two new Assistant Directorates, East and West, with primary responsibility for field program operations. At the same time, the Director commissioned studies on the need for additional decentralization of functions to the field.

Two studies were conducted, with one addressing administrative functions and the other addressing programmatic functions. Both studies were based on the assumptions that any needed decentralization had to be accomplished within existing personnel ceilings, and any recommended changes had to significantly improve service to state regulatory agencies, the mining community, the public and OSMRE employees. Both study groups submitted reports early in 1986 and a combined Summary of Decisions was released in June 1986.

Based on the studies, implementation teams were organized, and major decentralization actions were completed by the target date of October 13, 1986.

Major changes in the organization resulting from the decentralization include:

- Establishment of two Administrative Service Centers, with one located in Pittsburgh, Pennsylvania and the other in Denver, Colorado. The service centers are responsible for providing administrative support services, such as personnel, management services, and budget administration, to the field offices.
- Establishment of a new Assistant Directorate for Information Systems Management, with responsibility for operational and planning activities for the agency's automated information systems and for assuring the needed support for those systems.
- Establishment of two Deputy Assistant Director positions at Field Operations East and one Deputy Assistant Director position in Field Operations West.
- Redistribution and specialization of the program evaluation, internal control review, and audit processes.
- Addition of certain functions, including communication and technology transfer, grants administration, and equal employment opportunity, to the responsibilities of the Assistant Directors for Field Operations, East and West.

**BUDGET**  
**(\$ in thousands)**

Activity	FY 1986	FY 1987	FY 1988 <sup>1</sup>
<b>Regulation and Technology</b>			
State Regulatory Program Grants	\$35,387	\$45,110	\$45,110
Federal Regulatory Programs	37,302	40,831	45,253
Regulatory Program Operations	(17,772)	(19,221)	(20,743)
Technical Services, Training and Research	(12,642)	(13,681)	(13,681)
Assessments and Collections	(6,938)	(7,929)	(10,829)
General Administration	8,103	14,062	15,242
Executive Direction	(1,359)	(1,664)	(1,794)
Administrative Support	(3,425)	(6,297)	(8,747)
General Services	(3,319)	(6,101)	(4,701)
<b>Total, Regulation and Technology</b>	<b>\$80,792</b>	<b>\$100,003</b>	<b>\$105,605</b>
<b>Abandoned Mine Land Fund</b>			
State Reclamation Program Grants	\$149,441	\$160,600	\$150,660
Federal Reclamation Programs	40,414	37,474	29,849
Fee Compliance	(2,680)	(3,482)	(5,622)
Reclamation Program Operations	(28,715)	(24,592)	(23,727)
Rural Abandoned Mine Program	(9,019)	(9,400)	(500)
Small Operator Assistance Program	2,949	----	----
General Administration	4,473	5,646	6,290
Executive Direction	(794)	(825)	(886)
Administrative Support	(1,912)	(1,992)	(3,125)
General Services	(1,767)	(2,829)	(2,279)
<b>Total, AML Fund</b>	<b>\$197,277</b>	<b>\$203,720</b>	<b>\$186,799</b>
<b>Total, Office of Surface Mining Reclamation and Enforcement</b>	<b>\$278,069</b>	<b>\$303,723</b>	<b>\$292,404</b>

<sup>1</sup>Estimate

# STAFFING (SEPTEMBER 30, 1986)

Office	Authorized Positions
<b>PERMANENT FULL-TIME POSITIONS</b>	
Washington, D.C. ....	437
Field Operations:	
East (Pittsburgh, PA) .....	14
West (Denver, CO) .....	22
Finance (Denver, CO) .....	27
Technical Centers:	
East (Pittsburgh, PA) .....	107
West (Denver, CO) .....	86
Field Offices:	
Albuquerque, NM .....	24
Big Stone Gap, VA .....	29
Birmingham, AL .....	16
Casper, WY .....	21
Charleston, W. VA. ....	14
Columbus, OH .....	18
Harrisburg, PA .....	17
Indianapolis, IN .....	15
Kansas City, MO .....	17
Knoxville, TN .....	58
Lexington, KY .....	15
Springfield, ILL. ....	14
Tulsa, OK .....	15
Area Offices:	
Beckley, WV .....	8
Chattanooga, TN .....	13
Hazard, KY .....	11
Johnstown, PA .....	12
London, KY .....	11
Madisonville, KY .....	5
Morgantown, WV .....	9
Norris, TN .....	45
Pikeville, KY .....	9
Wilkes-Barre, PA .....	25
<b>Total</b> .....	<b>1,114</b>
<b>EMPLOYMENT CEILINGS</b>	
Permanent full-time .....	1,114
Permanent part-time .....	35
Temporary .....	23
<b>Total</b> .....	<b>1,172</b>