This document has been
Rescinded and is located
in our Archive files.

For Active files, visit
http://www.osmre.gov/directiv.htm

This document has been
Rescinded and is located
in our Archive files.

For Active files, visit
http://www.osmre.gov/directiv.htm

U. S. DEPARTMENT OF THE INTERIOR
OFFICE OF SURFACE MINING
RECLAMATION AND ENFORCEMENT

DIRECTIVES SYSTEM

Subject Number: REG-23

Transmittal Number: 414

Date: 1/22/88

Subject: Development and Implementation of Action Plans

Approval: Jed D. Christensen **Title:** Director

1. PURPOSE. To establish guidelines for the development and implementation of action plans for the resolution of significant problems encountered during oversight of approved State regulatory and abandoned mine land reclamation (AMLR) programs.

2. DEFINITION.

Action Plan. A detailed schedule of specific measures to be taken to resolve a significant programmatic or recurrent program implementation problem identified during OSMRE's oversight of an approved State permanent regulatory or abandoned mine land reclamation program.

3. POLICY/PROCEDURES.

a. Development of Action Plans. The use of action plans is designed to improve Federal/State communications and to provide an objective, consistent method to obtain timely, complete resolutions to significant problems. Properly implemented, this method should reduce the tendency to delay efforts at issue resolution until the end of the annual evaluation period.

As specified by the "Procedures for the Evaluation of State Regulatory and Abandoned Mine Land Reclamation Programs," which is incorporated by reference in Directive REG-8, whenever the Field Office identifies a significant problem concerning implementation of an approved State permanent regulatory program or abandoned mine land reclamation plan, it shall, in consultation with the State, develop a plan for resolution. The State, at its discretion, may elect to prepare the plan and submit it for OSMRE's review and concurrence. State involvement in action plan development is critical to obtaining cooperation and concurrence in its implementation.

Action plans shall be developed to address significant problems as they arise and should, at a minimum, address each problem listed as a significant issue in the annual oversight evaluation report for the State. While the action plan process is independent of the annual evaluation report cycle, all action plans developed and/or completed within the evaluation year shall be summarized in the annual report.

If the State does not agree that a significant problem exists, the Field Office Director (FOD) shall reevaluate the issue to determine whether further studies would be useful in defining the problem's existence or significance. If not, or if the State and the Field Office are unable to agree upon a means of resolution, the FOD shall request the assistance of the Assistant Director, Field Operations (ADFO), in determining the appropriate course of action.

b. Content. Action plans shall be written with a specificity designed to minimize misunderstandings. Corrective actions shall be tailored to address the apparent cause of the problem. Plans shall include any necessary technical or other assistance to be provided by OSMRE as well as the remedial measures to be taken by the State. Plans shall be structured to include the following elements:

(1) A clear, concise description of the problem;

(2) Explicit criteria for determining when complete resolution has been achieved;

(3) An orderly sequence of actions to be taken to remedy the problem; and

(4) A schedule for the completion of each action in the sequence. Timeframes should be realistic, but they must also be designed to achieve an expeditious resolution.

c. State concurrence. If action plans are to be effective, State concurrence must be obtained. While signature by the head of either the regulatory authority or the agency administering the AMLR program, as appropriate for the subject of the action plan under consideration, is the preferred form of concurrence, it is not required. Acceptable alternatives include a memorandum agreeing to make a good faith effort to comply or documentation of a similar commitment by a responsible State official in a meeting, as reflected in the minutes or summary of the meeting.

If no formal concurrence can be obtained but the State informally agrees with the plan, the Field Office shall consider the plan to be in effect until State actions otherwise indicate. If the action plan's objective is being achieved, i.e., if the problem is being resolved, undue emphasis should not be placed on the manner in which the State agrees to do so.

d. Implementation, monitoring and modification. The Field Office shall monitor the task tracking dates in the action plan. For those plans containing resolution periods in excess of 90 days, the Field Office shall provide the State with adequate notice of each upcoming target date. In addition, progress shall be discussed at the regularly scheduled quarterly meetings with the State. Action plan elements and due dates may be modified by mutual agreement.

e. Status reporting requirements.

(1) Within 15 days of the close of each calendar quarter, the FOD shall submit a report to the ADFO summarizing the status of each action plan. The ADFO may require more frequent or more detailed reports.

(2) Within 30 days of the close of each calendar quarter, the ADFO shall submit a summary action plan status report to the Deputy Director, Operations and Technical Services (DD/OTS).

(3) These reports shall, at a minimum, include the following elements:

(a) A brief discussion of action plans completed during the reporting period;

(b) The current status of all ongoing action plans identified as uncompleted in the preceding report, with a short discussion of the progress achieved, any implementation problems, and the reasons for any modifications of plan elements or dates;

(c) A concise description of any new action plans; and

(d) A brief synopsis of issues for which the development of action plans is being considered and a summary of the disposition of any such issues identified in the preceding report.

f. Filing requirements. The Field Office shall maintain a separate file for each action plan. Files shall contain all documents relating to development, implementation and completion of the plan and, at a minimum, shall be maintained in active status until the issue is finally resolved. File maintenance and disposition shall be in accordance with Directive INF-1.

g. Responsibilities.

(1) Assistant Director, Field Operations.

(a) Monitor issue resolution and action plan development and implementation.

(b) Prepare and submit an action plan status report to the DD/OTS on a quarterly basis.

(c) Upon request of the FOD, provide appropriate technical assistance to the Field Office and the State in the development and implementation of action plans.

(d) Provide any guidance or assistance necessary to resolve issues for which the Field Office and the State are unable to agree upon a course of action.

(2) Field Office Director.

(a) In cooperation with the State, develop an action plan to address each significant issue identified during the oversight process.

(b) Monitor action plan implementation, tracking all dates, providing the State with reminder notices of upcoming target dates, and discussing implementation progress and problems with the State on a routine basis.

(c) In cooperation with the State, modify action plan elements and dates as appropriate.

(d) If the action plan requires OSMRE to provide technical or other assistance to the State, coordinate these assistance efforts.

(e) Prepare and submit an action plan status report to the ADFO on no less than a quarterly basis.

(f) Establish and maintain action plan files.

4. REPORTING REQUIREMENTS. Action plan status reports shall be prepared on a quarterly basis by the FOD for the ADFO, and by the ADFO for the DD/OTS.

5. REFERENCES.

a. Directive INF-1, "Policy and Procedural Guidelines for OSMRE Records Management Systems."

b. Directive REG-8, "Oversight of State Programs - Annual Evaluations."

6. EFFECT ON OTHER DOCUMENTS. None.

7. EFFECTIVE DATE. Upon signature by the Director.

8. CONTACT. Chief, Division of Regulatory Programs. Telephone (202) 343-5351.