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Office of Surface Mining Reclamation and Enforcement Issues Final Rule Increasing Civil Penalties to Adjust for Inflation

WASHINGTON, D.C. – The [Office of Surface Mining Reclamation and Enforcement \(OSMRE\)](http://www.osmre.gov) today published a final [rule](#) that increases the penalty amounts the bureau assesses against coal companies that violate provisions of the Surface Mining Control and Reclamation Act of 1977 ([SMCRA](#)). The Federal Civil Penalties Inflation Adjustment Act of 1990 requires OSMRE to adjust civil monetary penalties for inflation at least once every four years.

“Increasing the amounts of our civil penalties deters companies from breaking the law while providing much-needed funds to restore lands and waters damaged by past mining,” said OSMRE Director Joe [Pizarchik](#). “In today’s budget environment, it is important that our penalty amounts keep pace with the cost of doing business,” he added.

One of OSMRE’s objectives is to protect society and the environment from the adverse effects of surface coal mining and to reclaim the land after mining has been completed. By adjusting civil penalty amounts, the bureau is able to maintain the penalties’ deterrent effect and promote compliance with the law. During Fiscal Year 2013 (the latest period for which data is available), OSMRE collected approximately \$700,000 in civil penalties for violations occurring on lands where the bureau is the regulatory authority. OSMRE used these funds to reclaim land that was mined and abandoned after the passage of SMCRA.

Under the Federal Civil Penalties Inflation Adjustment Act, OSMRE last adjusted its penalty amounts in [2009](#). The increases are based on a cost-of-living adjustment derived from the Consumer Price Index.

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The Office of Surface Mining Reclamation and Enforcement carries out the requirements of the Surface Mining Control and Reclamation Act of 1977 in cooperation with states and tribes. OSMRE’s objectives are to ensure that coal mining activities are conducted in a manner that protects citizens and the environment during mining, to ensure that the land is restored to beneficial use after mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

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