COALEX STATE COMPARISON REPORT - 223

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TOPIC: ORGANIZATION OF TITLE IV AND TITLE V REGULATORY AGENCIES

INQUIRY: The regulation of Illinois's Title IV (Abandoned Mined Lands or "AML") program is housed in an agency that is separate from that which houses the Title V (surface mining and reclamation) program. How do other IMCC member states organize their AML and SMCRA agencies?

SEARCH RESULTS: A telephone survey of nine IMCC member states was conducted. All of the states contacted house Title IV and V regulatory programs within the same "natural resources department". Some states regulate the programs in "sister divisions" within the same "department"; other states house both programs as "sections" within the same "division". [Note: As used here, the largest organizational unit is the "natural resources department", followed by the "division" and then the "section".] The precise number of organizational "levels" from the largest unit to the one that regulates surface mining and AML programs differs from state to state. A summary of the state organizational levels (largest unit to specific regulatory agency) follows.

INDIANA

1. Department of Natural Resources
2. Bureau of Reclamation
   a. Title IV Section (AML)
   b. Title V Section (surface mining regulatory program)

KENTUCKY

1. Natural Resources and Environmental Protection Cabinet
2. Department for Surface Mining and Reclamation Enforcement
a. Division of Abandoned Lands
b. Division of Permits
c. Division of Field Services

MARYLAND

1. Department of Natural Resources
2. Water Resources Administration
3. Bureau of Mines (one of four divisions)
   a. AML Section
   b. Permits Section
   c. Inspection and Enforcement Section
   d. Planning, Analysis and Laboratory Section

MISSOURI

1. Department of Natural Resources
2. Division of Environmental Quality (one of five divisions)
3. Land Reclamation Program
   a. AML Section
   b. Mining and Reclamation Section

OHIO

1. Department of Natural Resources
2. Division of Reclamation (one of about 12 divisions)
   a. Title IV (AML) Section
   b. Title V (surface mining regulatory) Section

OKLAHOMA

1. Department of Pollution Control and Ecology
2. Mining Division
   a. Title IV (AML)
   b. Title V (surface mining regulatory)
PENNSYLVANIA

1. Department of Environmental Resources
2. Mineral Resources Management
   a. Bureau of Abandoned Mine Lands (Title IV)
   b. Bureau of Mining and Reclamation (Title V)

VIRGINIA

1. Department of Mines, Minerals and Energy
2. Division of Mined Land Reclamation (one of six divisions)
   a. AML Section
   b. Regulatory program Section

WEST VIRGINIA

1. Department of Commerce, Labor and Environmental Resources
2. Division of Environmental Protection
   a. Office of Abandoned Mine Lands
   b. Office of Mining and Reclamation