



U.S. Office of Surface Mining

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OSM Issues Final Rules for the Abandoned Mine Land Program

(Washington DC) – The U.S. Office of Surface Mining Reclamation and Enforcement (OSM) announced today publication of a final rule that aligns current regulations with amendments to the Surface Mining Control and Reclamation Act (SMCRA) enacted in 2006.

Signed into law by President George W. Bush on December 20, 2006, the amendments significantly changed the Abandoned Mine Land (AML) program, including dramatically increasing the funds available for reclaiming abandoned coal mines. After an initial phase-in period, about 83 percent of fees collected annually will be allocated for this reclamation.

“Publishing this rule brings OSM’s regulations into line with the changes brought about by the 2006 amendments to the agency’s organic act,” said Brent Wahlquist, Director of OSM. “This rule sets the course for how the agency will collect fees that improve water quality and provide other benefits by funding important reclamation activities,” he added.

In the amendments, Congress mandated a reduction in the fee that the coal industry pays on each ton of coal that it mines. This fee is used to abate and remediate the environmental impact of historic coal mining. The fee rates are reduced by 10 percent from the levels established in 1977 for the period from October 1, 2007, through September 30, 2012, and reduced again by another 10 percent from the 1977 levels for the period from October 1, 2012, through September 30, 2021.

The rule being published today codifies the reduction of the fee rates and OSM’s authority to collect reclamation fees through September 30, 2021. The changes also affect the activities that State and Tribal reclamation programs may perform under the program and funding for reclamation grants to States and Indian tribes. Finally, the changes reinstate expired incentives for the re-mining of certain lands and water adversely affected by past mining.

Copies of the final rule are available on the OSM web site at www.osmre.gov.

OSM carries out the requirements of the Surface Mining Control and Reclamation Act in cooperation with States and Indian Tribes. OSM’s primary 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 following mining, and to mitigate the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

See [Abandoned Mine Land Final Rule](#).