

# News Release

Office of Surface Mining Reclamation & Enforcement  
A Bureau of the U. S. Department of the Interior



FOR IMMEDIATE RELEASE

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## Interior Proposal Enhances Public Safety for Mining Operations

*New proposal would eliminate duplicative state and federal investigations,  
unnecessary delays in addressing mining complaints and violations.*

WASHINGTON - The [Office of Surface Mining Reclamation and Enforcement \(OSM\)](#) unveiled a [proposed rule](#) today to improve the processing of [Ten-Day Notices](#) (TDNs). OSM allows state partners ten days to address a reported mining complaint or violation. By providing a timely review and direct coordination with state partners when a violation is identified, remediation will occur more quickly, reducing any associated safety hazards and eliminating duplicative state and federal investigations that can cause unnecessary delays in addressing concerns or potential violations. This proposal will help ensure both the safety of the general public and the protection of the environment.

“This proposal will streamline our processes and ensure that states play a primary role in generating solutions to mining issues on the ground; a win-win for the American people in coal country,” **said Secretary of the Interior David Bernhardt.**

“For years, the states and our bureau have often duplicated investigations into potential violations at mine sites. And in many cases, we didn’t know the other agency was looking into the same problem,” **said OSM Principal Deputy Director Lanny E. Erdos.** “I share Secretary Bernhardt’s commitment to fix this waste of resources so that we can work more efficiently to protect the health and safety of Americans in coal country.”

The [Surface Mining Control and Reclamation Act of 1977 \(SMCRA\)](#) authorizes OSM to use TDNs to notify state regulatory authority (SRA) partners when a potential violation exists at a mine site. OSM may issue a TDN based on its oversight or in response to a citizen’s complaint. The SRA is then given ten days to respond.

The [proposed rule](#) would specify that if a citizen alerts OSM of a potential violation, OSM will directly coordinate with SRAs. This direct coordination allows OSM to determine if the states have already investigated the potential violation, which promotes the sharing of resources, improves public safety, saves time, and eliminates duplicative efforts, resulting in a more effective implementation of the SMCRA.

The Office of Surface Mining Reclamation and Enforcement (OSMRE) 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.



## OSMRE News Release continued

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In addition to the clarification of the TDN process, OSM intends to enhance coordination with SRAs to more effectively identify and implement corrective actions, and to address state regulatory program issues as provided at [30 CFR Part 733](#).

The TDN rulemaking supports the [Administration's Executive Order 13771](#), which directs the Federal government to remove unnecessary regulatory burdens.

Upon publication in the Federal Register on May 14, 2020, OSM will open a 30-day public comment period extending through June 15, 2020. OSM will accept comments through [www.regulations.gov](http://www.regulations.gov).

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