

News Release

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



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Trump Administration Streamlines Federal Process for Overseeing Coal Mine Operations

Newly adopted rule enhances cooperation between state and federal partners to address unnecessary delays in mining complaints.

CADIZ, Ohio – The Department of the Interior’s Deputy Secretary Kate MacGregor today announced a final rule to improve the processing of [Ten-Day Notices](#) (TDNs). Ten days is the amount of time [Office of Surface Mining Reclamation and Enforcement’s \(OSMRE\)](#) provides to state partners to address a reported mining complaint or potential violation. The finalized rule improves the process by requiring timely, direct coordination with state partners, eliminating wasteful, duplicative investigations that can cause unnecessary delays in addressing concerns or potential violations. [Read the final rule here.](#)

“It is indisputable that the last Administration was no friend to the coal miners across this great country who provide cheap, baseload power, especially in states like West Virginia (94%), Kentucky (80%), Indiana (75%) and Ohio (51%),” **said Deputy Secretary of the Interior Kate MacGregor.** “This rule restores SMCRA’s mandate of cooperative federalism, reduces duplicative red tape, and ensures we work alongside our state partners who are the primary enforcement authorities under the law.”

“This is a commonsense solution to a problem we’ve faced for years. As a former state regulatory official, I made it a priority to fix this flawed process when I joined OSM,” **said OSMRE’s Principal Deputy Director Lanny E. Erdos.** “I share the President and Secretary Bernhardt’s commitment to making sure we are working as efficiently and quickly as possible.”

“We look forward to working with OSMRE on the implementation of this pragmatic new approach,” **said Dave Crow, Chief of the Ohio Division of Mineral Resources Management.** “We appreciate the efforts to streamline and clarify this process.”

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 then has ten days to respond.

The new rule specifies 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 sharing of resources, saves time, and eliminates duplicative efforts, resulting in a more effective implementation of SMCRA.

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

OSM solicited comments from all interested parties for 30 days in May 2020, and carefully

considered those comments before finalizing the rule.

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.