

**FEDERAL REGISTER: 48 FR 27363 (June 14, 1983)**

DEPARTMENT OF THE INTERIOR

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM)

30 CFR Part 886

Abandoned Mine Land Program; Grants -- Administrative Procedures

ACTION: Final rule.

**SUMMARY:** The Office of Surface Mining (OSM) has amended portions of the abandoned mine land reclamation rules relating to the administrative procedures for State Reclamation Grants. This amendment will eliminate form OSM-62 which was developed to release OSM from all obligations under the grant or cooperative agreement funding being closed out. Also, form OSM-63 which was developed to provide OSM with a statement indicating that OSM will be entitled to its share and payment of all refunds, rebates, and credits arising from the performance of the agreement. These forms are being eliminated to reduce the paperwork burden on the recipients as much as possible.

EFFECTIVE DATE: June 14, 1983.

FOR FURTHER INFORMATION CONTACT: Donald W. Willen, Chief, Division of Grants Administration, Office of Surface Mining, U.S. Department of the Interior, 1951 Constitution Avenue N.W., Washington, D.C. 20240, Telephone (202) 343-7951 or 343-4225.

**SUPPLEMENTARY INFORMATION:**

**BACKGROUND**

The Abandoned Mine Land Reclamation (AMLR) Program was established under the Surface Mining Control and Reclamation Act of 1977, Pub. L. 95-87, in response to concern over extensive environmental damage caused by the failure of past coal mining activities to adequately reclaim disturbed lands. Funds are generated by a fee imposed on each ton of coal produced. Congress then appropriates the funds for: 1) grants to States and Indian tribes to plan and carry out reclamation programs and projects, 2) for Federal reclamation projects carried out by the Secretary of the Interior through OSM and other Interior agencies, and 3) for the Rural Abandoned Mine Program (RAMP) administered by the Secretary of Agriculture and carried out by the Soil Conservation Service.

**INTRODUCTION TO FINAL RULE REVISION**

Section 886.20 presently reads as follows:

**SECTION 886.20 - ADMINISTRATIVE PROCEDURES.**

The agency shall follow administrative procedures governing accounting, payment, property, and related requirements contained in Office of Management and Budget Circular No. A-102 and use the following forms: OSM-60 (Report of Government Property), OSM-62 (Recipients' Release), and OSM-63 (Recipients Assignments of Refunds, Rebates and Credits).

In OSM's effort to reduce the paperwork burden on the recipient as much as possible, it was decided to revise 30 CFR 886.20 to eliminate the forms OSM-62 and OSM-63 which were burdensome and unnecessary. This action would also reduce the number of forms required from the recipient for closing out OSM financial assistance grants.

Therefore, OSM published a proposed rule in the Federal Register on Friday March 4, 1983 (Volume 48, No. 44). The comment period closed at 5 p.m. April 4, 1983.

Form OSM-62 was developed to release OSM from all obligations under the grant or cooperative agreement funding being closed out. OSM will require this information be provided in the grantee's transmittal letter at the time the grantee submits the final closeout report.

The transmittal letter will indicate that the recipient discharges the Government from all obligations arising from the agreement, unless any exceptions are noted. Information on audit exceptions will also be included.

The purpose of Form OSM-63 was to provide OSM with a statement indicating that OSM will be entitled to its share and payment of all refunds, rebates, and credits arising from the performance of the agreement.

OSM will ensure that a statement is included in each grant agreement that will indicate that OSM will be entitled to its share and payment of all refunds, rebates and credits arising from the performance of the agreement.

#### **DISPOSITION OF COMMENTS**

Two comments were received from the States and considered in the rulemaking process. The two comments are available for inspection in the Administrative Record, Room 5315, 1100 L Street, N.W., Washington, D.C.

The two commenters fully support the proposed rule change of 30 CFR 886.20 (Administrative procedures).

#### **PROCEDURAL MATTERS**

The following determinations have been made by OSM in reference to the rule change:

This rule is being made effective immediately to avoid unnecessary expense and administrative burdens.

The Department of the Interior has determined that this document is not a major rule under E.O. 12291 and certifies that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (*5 U.S.C. 601 et seq.*). This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

The Department of the Interior has determined, pursuant to Section 702(d) of SMCRA, *30 U.S.C. 1292(d)*, that this action will not have a significant effect on the quality of the human environment and an environmental impact statement need not be prepared.

The information collection requirements contained in this rule was approved by OMB under *44 U.S.C. 3507* and assigned clearance number 1029-0076.

Form OSM-62 was assigned number 1029-0077 and Form OSM-63 was assigned number 1029-0068.

Author of Rule Change: Carole L. Battle, Division of Grants Administration, Telephone: (202) 343-4714.

#### **LIST OF SUBJECTS IN 30 CFR PART 886**

Coal mining, Grant program/natural resources, Reporting requirements, Surface mining, Underground mining.

For the reasons set forth in this preamble, 30 CFR Part 886.20 is amended as set forth herein.

Dated: May 13, 1983.

Daniel N. Miller, Jr., Assistant Secretary for Energy and Minerals.

**PART 886 -- STATE RECLAMATION GRANTS**

Section 886.20 is revised to read as follows:

**SECTION 886.20 - ADMINISTRATIVE PROCEDURES.**

The agency shall follow administrative procedures governing accounting, payment, property, and related requirements contained in Office of Management and Budget Circular No. A-102 and use the following form: OSM-60 (Report of Government Property).

Authority: Pub.L. 95-87, *30 U.S.C. 1201* et seq.

[FR Doc. 83-15844 Filed 6-13-83; 8:45 am]  
BILLING CODE 4310-05-M