

## OFFICE OF SURFACE MINING

The Office of Surface Mining Reclamation and Enforcement (OSM) ensures that coal mines are operated in a manner that protects citizens and the environment during mining to assure that the land is restored to beneficial use following mining, that mitigates the effects of past mining by aggressively pursuing reclamation of abandoned coal mines.

August 3, 1997, marked the twentieth anniversary of the passage and enactment of the Surface Mining Control and Reclamation Act (SMCRA). Through SMCRA and OSM, a level set of regulatory standards was created for the industry. The implementation and enforcement of SMCRA have produced one of the most successful regulatory and environmental programs in the country. SMCRA has greatly benefited both the coal industry and the citizens of the coal fields. Since 1977, coal production has risen significantly, prices have been stable, and over 1.5 million acres of land have been mined and successfully reclaimed. Safety hazards and high priority problems have been eliminated on thousands of acres of abandoned mine lands (AML).

Under SMCRA, 24 States currently have programs approved by the Secretary of the Interior to regulate coal mining activities. The State programs are funded through grants issued by OSM and include the review and issuance of mining permits, inspection and enforcement, designation of lands unsuitable for mining, administration of bonding and bond release programs that ensure proper reclamation of land after mining, and administration of small operator assistance programs. In 1997, OSM provided primacy States with regulatory program funding of \$50.7 million. In the absence of a State program (e.g., Tennessee and Washington), or a cooperative agreement with a State to regulate mining on Indian and Federal lands, OSM serves as the regulatory authority.

Thousands of dangerous hazards have been mitigated or eliminated, some of which preserve our heritage. For example, the Aladdin mine site was reclaimed by the Wyoming AML program after the historic qualities of the site came to light (see details in Aladdin Tipple sidebar). The Abandoned Mine Land Reclamation program is funded through the collection of a tonnage based reclamation fee assessed on current mining op-

### OSM Mission

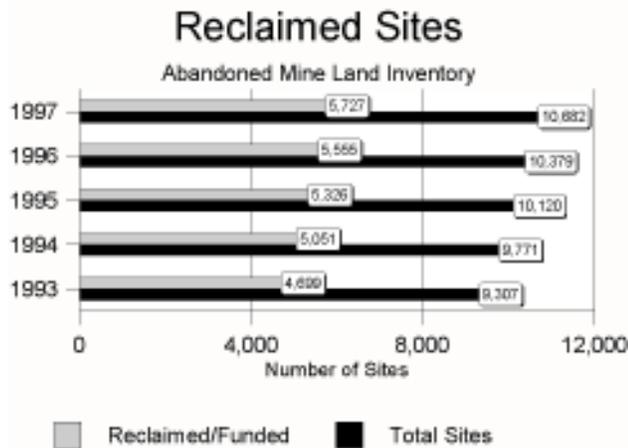
*"To carry out the requirements of the Surface Mining Control and Reclamation Act (SMCRA) in cooperation with States and Tribes."*

eration. Through appropriations from the AML fund by Congress, OSM provides grants to 23 States and 3 Indian tribes that have approved abandoned mine reclamation plans. OSM funds reclamation projects in non-primacy States and on Federal and other Indian lands. The agency also administers the AML emergency program in States that have not chosen to do so (e.g., Kentucky and Pennsylvania). The AML program has contributed to improved quality of life for the coal field citizens. In some cases, it has revitalized communities and brought new incentive and hope into depressed areas. It has infused over \$2 billion into the coal field economies. It has stimulated growth in construction-related industry and has created jobs.

Since 1993, the rate at which the program has increased reclaimed/funded sites listed in the inventory has been approximately one-half of one percent per year. The inventory does not have a static base and continues to increase annually, due to more sites being identified and lower priority sites gaining higher priority. As an example, in 1993 the inventory had 9,307 sites of which 4,699 had been reclaimed or funded. In 1997, the inventory had grown to 10,682 sites, of which, 5,727 had been reclaimed or funded (*Figure 6*).

In recent years, OSM has undertaken several initiatives in support of its mission to carry out the requirements of SMCRA. OSM's Appalachian Clean Streams Initiative is leading a multi-faceted effort to address the region's number one water problem -- acid mine drainage from pre-SMCRA abandoned coal mines -- by restoring the waters to their original state through coordination of efforts by government and other organizations. OSM's Tribal Primacy initiative provided grants in 1997 to Indian tribes totaling \$600,000 designed to prepare them for full primacy. Since 1993, technology transfer and technical assistance initiatives have been moved to the forefront of OSM/State partnerships with the philosophy of problem solving on the front end, and the involvement of all stakeholders in

Figure 6



the process. The Applicant Violator System (AVS) is the principal means by which OSM, together with the States, can address situations where violators have crossed State lines or have re-appeared under the guise of new organizations. Federal and State settlement agreements, following AVS permit blocks, have prompted \$7 million in reclamation for 2,500 acres. An additional \$5 million in unpaid AML fees and civil penalties have been collected.

In executing its oversight duties under SMCRA to evaluate the administration of approved State programs, the Office of Surface Mining works with States and other interested parties to seek consensus on oversight techniques, conducts inspections and independent reviews, and technical analyses. In 1996, OSM implemented a new, innovative results-based oversight strategy for measuring whether the public protection requirements and environmental protection standards of SMCRA are being met. OSM and the States developed evaluation plans tailored to the unique conditions of each State program and governed by performance agreements developed by an OSM field unit and a State. Under the new results-based oversight strategy, OSM's oversight evaluation activities primarily focus on end results and on-the-ground success of States in meeting SMCRA's requirements. OSM oversight is no longer rigidly formulated or driven primarily by centralized mandates based on arbitrary processes and procedures.

On July 23, 1997, Assistant Secretary of the Interior Bob Armstrong presented the oversight team with Vice President Al Gore's Hammer Award for "reinventing" the process that OSM employs to meet its responsibilities for oversight of State regulatory programs as re-

quired by SMCRA. Armstrong called the new results-based oversight strategy "a model of what President Clinton and Al Gore have in mind when they talk about reinventing government."

## Implementing the Government Performance and Results Act

To meet the objectives of the Government Performance and Results Act (GPRA), OSM began its strategic planning process in conjunction with the Bureau's restructuring plan under this Administration. Through a series of comprehensive customer and stakeholder outreach efforts, OSM re-evaluated all aspects of its mission. From those efforts came the following goals:

- Aggressively pursue the reclamation of abandoned mine lands;
- Prevent environmental problems in the coal fields; and
- Strengthen the capabilities of States, Tribes, and OSM to enforce SMCRA effectively through quality technical and scientific information, expertise and training.

OSM developed the concept of business lines to provide the link between its goal and the measurable indicators.

During 1997, the Office of Surface Mining completed its first strategic plan in support of the GPRA. Efforts are now being directed toward development of the annual performance plan and performance measures. OSM's key performance measures focus on three areas: (1) restoring abandoned lands adversely affected by past mining, (2) protecting lands from current mining, and (3) improving customer satisfaction in the areas of technical assistance and transfer. Specific annual performance measures relating to these three key areas include:

- The Abandoned Mine Land Program will annually reclaim 8,000 acres.
- The Surface Mine Program will report the number of acres released from Performance Bonding Phases I and II in order to show the status and progression of permitted acreage being reclaimed.



Aladdin Tipple mine (photo by OSM).

- OSM will attain a 85 percent customer satisfaction rate in our technical training.

## Customer Service

Our customers and partners include coalfield residents, environmental and citizens groups, the coal industry who operate under and are affected by SMCRA, and the States who are the primary regulators of SMCRA. In soliciting feedback on customer service, OSM is using a combination of surveys and focus groups. As recently as November 1997, OSM senior management met with individuals representing environmental groups, industry, State agencies, and local government agencies. OSM is expanding its customer surveys to gather information of specific functions such as technical training, technical assistance, technical transfer, and financial support services. OSM will continue to use the information gained from these activities to correct problems leading to better service and to plan future improvements.

### Aladdin Tipple

*The Aladdin mine began operation in the late 1800's and coal was mined until it was abandoned in 1942. The mine is about 83 miles northeast of Gillette, Wyoming. The coal was used as a local fuel source and to fire the gold smelters in Lead and Deadwood, South Dakota. It was one of the first underground mines in northeastern Wyoming and was a privately owned operation. The mine was first investigated for reclamation by the Wyoming AML program in 1989, and the historic qualities of the site immediately came to light. The old Tipple was in imminent danger of collapse because of neglect and weathering, and it posed a significant safety hazard as it was located adjacent to a popular tourist route. The tipple, hoist house, and mine opening were restored, and the site was reclaimed and developed as a historical interpretive park. It receives extensive use by the schools in the area for history and heritage field trips and is a popular tourist stopover. Another reason for retaining the site was the presence of two organisms that are unusual and unique to the Rocky Mountain west. These organisms play fundamental roles in the natural bioremediation of disturbed lands. Scientists at Black Hills State University in nearby Spearfish, South Dakota, are studying the saprophytic relationships in this process of natural bioremediation in the living laboratory provided by the historic Tipple site. The site is maintained by the Crook County Commissioners and the local historical society, and it has been nominated for the National Register of Historic Places.*