

Department of the Interior Departmental Manual

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Series: Organization

Part 116: Office of Surface Mining Reclamation and Enforcement

Chapter 1: Creation, Objectives, Functions

Originating Office: Office of Surface Mining Reclamation and Enforcement

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1.1 Creation. The Office of Surface Mining Reclamation and Enforcement (OSM) was created by the Surface Mining Control and Reclamation Act of 1977 (SMCRA) (Public Law 95-87, 91 Stat. 445; dated August 3, 1977).

1.2 Objectives. The mission of OSM is to carry out the requirements of SMCRA in cooperation with States and Tribes. OSM's primary objectives are to ensure that coal mines are operated in a manner that protects citizens and the environment during mining, the land is restored to beneficial use following mining, and the effects of past mining are mitigated by aggressively pursuing reclamation of abandoned coal mines.

OSM has adopted a vision to facilitate the achievement of its mission. The vision of OSM is:

A. In regulating active coal mining, OSM will maintain compliance at high levels and ensure that all mines are properly operated and promptly reclaimed to the standards established under the Act. OSM will emphasize prevention and ensure that long-term environmental problems do not occur. OSM will ensure that the premining productivity of the land is restored.

B. In reclaiming abandoned mine lands, OSM will aggressively pursue reclamation with a primary emphasis on correcting the most serious problems related to public health, safety, and the general welfare. OSM will ensure maximum public benefit through the prompt and fair distribution of public funds.

C. In cooperating with State regulatory authorities, the primary enforcers of SMCRA, and with Tribes, OSM will promote a shared commitment to the goals of the Act. OSM will develop comprehensive understandings about the fairness, effectiveness, and efficiency of SMCRA programs. OSM will provide constructive program reviews, oversight monitoring, and technical assistance that focus on results. OSM will act independently to protect the public interest in situations of imminent harm or when a State does not implement an approved regulatory program.

D. In dealing with those who are affected by mining and reclamation, OSM will ensure

the protection of citizens from abusive mining practices, be responsive to their concerns, and allow them full access to information needed to evaluate the effect of mining on their health, safety, general welfare, and property.

E. In relations with the coal industry, OSM will have clear, fair, and consistently applied policies and will respect the importance of coal production as a source of the Nation's energy supply.

F. In all communications, OSM will maintain open, courteous, constructive, and timely dialogue and will use information to understand and improve its programs and those of its State and Tribal partners.

G. In demonstrating leadership in mining and reclamation, OSM will promote the development of the highest quality technical information and research and will seek the transfer of technology to those who would benefit.

H. In meeting its responsibilities, OSM will be a diverse, competent, innovative, and highly-trained work force. OSM will serve with integrity, and demonstrate technical, legal, administrative, and professional excellence at all times. OSM will constantly strive to create a more responsive, efficient, and effective process for achieving SMCRA's objectives.

1.3 Functions. The OSM, in cooperation with primacy States and Tribes, has the responsibility for ensuring that programs are administered for the regulation of surface coal mining operations and surface effects of underground coal mining and for the reclamation of abandoned coal mined lands. OSM issues regulations for the conduct of surface mining and reclamation; reviews and recommends approval of new State program submissions; reviews and approves amendments to previously approved State programs, and monitors and evaluates State/Tribal regulatory programs, cooperative agreements and abandoned mine land reclamation programs. OSM provides technical/non-technical and financial assistance to States/Indian Tribes for the administration and enforcement of regulatory programs, as appropriate; development and administration of Abandoned Mine Land (AML) Reclamation programs; operation of the Small Operator Assistance Program (SOAP); and administration of cooperative agreements covering Federal lands.

The OSM develops and implements surface coal mining control and reclamation programs in jurisdictions not covered by approved State programs, reviews petitions to determine if Federal lands are unsuitable for mining, and conducts inspections in response to citizen complaints.

Jurisdiction over Federal lands and land use planning remains with the Bureau of Land Management and other surface land managing agencies such as the United States Forest Service.

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