



NATIONAL ASSOCIATION OF STATE LAND RECLAMATIONISTS

<http://www.crc.siu.edu/naslr/htm>

January 2008

PRESIDENT'S COLUMN

Lou Neuman
Florida

Do you remember the scene from the Wizard of Oz where Dorothy meets the scarecrow? To refresh your memory, she is at a road intersection and isn't sure which road to take. The talking scarecrow in the field tells her some people go this way and others go that way and points to both directions. The scenario reminds me somewhat of where NASLR is right now – which way do we go? To help decide which road we should travel, I have proposed a plan for your consideration. It is not meant to be all inclusive, but it is a start. Your feedback about the plan is welcome.

At our last conference, I got the impression that our members want to see some changes. We started off with members volunteering for several committees and a new committee being formed. I would like to see a report in the newsletter from each committee beginning with the next newsletter. It does not need to be elaborate, but it should show what plans are being made and what has been accomplished. This information will let others know that NASLR is being progressive.

We need to know where we will have future meetings (at least by state). At a minimum, we should know where the meetings will be at least two years in advance, with three or more years being better. This will give ample time for planning, advertising, and giving future host states even more reasons to come to the meetings. Please consider being a host for meeting. You now have the time to plan.

We need to reexamine our bylaws. Do we need to have lots of required committees if the membership is not interested in the committees? Perhaps the required committees should be made optional.

A modification to our meetings is suggested. I would like to see an American flag present during the meetings. I am suggesting an invocation and a pledge of allegiance be given at the beginning of our meetings. Like you, I am proud to be an American and enjoy the freedoms we have in this country.

We need to set goals for our organization. What do we want to accomplish this year and what do we want to

accomplish in the next three to five years. Do we need to do something different? Your input is needed. We need to brainstorm this now and discuss it at the next meeting. Send me your ideas. I will see that they get published. (Names will not be listed so send the ideas.). We need to allocate time at our next meeting to discuss the ideas instead of just listing them.

I thank the staff in Pennsylvania for all the work and effort they have already done. As you will read elsewhere in the newsletter, the meeting will not be in Hershey, PA. I also thank the officers, executive committee, and members for their input about the upcoming NASLR meeting.

Editor's Notes

This newsletter contains some additional pages including information for the June 14-19, 2008 joint meeting of the American Society of Mining and Reclamation and the International Affiliation of Land Reclamationists in Richmond, Virginia. Also included is an OSM news release received last fall, detailing the recognition of five individuals who have made significant contributions to the field of land reclamation since the passage of SMCRA in 1977. NASLR's own Dean Spindler was one of the five who received this honorable recognition. Congratulations to Dean and others.

The next newsletter will feature articles from Alaska, Missouri, Texas, Oklahoma, Virginia, and West Virginia. Deadline for copy to be received at the Coal Research Center office is March 31, 2008.

**36th Annual Meeting of the National Association
of State Land Reclamationists (NASLR)
Seven Springs, Pennsylvania
September 14 – 17, 2008**

The 36th annual meeting of NASLR will be held at the Seven Springs Mountain Resort and Conference Center, in Champion, PA, September 14 – 17, 2008. Seven Springs is located in the Laurel Highlands of Southwestern PA, approximately 1-1/2

hours southeast of Pittsburgh. Although a mountain resort area, Seven Springs is in the heart of the bituminous coal mining areas of Western Pennsylvania, Maryland, and West Virginia. Numerous active and reclaimed coal mines are located nearby, as are several active limestone quarrying operations. Acid mine drainage from abandoned mines has been a big problem here, and there are numerous innovative acid mine drainage remediation and passive treatment projects to examine.

In addition to many nearby reclamation projects, the Laurel Highlands offers much to the visitor, including Ohiopyle State Park where the Youghiogheny River falls over the Homewood Sandstone, Frank Lloyd Wright's Fallingwater and Kentuck Knob architectural masterpieces, and the Fort Necessity National Battlefield, where a young George Washington surrendered to the French in the first engagement of the French and Indian War. Seven Springs Resort boasts a championship golf course, hiking, mountain biking, and indoor and outdoor swimming pools.

The annual meeting field trip will showcase reclaimed bituminous coal and limestone surface mines in southwestern Pennsylvania, coal refuse reclamation, and several innovative acid mine drainage treatment projects. We will also stop at the Flight 93 Memorial, where 9-11 terrorists crashed an airliner into a reclaimed surface mine sedimentation pond while en route to Washington D.C.

If you are interested in making an oral presentation, exhibit space, or becoming a conference sponsor, please contact Michael Smith at 814-342-8200, or michaesmit@state.pa.us. Additional information regarding the conference will be made available at <http://www.dep.state.pa.us/dep/deputate/minres/BMR/BMRhome.htm>.

STATE REPORTS

NORTH CAROLINA

The 2007 North Carolina General Assembly approved an increase in the application review fees for Mining Permits.

The new Mining Application Review Fee Schedule became effective August 1, 2007. The new fee schedule is as follows:

	0-25 acres	26+acres
New Permit Applications	\$3,750.00	\$5,000.00
Permit Modifications	\$750.00	\$1,000.00
Permit Renewals	\$750.00	\$750.00
Transfers/Minor Modifications	\$100.00	\$100.00

The Fees were increased to provide funding for five new, full time equivalent, fee-supported positions in the Mining Program. The new positions will be placed in Regional Offices as fees are collected to support the positions and will be the Mining Program contact person in each Regional Office.

Following are North Carolina Mining Statistics for 2006 (NC statistics run a year behind due to Reclamation Reports being filed by February 2 of each year):

Number of Mining Permits at the end of 2006	933
New Acres Affected in 2006	1,450
Total Acres Reclaimed and released during 2006	785
Total Acres Affected/Unreclaimed at end of 2006	42,297
Total Acres Bonded at the end of 2006	67,587
Total Acres Permitted at the end of 2006	127,497

ÉÉÉ

VIRGINIA

Richard Davis

Virginia Department of Mines, Minerals, and Energy

AML Reclamation Through TMDL Crediting

The Virginia Department of Environmental Quality lists many streams in the southwest Virginia coalfields as 303d impaired streams. The Virginia Department of Mines, Minerals and Energy (DMME) has contracted for Total Maximum Daily Load (TMDL) investigations on a number of these coalfield streams. Many of the 303d impaired streams list resource extraction as one of the impairments. With nearly a century of pre-SMCRA mining in southwest Virginia, it is easy to understand how abandoned mine lands have impacted and continue to impact these streams.

TMDL investigations quantify the pollutional loading for a number of pollutants. If any pollutant is at its maximum, additional loadings for the stream cannot be approved. Such limitations can effectively block additional disturbances such as new mining operations.

With the understanding that AML sites are often impairments on 303d streams, DMME proposes that applicants for mining permits reclaim AML sites to reduce the pollutional loading of impaired streams. Such agreements would accomplish reclamation of the AML feature(s) at no cost, and allow the regulatory authority to issue permits.

As of November 2007, DMME has two pending TMDL crediting projects. Both projects will accomplish reclamation on abandoned gob pile features and reduce pollutional loading in the impaired stream. With the offsets, DMME can proceed to approve permit applications in the watershed.

For additional information on this project or implementation of TMDL crediting, please contact Roger Williams at Roger.Williams@dmme.virginia.gov or 276-523-8208, or Richard Davis at Richard.Davis@dmme.virginia.gov or 276-523-8216.

Richard Davis

Virginia Department of Mines, Minerals, and Energy

Virginia DMME Wins 2007 OSM National AML Award

At the 2007 NAAML P Conference in Bloomington, Indiana, the federal Office of Surface Mining (OSM) recognized the Virginia Department of Mines, Minerals and Energy (DMME) for excellence in abandoned mine land (AML) reclamation. OSM presented DMME with its National Reclamation Award-Category II for reclamation of the Buchanan County Park Highwall Elimination Project.

The project is located directly adjacent to the Buchanan County Park, a heavily used recreational area. “The county had concerns with young children playing near the highwall and had even noted children attempting to scale the 60 foot highwall,” stated Roger Williams, DMME’s AML Services Manager. The project area contained over 3200 feet of Priority 2 dangerous highwall.

DMME contracted with the Buchanan County Industrial



Development Authority (IDA) to accomplish the reclamation using the new AML enhancement rule. Buchanan County IDA subcontracted the reclamation work to a mining company that had a large surface operation adjacent to the park. OSM’s 1999 AML enhancement rule allows the contractor to recover coal that is strictly incidental to the project excavation and use the

sale proceeds to offset the cost of the reclamation. The enhancement rule requires special consultation between Title IV and Title V programs, but otherwise is similar to routine state projects.

The project resulted in 20 acres of flat to gently rolling land



available for the county’s recreational development. The reclaimed area has been used for youth soccer practices and now features children’s playgrounds, a horse rink, and a community center with an indoor basketball court. As a service to Buchanan County, DMME assisted the county in obtaining a soccer start-up kit consisting of necessary equipment for implementing a youth soccer league at the park.



“To our knowledge, this was the first implementation of the AML enhancement rule in the nation,” Williams remarked. “DMME realized an estimated cost savings of \$220,000 by implementing AML enhancement. With the cooperation of OSM, Buchanan County, DMME, and the contractor, this project met the highest goals of the AML enhancement opportunity. OSM’s award for the project is a well deserved recognition for the dedicated efforts of state, local, and federal agencies seeking to eliminate AML features and improve the local environment,” Williams added.

For additional information on this project or implementation of the AML enhancement rule, please contact Roger Williams at Roger.Williams@dmme.virginia.gov or 276-523-8208, or

Richard Davis at Richard.Davis@dmme.virginia.gov or
276-523-8216.



25th Annual Meeting
American Society of Mining & Reclamation

AND

10th Meeting

International Affiliation of Land Reclamationist

Richmond † June 14 - 19, 2008

Advance Program & Registration Information



Acid sulfate soil impacts to soil and water quality in Stafford VA



Mineral sands (Ti + Zr) mine on former prime farmland in Dinwiddie VA.

***“New
Opportunities
to Apply Our
Science”***

Major Sponsors (To Date)

Iluka Resources Inc., USDI Office of Surface Mining, Weanack Land LLP,
Virginia Dept. of Mines, Minerals & Energy
Virginia Tech Dept. of Crop & Soil Environmental Sciences

“New Opportunities to Apply Our Science”

Richmond, Virginia, home of the USA’s first commercial coal mine, will host the 25th Annual Meeting of the American Society of Mining and Reclamation in mid-June of 2008. This meeting also serves as the 10th meeting of the International Affiliation of Land Reclamationists (IALR). In addition to ASMR’s historical concentration on coal and metal mining applications, this meeting’s program and field tours will focus on remediation of other disturbances such as exposure of acid-sulfate materials, mineral sands mining, dredge spoil placement, and wetland impact mitigation. We invite attendees and their families to enjoy the wealth of great attractions in and around Richmond!

2008 Program Overview

Day	Time	Event (<i>Program Page # for Details</i>)
Saturday, June 14	8:00 am to 5:00 pm	Pre-Meeting Field Trip (7) <i>Mineral sands mining, dredge spoil utilization, wetland creation, sand & gravel mining.</i>
Saturday (6/14) to Wed. 6/18)	12:00 pm Saturday to 4:30 pm Wednesday	Registration Open in Lower Lobby of Marriott Hotel (2) During Meeting Hours
Sunday, June 15	8:00 am to 5:00 pm 9:30 am to 3:00 pm 5:30 pm to 7:30 pm	3 Short Courses (4) Civil War Battlefields Tour #1 (8) Opening Reception
Monday, June 16	9:00 am to 11:15 am 11:30 am to 12:00 pm 12:00 pm to 2:00 pm 2:00 pm to 5:30 pm 5:30 pm to 7:30 pm	Welcome and Plenary Session (5) ASMR General Business Meeting ASMR Awards Luncheon – 25th Anniversary Technical Sessions and Tech. Div. Meetings (6) Exhibitor’s Reception/Exhibit Hall (3)
Tuesday, June 17	8:15 am to 5:30 pm 5:30 pm to 10:00 pm	Technical Sessions and Tech. Div. Meetings (6) Society Social Dinner at Shirley Plantation (5)
Wednesday, June 18	8:15 am to 4:25 pm 5:30 pm to 8:30 pm	Technical Sessions and Tech. Div. Meetings (6) IALR Reception & Social (3)
Thursday, June 19	8:00 am to 6:00 pm	Post Meeting Field Trips (7/8) <i>1- Mineral Sands Mining and Reclamation</i> <i>2- Historic gold/metal mining and rehabilitation</i> <i>3- Acid sulfate soil impacts and remediation</i>
Monday (6/16) to Wed. (6/18)	8:30 am to 5:00 pm Each Day	Non-Technical Tours (8/9) <i>Colonial Williamsburg, Richmond Gardens & Museums, Busch Gardens</i>
Friday, June 20	9:30 am to 3:00 pm	Civil War Battlefields Tour #2 (9)

Travel, Lodging, and Sightseeing Information

Transportation:

Richmond is served by eight major airlines via the newly-reconstructed Richmond International Airport (RIC) and by Amtrak rail service from the Washington, DC area. The airport is seven miles from downtown Richmond; complete airport information, flight listings, and shuttle/taxi listings are posted at: <http://www.flyrichmond.com/>.

Meeting Venue and Lodging:

The Richmond Marriott will host all meeting functions, technical sessions, and exhibits. The Marriott is located in downtown Richmond, just blocks away from the Virginia Capitol and Civil War museums, and has been completely refurbished over the past two years. We encourage all attendees to stay at the Marriott hotel due to ASMR's contractual arrangements with this fine facility! Several restaurants and pubs are nearby, and we will provide shuttle service in the evenings to more distant restaurant and entertainment locales.

A block of rooms has been arranged for ASMR at the Richmond Marriott (downtown) under the name *American Society of Mining & Reclamation*. The ASMR room rate is \$129 per night plus tax. Additional persons will be charged \$10 per night per room. The current standard/corporate rate at this hotel is \$269 per night. Hotel information and maps are available at the website listed below. **The cut-off date for preferred rate reservations is Wednesday, May 14, 2008.**

Reservations may be made by calling 1-800-228-9290 or on-line at www.marriott.com/ricdt. The group code for on-line registration via the Marriott web site is "marmara". A limited block of government rate rooms is also available at the Federal per diem rate (currently \$115 per night plus tax) for individuals with valid ID at check-in. For on-line government rates, use "amramra" as your group code.

Sightseeing and Family Travel Opportunities in and Around Richmond

Due to the timing and location of this year's ASMR/IALR meetings, we hope that you will consider the following sightseeing and vacation opportunities in and around Richmond:

Major Attractions Within One Hour of Richmond:

Busch Gardens, Colonial Williamsburg, Jamestown Settlement, Kings Dominion, Shirley Plantation, Yorktown Victory Center, and 10+ Civil War battlefields.

Major Attractions Within Two Hours of Richmond:

Washington D.C., Quantico Marine Museum, Smithsonian Aviation Museum/Dulles, Norfolk & Naval Base, Virginia Beach, and many more Civil War battlefields!

Richmond Highlights

Downtown Richmond has undergone a major rebuilding and revitalization program over the past several years, and provides an impressive array of restaurants, museums, historical attractions, and entertainment options (<http://visit.richmond.com/>). Of particular note are the Virginia Museum of Fine Arts, Lewis Ginter Botanical Gardens, Confederate White House & Museum of the Confederacy, Tredegar Iron Works/Civil War Center, James River Canal Walk, and numerous Civil War battlefields nearby.

Sponsorship Opportunities

The following organizations have committed to be major sponsors of ASMR/IALR 2008:

**Iluka Resources Inc.
USDI Office of Surface Mining
Virginia Dept. of Mines, Minerals & Energy
Virginia Tech Dept. of Crop and Soil Environmental Sciences
Weanack Land LLP**

Information on sponsorship opportunities is available at the web link below. All sponsors will be prominently featured in the on-site program and recognized at meeting events. Sponsorship is very important to ASMR as a mechanism to keep registration to a minimum and to encourage student participation. Details on sponsorship opportunities are available at the URL listed below!

ASMR Annual Exhibit and Tradeshow

The ASMR Exhibit and Trade Show is an important part of every meeting and serves as an important focal point for both technical and social interaction. Coffee and refreshment breaks and receptions will be held in this area along with poster presentations. Setup time is scheduled from 12:00 to 5:30 pm on Sunday, June 15, 2008 with breakdown following the afternoon break between 3:00 and 6:00 pm on Wednesday, June 18, 2008. Exhibit & Trade Show registration and logistical information is available at the web link below. Standard exhibitor registration is \$1000 and includes two full registrations.

IALR and International Delegate Recognition

This meeting will serve as the 10th meeting of the International Affiliation of Land Reclamationists (<http://ces.ca.uky.edu/asmr/IALR.htm>). IALR presentations will be highlighted in the program and a special IALR social function will be held (location TBA) on Wednesday evening June 18. International delegates needing assistance with travel arrangements should contact the IALR Coordinator for assistance: W. Lee Daniels (wdaniels@vt.edu).

Program Updates and Information:

http://www.cses.vt.edu/revegetation/ASMR_2008.html



News Release

US Office of Surface Mining Reclamation and Enforcement (OSM)



August 4, 2007
For immediate release

Contact: Michael Gauldin
(202) 208-2565
mgauldin@osmre.gov

Mining Reclamation Leaders Honored for Significant Contributions

*Five Recognized in honor of 30th Anniversary of
Surface Mining Control and Reclamation Act*

(Kentucky, Oklahoma, Illinois and Virginia Editors note local angle)

(Washington, DC) Five people who have made significant contributions to the regulation of coal mines and the reclamation of mined lands were honored August 3 in Washington, DC, on the 30th Anniversary of a landmark environmental law.

The five were honored at a recognition ceremony at the headquarters of the US Office of Surface Mining Reclamation and Enforcement (OSM) in Washington. Each was introduced by OSM and Department of the Interior officials and commended for their "many years of service and unrelenting commitment" to the goals of the Surface Mining Reclamation and Control Act of 1977.

They five receiving honors were:

Joseph L. Blackburn, Program Manager for Field Support at OSM's Lexington, KY, Field Office;
Mike Kastl, Director of the Oklahoma Abandoned Mine Land (AML) Reclamation Program;
Dean Spindler, Supervisor of Operations/Soil Scientist for the Illinois Office of Mines and Minerals, Land Reclamation Division;
Dwight Thomas, Acting Director, OSM's Tulsa, OK, Field Office; and
Benny R. Wampler, Deputy Director of Virginia's Department of Mines, Minerals and Energy.

OSM commemorated the 30th Anniversary of SMCRA by focusing on the people who have made it successful, recognizing the work of all Federal, State and Tribal employees past and present in addition to the five individuals selected for special recognition.

The Surface Mining Control and Reclamation Act (SMCRA) was sponsored by Rep. Morris K. Udall and 17 co-sponsors. When it was signed by President Jimmy Carter August 2, 1977, it created the federal authority under which all surface coal mining regulation and reclamation programs in the country operate. It established the US Office of Surface Mining Reclamation and Enforcement to work cooperatively with the coal States and Tribes to implement the Act.

Since 1977 SMCRA has proven to be a dynamic tool for protecting citizens and restoring mined lands. Since it's enactment about 2 million acres have been mined and reclaimed and about 240,000 acres of high-priority abandoned mine hazards have been eliminated through the collaborative efforts of thousands of dedicated Federal, State and Tribal professionals.

-OSM-

SIGNIFICANT CONTRIBUTION AWARD HONOREES

Joseph L. Blackburn

Program Manager for Field Support
OSM Lexington (KY) Field Office

Joseph L. Blackburn was one of the original 29 inspectors selected by OSM in 1978. He quickly earned a position overseeing the interim regulatory program in four states and more than 6,600 mines. In the early 1980s, he oversaw the Lexington Field Office's effort to address mine operators resisting SMCRA compliance by taking advantage of a loophole in the law that exempted mines of less than two acres. Blackburn has been instrumental in the reclamation of more than 1,300 mines sites, restoring 3,000 mined acres and the collection of more than \$1 million in delinquent Abandoned Mine Land fees.

Because of his success developing and managing regulatory programs, Blackburn has been called upon assist several critical OSM initiatives, including the West Virginia Federal Assistance in 1991. He was also picked to help draft the inspection and enforcement components of the Federal Model Program.

Mike Kastl

Director
Oklahoma Abandoned Mine Land Reclamation Program

When Mike Kastl started working for the Oklahoma Conservation Commission 32 years ago, 16 eastern Oklahoma counties had more than 32,000 acres of surface abandoned mine lands and more than 40,000 acres of abandoned underground mines. His first assignment was to help the counties deal with the extensive damage while monitoring the work Congress was doing to draft the Surface Mining Act.

Kastl is an acknowledged pioneer, advocate and leader a national level in the fight to correct the damage and dangers caused by historic and abandoned coal mines. He coordinated the formation of the Mid-Continent Coal Coalition, which was instrumental in securing Abandoned Mine Land (AML) funding for "Minimum Program" States and Tribes. He helped develop the first AML technical course for State and Federal project inspectors as well as teaching other OSM courses.

Dean Spindler

Supervisor of Operations/Soil Scientist
Illinois Office of Mines and Minerals, Land Reclamation Division

Dean Spindler has served the people of Illinois for 31 years with the state's Land Reclamation Division. In his quiet, understated manner he has been both educator and mentor for the people of Illinois. Committed to making the science of Geology available to everyone, Spindler has developed several education programs and tools for Illinois educators to include helping develop the "Mining and Minerals Jeopardy Game." Additionally, many of the prime farmland rules which he developed have set the standard for the rest of the nation.

He currently serves as the soil scientist overseeing the Prime farmland Reclamation program and as Bond Release manager. He developed the educational outreach program for the Illinois Office of Mines and Minerals and in the past served as Non-Coal Reclamation program manager. He has served as a geology instructor for Lincoln Land Community College for the past 10 years.

Dwight Thomas
Acting Director
OSM Tulsa (OK) Field Office

Dr. Dwight Thomas was the right person at the right time when he joined OSM in 1979. A proven educator and innovator with the Bureau of Indian Affairs, he joined an Agency whose critical mission would require both innovation and training. He lent a hand in the creation and development of OSM's Technical and Innovation and Professional Services (TIPS) and National Technical Training Program (NTTP), to which he still volunteers his efforts.

He has served in a variety of positions in Knoxville, TN, Pittsburgh, PA and the Tulsa Field Office. His roles have included technical training, technical assistance, permit review, oversight of State program implementation, program and project management as well as twice stepping up to the plate as interim Field Office Director. Leading several critical program and oversight studies, Dr. Thomas never failed to develop a better way for State and Federal regulators to improve America's coalfields in a cooperative spirit.

Benny R. Wampler
Deputy Director
Virginia's Department of Mines, Minerals and Energy

Benny Wampler has been with Virginia's Department of Mined Land Reclamation (DMLR) program from the very beginning. He was hired by Virginia in 1978 to develop a state program to implement the new federal law regulating coal mining. Since then, Benny has earned a reputation nationwide as a maverick and an innovator who consistently seeks creative and common sense solutions to the administration of this complex law.

In 1986, Wampler was named Deputy Director for the Virginia Department of Mines, Minerals, and Energy. Working closely with former DMME Director Gene Dishner, Benny helped establish the agency as a model in the strategic management of its programs and resources and by focusing on the needs of its primary customers and stakeholders, the regulated mining and gas and oil industries and citizens affected by extraction activities. His success was reflected in DMME's recognition by the U.S. Senate Productivity and Quality Award Program with its Medallion of Performance Excellence in 1996 and Award for Continuing Excellence in 2001.

30th Anniversary of SMCRA Background

August 3, 2007 marked the 30th anniversary of one of the nation's most significant environmental laws – the Surface Mining Control and Reclamation Act (SMCRA).

Controversial from its beginning, the legislation was fiercely opposed by the coal industry and many of the States that would be responsible for enforcing it. Two versions of the law were vetoed before President Jimmy Carter signed it into law August 3, 1977.

In the 30 years since the Federal Government, States, Tribes, industry, environmentalists and communities have formed partnerships that have made the nation's coalfields a safer place to live and work.

The “Saudi Arabia of Coal”

Although it covers only about five percent of the Earth's surface, the United States possesses one-fourth of the world's coal resources, with more than 275 billion tons of recoverable reserves.

For more than two centuries, that bounty of coal fueled the young nation's development, providing heat for its growing cities, steam power for its factories and railroads. During the unprecedented growth and devastating world wars of the 20th Century, coal contributed to America's emergence as a global economic and military power.

Today more than half of America's electricity is generated by coal-fired utilities. Because we rely on it so heavily and because we have so much that we can rely on our own reserves, coal makes a crucial contribution to maintaining our Nation's energy security.

But coal has costs. What was good for the American industry, economy and national security was not good for the country's environment.

Before the enactment of the Surface Mining Act there was no national regulation of coal mining to ensure protection of citizens or the environment. It was well into the 20th century before a handful of states began to require that mining companies restore land as much as possible to its natural condition after mining. Even those efforts were overwhelmed by the national need for coal to support America's participation in World War II.

Millions of acres of mined-out lands had been abandoned, creating constant threats to the health, safety, and well-being of Americans living in the coal fields. Mine wastes dumped down slopes or poorly compacted on hillsides created an ever-present threat of landslides. Dangerous highwalls loomed over barren stretches of stripped earth where even weeds could not grow.

The advent of larger and more effective earth-moving machines made strip mining of coal more efficient than ever before. Leaders in Washington came under increasing pressure from citizens and environmental advocates to develop a national program to require coal mining reclamation.

Congress mandates “balance”

On August 3, 1977, after many years of debate, President Carter signed the Surface Mining Control and Reclamation Act -- the first federal law to regulate the environmental effects of strip mining and to require the reclamation of land and water damaged by coal mining. The act also created a fund to correct health and safety problems through reclamation of abandoned mines.

In enacting SMCRA, Congress stated that its goal was to “assure that the coal supply essential to the Nation's energy requirements and to its economic and social well-being is provided and strike a balance between protection of the environment and agricultural productivity and the Nation's need for coal as an essential source of energy.”

The law created two major programs to be carried out jointly by the states and the Federal Government.

The **Regulatory Program** establishes standards and procedures for approving permits and inspecting active coal mining and reclamation operations, both surface and underground. It also requires that coal companies obtain bonds to cover the costs of reclamation in case they fail to meet their obligations.

Since 1977, about 29.5 billion tons of coal have been mined responsibly under SMCRA. At the same time, the coal industry has successfully reclaimed more than 2 million acres of mined lands.

The **Abandoned Mine Lands Program** reclaims mine lands abandoned before passage of SMCRA. It is financed by fees paid by coal companies on each ton of coal mined.

Almost 240,000 acres of high-priority abandoned mine lands have been reclaimed since 1977. Thousands of serious safety hazards have been eliminated.

Congress also included provisions for prohibiting mining in sensitive areas and providing for citizen participation in mine permitting, inspection and enforcement.

Ensuring that the surface mining act's requirements are met is the responsibility of the Office of Surface Mining Reclamation and Enforcement (OSM), a small bureau within the Department of the Interior. Under the Surface Mining Law, the Secretary of the Interior grants direct regulatory authority to State governments, provided they develop programs that meet federal standards.

Once a state is granted "primacy," it takes over responsibility for issuing coal mine permits, conducting inspections, and taking enforcement actions. Of the 26 coal-producing states, 24 have primacy. OSM retains regulatory authority on Indian lands and in coal states that do not have primacy. An amendment to SMCRA enacted in 2006 gives Indian Tribes the same ability as States to assume primacy and enforce surface mining regulations.

The Federal government, through OSM, retains responsibility for monitoring states to ensure that they properly carry out their delegated authorities. The agency's oversight role helps states to maintain high standards, contributes to operator compliance, and maintains a level playing field so that the coal industry in any one state does not gain an unfair economic advantage.

OSM supports States and Tribes by providing 50 percent of regulatory program funding and full funding for the reclamation of abandoned mine lands. OSM also provides training and technical assistance and works with colleges and universities to develop new technologies to improve reclamation techniques. OSM operates programs to eliminate the environmental and economic impacts of acid mine drainage from abandoned mines and to encourage reforestation of reclaimed mine land.

At many mine sites today reclamation can be accomplished to a level unimaginable when SMCRA was enacted. After coal has been mined there are new wetlands, productive commercial forests, native hardwoods and new fish and wildlife habitat. When mined land is reclaimed to farmland, it often has high productivity and sells at a premium over prime farmland that has not been mined.

When it enacted the Surface Mining Act in 1977, Congress made a promise to the American people that they would continue to receive the energy benefits of our Nation's vast coal reserves, but in the future coal would be mined responsibly and mined lands would be reclaimed. Congress also promised that coal field citizens would be protected and that the scars of old mining practices would be healed.

Since then it has been the work of the Office of Surface Mining, the States and the Indian Tribes, the coal industry, communities and citizens working cooperatively to keep that promise.