

TITLE IV -- ABANDONED MINE RECLAMATION

ABANDONED MINE RECLAMATION FUND AND PURPOSES [30 U.S.C. 1231]

SEC. 401. (a) There is created on the books of the Treasury of the United States a trust fund to be known as the Abandoned Mine Reclamation Fund (hereinafter referred to as the "fund") which shall be administered by the Secretary of the Interior. State abandoned mine reclamation funds (State funds) generated by grants from this title shall be established by each State pursuant to an approved State program.

(b) The fund shall consist of amounts deposited in the fund, from time to time derived from --

(1) the reclamation fees levied under section 402;

Note: Subsection 401(b)(1) amended November 5, 1990.

(2) any user charge imposed on or for land reclaimed pursuant to this title, after expenditures for maintenance have been deducted;

(3) donations by persons, corporations, associations, and foundations for the purposes of this title;

Note: Subsection 401(b)(3) amended November 5, 1990.

(4) recovered moneys as provided for in this title; and

Note: Subsection 401(b)(4) amended November 5, 1990.

(5) interest credited to the fund under subsection (e).

Note: Subsection 401(b)(5) amended November 5, 1990.

(c) Moneys in the fund may be used for the following purposes:

(1) reclamation and restoration of land and water resources adversely affected by past coal mining, including but not limited to reclamation and restoration of abandoned surface mine areas, abandoned coal processing areas, and abandoned coal refuse disposal areas; sealing and filling abandoned deep mine entries and voids; planting of land adversely affected by past coal mining to prevent erosion and sedimentation; prevention, abatement, treatment, and control of water pollution created by coal mine drainage including restoration of stream beds, and construction and operation of water treatment plants; prevention, abatement, and control of burning coal refuse disposal areas and burning coal in situ; prevention, abatement, and control of coal mine subsidence; and establishment of self-sustaining, individual State administered programs to insure private property against damages caused by land subsidence resulting from underground coal mining in those States which have reclamation plans approved in accordance with section 503 of this Act: Provided, That funds used for this purpose shall not exceed \$3,000,000 of the funds made available to any State under section 402(g)(1) of this Act;

Note: Subsection 401(c)(1) amended October 12, 1984 and November 5, 1990.

(2) for transfer on an annual basis to the Secretary of Agriculture for use under section 406;

Note: Subsection 401(c)(2) amended November 5, 1990.

(3) acquisition and filling of voids and sealing of tunnels, shafts, and entryways under section 409;

(4) acquisition of land as provided for in this title;

(5) enforcement and collection of the reclamation fee provided for in section 402 of this title;

(6) studies, research, and demonstration projects by the Department of the Interior to such extent or in such amounts as are provided in appropriation Acts with public and private organizations, conducted in accordance with section 3501 of the Omnibus Budget Reconciliation Act of 1986 conducted for the purposes of this title;

Note: Subsection 401(c)(6) amended November 5, 1990 and October 24, 1992.

(7) restoration, reclamation, abatement, control, or prevention of adverse effects of coal mining which constitutes an emergency as provided for in this title;

(8) grants to the States to accomplish the purposes of this title;

(9) administrative expenses of the United States and each State to accomplish the purposes of this title;

Note: Subsection 401(c)(9) amended November 5, 1990.

(10) for use under section 411;

Note: Subsection 401 (c)(10) amended November 5, 1990.

(11) for the purpose of section 507(c), except that not more than \$10,000,000 shall annually be available for such purpose;

Note: Subsection 401 (c)(11) amended November 5, 1990 and October 24, 1992.

(12) for the purpose described in section 402(h); and

Note: Subsection 401(c)(12) amended November 5, 1990 and October 24, 1992.

(13) all other necessary expenses to accomplish the purposes of this title.

Note: Subsection 401(c)(13) renumbered from (12) October 24, 1992.

(d) Moneys from the fund shall be available for the purposes of this title, only when appropriated therefor, and such appropriations shall be made without fiscal year limitations.

(e) The Secretary of the Interior shall notify the Secretary of the Treasury as to what portion of the fund is not, in his judgement, required to meet current withdrawals. The Secretary of the Treasury shall invest such portion of the fund in public debt securities with maturities suitable for the needs of such fund and bearing interest at rates determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities. The income on such investments shall be credited to, and form a part of, the fund.

Note: Subsection 401(e) added November 5, 1990.
