

serve as a basis for effective and reasonable regulation of such operations;

(j) surface and underground coal mining operations affect interstate commerce, contribute to the economic well-being, security, and general welfare of the Nation and should be conducted in an environmentally sound manner; and

(k) the cooperative effort established by this chapter is necessary to prevent or mitigate adverse environmental effects of present and future surface coal mining operations.

(Pub. L. 95-87, title I, §101, Aug. 3, 1977, 91 Stat. 447.)

#### REFERENCES IN TEXT

This chapter, referred to in pars. (e), (f), and (k), was in the original "this Act", meaning Pub. L. 95-87, Aug. 3, 1977, 91 Stat. 445, as amended, which enacted this chapter and amended section 1114 of Title 18, Crimes and Criminal Procedure. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

#### SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-432, div. C, title II, §200, Dec. 20, 2006, 120 Stat. 3006, provided that: "This title [enacting section 1244 of this title, amending sections 1231 to 1233, 1236, 1238, 1240a, 1260, 1300, and 1302 of this title and sections 9701, 9702, 9704 to 9707, 9711, 9712, and 9721 of Title 26, Internal Revenue Code, and enacting provisions set out as notes under section 1232 of this title and sections 9701, 9704, and 9712 of Title 26] may be cited as the 'Surface Mining Control and Reclamation Act Amendments of 2006'."

#### SHORT TITLE OF 1990 AMENDMENTS

Pub. L. 101-508, title VI, §6001, Nov. 5, 1990, 104 Stat. 1388-289, provided that: "This subtitle [subtitle A (§§6001-6014) of title VI of Pub. L. 101-508, enacting section 1240a of this title, amending sections 1231 to 1237, 1239, 1257, and 1302 of this title, and enacting provisions set out as notes under section 1231 of this title] may be cited as the 'Abandoned Mine Reclamation Act of 1990'."

Pub. L. 101-498, §1, Nov. 2, 1990, 104 Stat. 1207, provided that: "This Act [enacting section 1230a of this title] may be cited as the 'Strategic and Critical Minerals Act of 1990'."

#### SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-483, §13, Oct. 12, 1988, 102 Stat. 2341, provided that: "This Act [amending sections 1221, 1222, 1224, 1226, 1229, and 1230 of this title and enacting provisions set out as notes under this section and section 1229 of this title] may be cited as the Mining and Mineral Resources Research Institute Amendments of 1988."

#### SHORT TITLE

Section 1 of Pub. L. 95-87 provided: "That this Act [enacting this chapter and amending section 1114 of Title 18, Crimes and Criminal Procedure] may be cited as the 'Surface Mining Control and Reclamation Act of 1977'."

Pub. L. 98-409, §11, as added by Pub. L. 100-483, §12, Oct. 12, 1988, 102 Stat. 2341; amended by Pub. L. 104-312, §1(b), Oct. 19, 1996, 110 Stat. 3819, provided that: "This Act [enacting subchapter III of this chapter] may be cited as the 'Mining and Mineral Resources Institutes Act'."

### § 1202. Statement of purpose

It is the purpose of this chapter to—

(a) establish a nationwide program to protect society and the environment from the adverse effects of surface coal mining operations;

(b) assure that the rights of surface landowners and other persons with a legal interest in the land or appurtenances thereto are fully protected from such operations;

(c) assure that surface mining operations are not conducted where reclamation as required by this chapter is not feasible;

(d) assure that surface coal mining operations are so conducted as to protect the environment;

(e) assure that adequate procedures are undertaken to reclaim surface areas as contemporaneously as possible with the surface coal mining operations;

(f) 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;

(g) assist the States in developing and implementing a program to achieve the purposes of this chapter;

(h) promote the reclamation of mined areas left without adequate reclamation prior to August 3, 1977, and which continue, in their unreclaimed condition, to substantially degrade the quality of the environment, prevent or damage the beneficial use of land or water resources, or endanger the health or safety of the public;

(i) assure that appropriate procedures are provided for the public participation in the development, revision, and enforcement of regulations, standards, reclamation plans, or programs established by the Secretary or any State under this chapter;

(j) provide a means for development of the data and analyses necessary to establish effective and reasonable regulation of surface mining operations for other minerals;

(k) encourage the full utilization of coal resources through the development and application of underground extraction technologies;

(l) stimulate, sponsor, provide for and/or supplement present programs for the conduct of research investigations, experiments, and demonstrations, in the exploration, extraction, processing, development, and production of minerals and the training of mineral engineers and scientists in the field of mining, minerals resources, and technology, and the establishment of an appropriate research and training center in various States; and

(m) wherever necessary, exercise the full reach of Federal constitutional powers to insure the protection of the public interest through effective control of surface coal mining operations.

(Pub. L. 95-87, title I, §102, Aug. 3, 1977, 91 Stat. 448.)

## SUBCHAPTER II—OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

### § 1211. Office of Surface Mining Reclamation and Enforcement

#### (a) Establishment

There is established in the Department of the Interior, the Office of Surface Mining Reclama-