

“(1) In furtherance of the purposes of the Act of August 31, 1954 (30 U.S.C. 551-558) the Secretary of the Interior, acting through the Director of the Office of Surface Mining Reclamation and Enforcement, shall, upon application by a State, enter into a cooperative agreement with any such State that has an approved abandoned mine reclamation program pursuant to section 405 of the Surface Mining Control and Reclamation Act of 1977 [30 U.S.C. 1235] to undertake the activities referred to in section 3(b) of the Act of August 31, 1954 (30 U.S.C. 553(b)). The Secretary shall immediately enter into such cooperative agreement upon application by a State. Any such cooperative agreement shall not be subject to review or approval by the Appalachian Regional Development Commission.

“(2) For the purposes of the cooperative agreements entered into pursuant to paragraph (1), the requirements of section 5 of the Act of August 31, 1954 (30 U.S.C. 555) are hereby waived.”

§ 552. Definitions

As used in this chapter:

“Coal” means any of the recognized classifications and ranks of coal, including anthracite, bituminous, semibituminous, subbituminous, and lignite.

“Outcrop” means any place where a formation is visible or substantially exposed at the surface.

“Formation” means any vein, seam, stratum, bed, or other naturally occurring deposit.

“Coal mine” means any underground, surface, or strip mine from which coal is obtained.

“State” means any State or Territory of the United States, or any political subdivision thereof.

“Person” means an individual, partnership, association, corporation, business trust, legal representative, or any organized group of persons.

(Aug. 31, 1954, ch. 1156, § 2, 68 Stat. 1009.)

§ 553. Duties of Secretary; surveys, research, etc.; projects

The Secretary of the Interior, in order to effectuate the policy declared in section 551 of this title, is hereby authorized—

(a) to conduct surveys, investigations, and research relating to the causes and extent of outcrop and underground fires in coal formations and the methods for control or extinguishment of such fires; to publish the results of any such surveys, investigations, and researches; and to disseminate information concerning such method; and

(b) to plan and execute projects for control or extinguishment of fires in coal formations.

(Aug. 31, 1954, ch. 1156, § 3, 68 Stat. 1009.)

§ 554. Lands subject to chapter

The acts authorized in section 553 of this title may be performed—

(a) on lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and

(b) on any other lands, upon obtaining proper consent or the necessary rights or interests in such lands: *Provided, however*, That expenditure of Federal funds for this purpose in any privately owned operating coal mine shall be

limited to the acts authorized in section 553(a) of this title.

(Aug. 31, 1954, ch. 1156, § 4, 68 Stat. 1009.)

§ 555. Conditions precedent for aid to non-Federal lands

(a) Enactment of local laws; agreements

As a condition to the extending of any benefits under section 553(b) of this title to any lands not owned or controlled by the United States or any of its agencies, except where such action is necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, the Secretary of the Interior may require—

(1) the enactment of State or local laws providing for the control and extinguishment of outcrop and underground fires in coal formations on State or privately owned land and the cooperation of State or local authorities in the work; and

(2) agreements or covenants as to the performance and maintenance of the work required to control or extinguish such fires.

(b) Contributions

The Secretary of the Interior shall require in connection with any project for the control or extinguishment of fires in any inactive coal mine on any lands not owned or controlled by the United States or any of its agencies, except where such project is necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, (1) that the State or person owning or controlling such lands contribute on a matching basis 50 per centum of the cost of planning and executing such project, or (2), if such State or person furnishes evidence satisfactory to the Secretary of the Interior of an inability to make the matching contribution herein provided for, that such State or person pay to the Government, within such period of time as the Secretary of the Interior shall determine, an amount equal to 50 per centum of the cost of planning and executing such project. At least 75 per centum of the funds expended in any fiscal year, from any appropriation available to carry out the purposes of this chapter, in connection with projects for the control or extinguishment of fires in inactive coal mines where such action is not necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, shall be expended in conformity with clause (1) of this subsection.

(Aug. 31, 1954, ch. 1156, § 5, 68 Stat. 1010.)

§ 556. Administration

In carrying out the provisions of section 553 of this title the Secretary of the Interior is authorized—

(a) Employment of personnel

to secure, by contract or otherwise, and without regard to the civil service laws and chapter 51 and subchapter III of chapter 53 of title 5, for work of a temporary, intermittent, or emergency character, such personal services as may be deemed necessary for the effi-

cient and economical performance of the work;

(b) Employment of equipment

to hire, with or without personal services, work animals and animal-drawn and motor-propelled vehicles and equipment, at rates to be approved by the Secretary of the Interior and without regard to the provisions of section 6101 of title 41;

(c) Contractual authority

to procure all or any part of the surveys, investigations, and control or extinguishment work by contracts with engineers, contractors, or firms or corporations thereof;

(d) Acquisition of lands, etc.

to acquire lands or rights and interests therein, including improvements, by purchase, lease, gift, exchange, condemnation, or otherwise, whenever necessary for the purposes of this chapter;

(e) Property restoration

to repair, restore, or replace private property damaged or destroyed as a result of, or incident to, operations under this chapter; and

(f) Contributions; cooperation with other agencies; disposition of moneys

to receive and accept money and property, real or personal, or interests therein, as a gift, bequest, or contribution, for use in any of the activities authorized under this chapter; and to conduct any of the activities authorized under this chapter in cooperation with any person or agency, Federal, State, or private. Any money so received shall be deposited in the Treasury of the United States in an available trust fund to be disbursed by the Secretary of the Treasury upon certification by the Secretary of the Interior in accordance with the terms of the grant, and shall remain available until expended for the purposes for which received and accepted.

(Aug. 31, 1954, ch. 1156, § 6, 68 Stat. 1010.)

Editorial Notes

CODIFICATION

In subsec. (a), "chapter 51 and subchapter III of chapter 53 of title 5" substituted for "the Classification Act of 1949, as amended" on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

In subsec. (b), "section 6101 of title 41" substituted for "section 3709, Revised Statutes (41 U.S.C., sec. 5)" on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

§ 557. Rules and regulations

The Secretary of the Interior may issue rules and regulations to effectuate the purposes of this chapter.

(Aug. 31, 1954, ch. 1156, § 7, 68 Stat. 1011.)

§ 558. Authorization of appropriations

There are hereby authorized to be appropriated such sums,¹ as may be necessary to

¹ So in original. The comma probably should not appear.

carry out the provisions and purposes of this chapter.

(Aug. 31, 1954, ch. 1156, § 8, 68 Stat. 1011; Pub. L. 102-486, title XXV, §2504(d)(3), Oct. 24, 1992, 106 Stat. 3106.)

Editorial Notes

AMENDMENTS

1992—Pub. L. 102-486 struck out "not to exceed \$500,000 annually," after "such sums,".

CHAPTER 14—ANTHRACITE MINE DRAINAGE AND FLOOD CONTROL

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§ 571. Declaration of policy

It is hereby recognized that the presence of large volumes of water in anthracite coal formations involves serious wastage of the fuel resources of the Nation, and constitutes a menace to health and safety and national security. It is therefore declared to be the policy of the Congress to provide for the control and drainage of water in the anthracite coal formations and thereby conserve natural resources, promote national security, prevent injuries and loss of life, and preserve public and private property, and to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety.

(July 15, 1955, ch. 369, §1, 69 Stat. 352; Pub. L. 87-818, §1(1), Oct. 15, 1962, 76 Stat. 934.)

Editorial Notes

AMENDMENTS

1962—Pub. L. 87-818 declared it to be the policy of the Congress "to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety".

§ 572. United States contributions to Pennsylvania: authority, conditions, limitations

The Secretary of the Interior is authorized, in order to carry out the purposes mentioned in section 571 of this title, to make financial contributions on the basis of programs or projects approved by the Secretary to the Commonwealth of Pennsylvania (hereinafter designated as the "Commonwealth") to seal abandoned coal mines and to fill voids in abandoned coal mines, in those instances where such work is in the interest of the public health or safety, and for control and drainage of water which, if not so controlled or drained, will cause the flooding of anthracite coal formations, said contributions to be applied to the cost of drainage works, pumping plants, and related facilities but subject, however, to the following conditions and limitations: