

§ 872.10 Information collection.

The collections of information contained in part 872 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1029-0054. The information will be used by OSM to determine whether delays by States/Indian tribes in use of allocated and granted funds were due to unavoidable delays in program approval. Response is required to obtain a benefit in accordance with Public Law 95-87. Public reporting burden for this information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Surface Mining Reclamation and Enforcement, Information Collection Clearance Officer, room 640 N.C., 1951 Constitution Avenue NW., Washington, DC, 20240, and the Office of Management and Budget, Paperwork Reduction Project (1029-0054), Washington, DC, 20503.

[59 FR 28169, May 31, 1994]

§ 872.11 Abandoned Mine Reclamation Fund.

(a) Revenue to the Fund shall include—

(1) Reclamation fees collected under section 402 of the Act and part 870 of this chapter;

(2) Amounts collected by OSM from charges for use of land acquired or reclaimed with moneys from the Fund under part 879 of this chapter;

(3) Moneys recovered by OSM through satisfaction of liens filed against privately owned lands reclaimed with moneys from the Fund under part 882 of this chapter;

(4) Moneys recovered by OSM from the sale of lands acquired with moneys from the Fund or by donation; and

(5) Moneys donated to OSM for the purpose of abandoned mine land reclamation.

(6) Interest and any other income earned from investment of the Fund.

Such interest and other income shall be credited only to the Federal share. In addition, an amount equal to the interest earned after September 30, 1992, shall be available pursuant to Section 402(h) of the Act for possible future transfer to the United Mine Workers of America Combined Benefit Fund.

(b) Moneys deposited in Fund and appropriated by the Congress shall be used for the following purposes:

(1) An amount equal to 50 percent of the reclamation fees collected from within a State shall be allocated at the end of the fiscal year to the State in which they were collected. Reclamation fees collected from Indian lands shall not be included in the calculation of amounts to be allocated to a State. If a State advises OSM in writing that it does not intend to submit a State reclamation plan, no monies shall be allocated to the State. Amounts granted to a State that have not been expended within three years from the date of grant award shall be available to the Director for other purposes under paragraph (b)(5) of this section. Such funds may be withdrawn from the State if the Director finds in writing that the amounts involved are not necessary to carry out the approved reclamation activities.

(2) An amount equal to 50 percent of the reclamation fees collected from Indian lands shall be allocated to the Indian tribe or tribes having an interest in those lands. This shall occur at the end of the fiscal year in which the fees were collected. If an Indian tribe advises OSM in writing that it does not intend to submit an Indian reclamation plan, no monies shall be allocated to that Indian tribe. Amounts granted to an Indian tribe that have not been expended within three years from the date of grant award shall be available to the Director for other purposes under paragraph (b)(5) of this section. Such funds may be withdrawn from the Indian tribe if the Director finds in writing that the amounts involved are not necessary to carry out the approved reclamation activities.

(3) An amount equal to the 10 percent of the monies collected and deposited in the Fund annually, as well as 20 percent of the interest and other miscellaneous receipts to the Fund, if such