



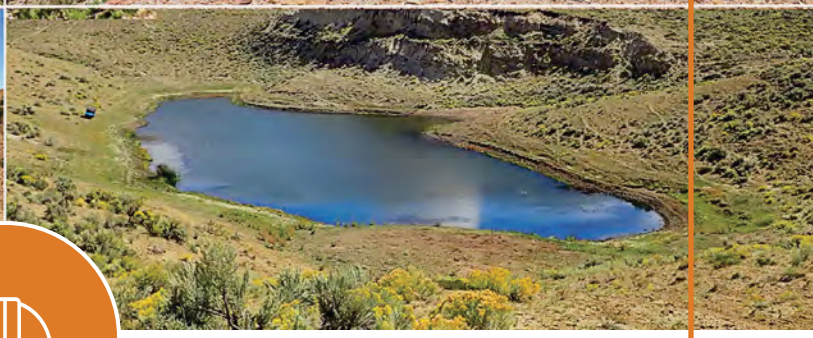

ABANDONED URANIUM MINES WORKING GROUP (AUMWG)

ANNUAL STAKEHOLDER REPORT

January 1 – December 31

2019

PREFACE

In 2013, Congress directed the U.S. Department of Energy (DOE), in consultation with the Secretary of the U.S. Department of the Interior (DOI) and the Administrator of the U.S. Environmental Protection Agency (EPA), to conduct a review and prepare a report on approximately 4,225 abandoned uranium mines across the nation that provided ore to the Atomic Energy Commission (AEC) for U.S. defense-related activities. The DOE assigned the Office of Legacy Management (LM) to take the lead. In August 2014, LM submitted the *Defense-Related Uranium Mines (DRUM) Report to Congress.*

The *DRUM Report to Congress* has four associated topic reports: mine location and status, priority ranking for reclamation and remediation, potential cost and feasibility for reclaiming or remediating the mines, and mine risks to human health and the environment. Each of these topic reports noted and documented numerous data gaps primarily related to three major issues: (1) the status of reclamation and remediation could only be confirmed at 15 percent of the mines; (2) location data was not always accurate (including information in the AEC records); and (3) information about whether the mines pose risks to public health and safety and the environment was insufficient. This drove the need for a multi-agency effort to fill existing data gaps and to verify and validate (V&V) existing information.

The Abandoned Uranium Mines Working Group (AUMWG) was formed to maintain ongoing dialogue among the agencies and continue collaborative efforts to exchange technical and administrative information. This heightened focus to inventory and assess potential impacts on human health and safety, and the environmental condition of these mines contributed to the initiation of DOE's DRUM program.

The DRUM program aims to fill the data gaps identified by the Report to Congress, and to provide accurate information to help decision-makers prioritize mines for additional action, if warranted. The geographic distribution of DRUM encompasses multiple agencies and stakeholders and required DOE to develop a phased implementation strategy. It also was the impetus for establishing partnerships between DOE, federal land management agencies, EPA, and state and tribal Abandoned Mine Lands (AML) programs. These partnerships, both formal and voluntary, are beneficial and allow the leveraging of resources on an as needed basis.

The purpose of this Annual Stakeholder Report is to communicate the AUMWG's collaborative efforts and accomplishments over the past year toward assessing, reclaiming, and remediating abandoned uranium mines.

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EXECUTIVE SUMMARY

In 2019, the AUMWG partners updated and developed planning documents that provide the framework for their integrated programmatic and communication strategies, and actions. All the partner agencies recognize that by marshalling and leveraging the resources of multiple federal agencies, the probability of success greatly increases. Moreover, the coordinated efforts of a one-government approach are cost-effective and strengthen public support. The AUMWG partners work with states and tribes to identify and address high-priority mines in an effective and coordinated manner.

This interaction and collaboration between DOE, federal land management agencies, EPA, and state AML programs has contributed to the formation and the on-going implementation of the DRUM program. It also provides a forum to exchange advice and lessons learned from each other's challenges and successes. Using the collaborative efforts of the AUMWG and implementation of the group's planning documents, the partners are recognizing shared objectives, coordinating schedules, and exchanging constructive information for their respective administrative and technical needs. This one-government approach is significantly improving the implementation of the DRUM program and expediting the protection of human health and the environment.

The 2019 AUMWG Highlights are:

- The partners continue to fulfill their responsibilities to protect human health and the environment. Their efforts focus on assessments and response actions, enforcement of responsible party agreements and settlements, and community outreach.

- The partners continue to engage one another on both project and programmatic levels and assist one another, where possible, to leverage resources, experience, and expertise.

- Currently, the DRUM program is working to V&V the condition of approximately 2,500 mines on public land (known as Campaign #1) by the end of Fiscal Year (FY) 2022. To date, nearly 900 DRUM on public land have been evaluated and preliminary analysis shows:

    - The primary risks are derived from physical hazards, such as open, easily entered, and unstable adits, open shafts, ground subsidence and large unstable structures associated with historic mining operations.

    - The majority of mines evaluated rank low or exhibit no physical safety, chemical, or radiological hazards based on the recreational use of public land. These mines are candidates for no additional action by the land management agencies.

    - The risk screening results of mines on public land indicate that many of the mines will not need additional action. At the current rate, the federal government could realize up to $150 million in cost avoidance as compared to the estimates made in the Report to Congress.

- The partners began safeguarding physical hazards on DRUM sites in Utah last autumn and are planning additional safeguarding efforts in Utah, Colorado, and New Mexico in FY 2020.

INTRODUCTION

Shortly after the *DRUM Report to Congress* was completed, the AUMWG was formed to maintain the ongoing dialogue among the agencies. The AUMWG is a consortium of federal agencies working together to address the human health, safety, and environmental challenges posed by the nation's abandoned uranium mines. By marshalling and leveraging the resources of multiple federal agencies, the AUMWG works with states and tribes to identify and address high-priority mines in an effective and coordinated manner. The working group is led by LM and comprises directors, managers, and senior technical abandoned mine leads from DOE, EPA, the Bureau of Land Management (BLM), the U.S. Forest Service (FS), the Bureau of Indian Affairs (BIA), and the National Park Service (NPS).

The AUMWG Strategic Plan guides the activities of the working group and an Action Plan accompanies this strategy and identifies what the agencies plan to accomplish in the future. The working group holds quarterly calls and an annual face-to-face meeting each year to discuss its progress in addressing the problems posed by abandoned uranium mines and to share technical approaches in assessing, reclaiming, and remediating these mines. The purpose of this Annual Stakeholder Report is to communicate the AUMWG's collaborative efforts and accomplishments over the past year.

GOALS AND OBJECTIVES

The goals of the AUMWG are to identify areas of commonality amongst the federal agencies with abandoned uranium mine responsibilities. And, improve strategies for the allocation of government resources to identify and address unacceptable risks to human health, safety, and the environment. To accomplish these goals, the working group must integrate the collective expertise of member agencies. This one-government approach optimizes the benefit to the government by leveraging resources to prioritize and expedite the reduction of risk to human health, safety, and the environment.

Specific to the DRUM Program, the goal is to provide sufficient information to partner agencies to help them make informed decisions about what, if any, actions should be taken to address physical hazards or potential release of contaminants from the mines.

In support of these goals, the objectives of the AUMWG are to:

1. Share existing information and collect site-specific data at each mine to identify safety hazards or potential release of contaminants.

2. Perform high-level or relative risk scoring and ranking of these mine hazards.

3. Improve the data quality and content of the DRUM database and agency databases.

4. Exchange information with federal, tribal, and state governments.

5. Work together to leverage resources to address mines with priority hazards.

WORKING GROUP PLANS

The AUMWG has a compilation of plans that are critical to providing the group strategic direction and are useful for guiding executive-level decisions, allocating resources, and evaluating progress.

Strategic Plan

The AUMWG Strategic Plan is a collaborative effort among the partner agencies to develop a comprehensive multiagency strategy to address the human health, safety, and environmental risks posed by abandoned uranium mines. It summarizes the scope of the problem, provides existing information on the costs for cleanup, describes the authorities and roles in addressing the hazards associated with these mines, and proposes a coordinated strategy by the agencies, along with state and tribal partners, to address these mines.

Action Plan

The AUMWG Action Plan, which executes the strategy, was developed by the partner agencies to provide the proposed actions to address the risks posed by abandoned uranium mines from one fiscal year to the next. This Plan ensures a coordinated multiyear program to inventory, prioritize, assess, and cleanup the mines that pose the highest risk to human health, safety, or the environment.

Communications Strategy

Through the Communications Strategy, the AUMWG representatives will deploy an assortment of partnership building activities and engagement opportunities to increase collaboration with communities, local governments, states, tribes, and stakeholders. The AUMWG recognizes that to successfully implement its strategy, it requires strong strategic partnerships and meaningful engagements with stakeholders.

MAJOR ACCOMPLISHMENTS

In 2019, the AUMWG and its partner agencies accomplished the following:

The AUMWG members (See Figure 3) continued to network, partner, and collaborate on DRUM and other abandoned mine land activities as one government. They published their Strategic Plan and companion Action Plan; developed their Communications Strategy; and prepared an annual report to its stakeholders.

Figure 3. Members of the AUMWG.

U.S. Environmental Protection Agency

The EPA is continuing its efforts to execute enforceable agreements with Potentially Responsible Parties (PRPs) for mine cleanup, implement the Tronox settlement, oversee trust settlements, and conduct fund-lead response actions such as replacement of contaminated homes, as well as assessments of high-priority mines located near homes. Groundwater and surface contamination from uranium mining is a primary concern of communities and stakeholders where uranium mines are located. The EPA is also continuing investigations and response actions in the San Mateo Creek Basin of the Grants Mining District for mines on or near the Navajo Nation, and its collaboration with the DRUM program.

- The EPA completed Removal Site Evaluations (RSEs) that covered 54 Navajo Area Uranium Mines funded by the Tronox Settlement. In addition, they oversaw 32 RSEs conducted under the Freeport-McMoRan settlement, and finalized 16 RSEs under the Navajo Trust settlement.

- The EPA reached a settlement with three former mine operators to conduct a Remedial Investigation/Feasibility Study of the lower portion of the San Mateo Creek Basin in New Mexico.

- The EPA continued coordination with the Navajo Nation as a co-regulator and partner, so Tribal Ecological Knowledge is incorporated into the CERCLA decision-making process.

Extensive collaboration between EPA and DOE will be critical for DOE to successfully assess DRUM sites on the Navajo Nation that are not funded under existing settlements. The lessons learned from ongoing collaborations between EPA and Navajo Nation are being shared with DOE and will greatly assist in the implementation of LM's DRUM Campaign #2.

U.S. Department of Energy

The DRUM program began in 2016 and facilitated a partnership among DOE, public land management agencies, and state AML programs. Since most (60%) of the DRUM sites are located on federal public land (Figure 1), the initial focus of the program, known as Campaign #1, is to verify and validate the condition of approximately 2,500 DRUM on public land by the end of FY 2022. The program focused on V&V activities at DRUM sites to help determine their location and condition.

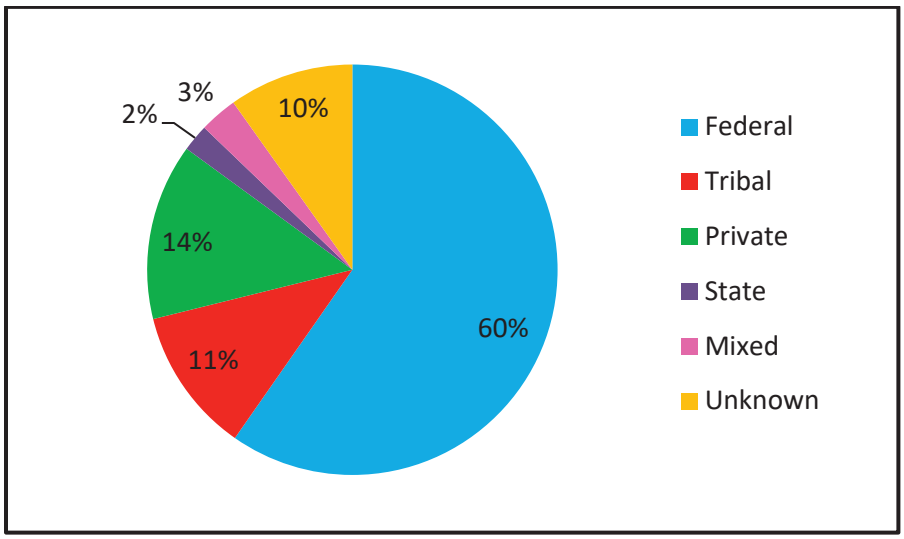

Figure 1. Distribution of DRUM by land ownership.

The DOE formed the necessary partnerships and agreements among the various federal and state entities to reduce collection of duplicative information and share pertinent data efficiently between all agencies. This includes: exchanging information with partner agencies to improve the quality of the DRUM database; performing field inventories and assessing physical safety hazards at DRUM sites; conducting environmental sampling at DRUM sites; and producing reports that document physical safety hazards as well as risk scorings for human health and the environment.

- The DOE published its DRUM Strategic Plan; accomplished V&V on 519 mines in 2019; expanded to five field teams; safely conducted field activities, including over 100,000 accident-free miles driven.

- The DOE is scheduled to complete Campaign #1, inventorying mines on public land, by the end of FY 2022.

- With interagency collaboration, DOE will initiate Campaign #2, inventorying and assessing mines on tribal land in FY 2023. Within the following year, DOE will initiate Campaign #3, inventorying and assessing mines on private property.

- Beginning in FY 2021, DOE will work with land management agencies to safeguard physical safety hazards, which pose an immediate threat to human health and safety.

- The DOE assisted BLM and FS, through existing agreements, with DRUM inventory and assessment on federal public land.

- The DOE provided five executive-level reports to land management agencies for their project areas, which served as the basis for management decisions for safeguarding physical hazards or further actions.

- The DOE obtained agreement and concurrence from FS on the Arapaho, Roosevelt, Pike, and San Isabel National Forests to pursue safeguarding of physical hazards.

Over 90% of DRUM sites are in the five states of Colorado, Utah, Arizona, New Mexico, and Wyoming (See Figure 2). Most sites (over 65%) are small and small/medium mines, each having produced 1,000 tons or less of ore.

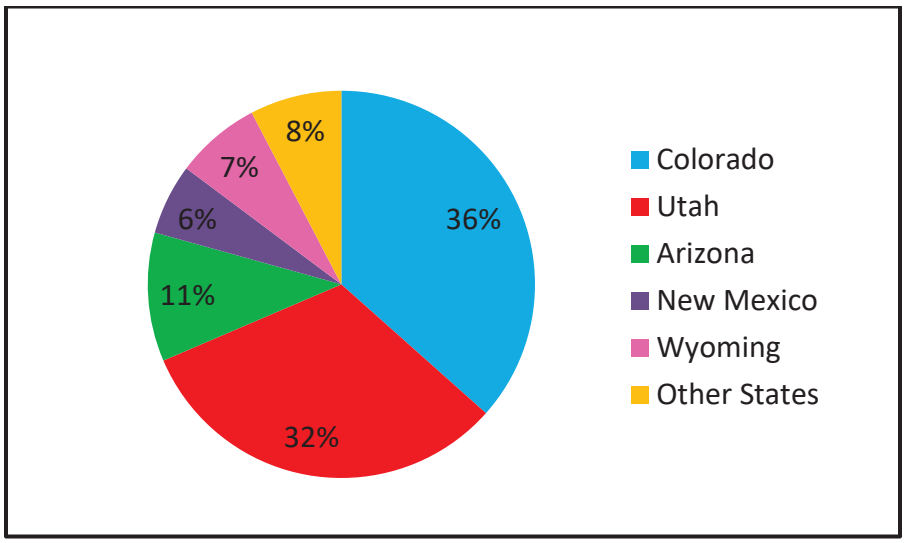

Figure 2. Distribution of DRUM by State.

The DRUM program is well underway and Table 1 shows the progress to date by state. Of note, the DRUM program has investigated over 2,100 acres of public land that bear these abandoned uranium mines.

State	Land Agency	Number of Mines	Reconciled Mines	V&V Completed	Final Report Completed
Colorado	BLM	910	542	222	186
	USFS	68	56	51	46
	DOD	1	1	1	0
	Mixed	40	40	23	21
	State	5	5	4	2
	Private	204	203	147	0
	Unknown	109	0	0	0
Total and Percent Complete		1337	63%	34%	19%
Utah	BLM	729	690	327	253
	USFS	85	85	68	27
	NPS	22	22	0	0
	USBR	1	0	0	0
	Mixed	36	36	18	9
	State	37	37	18	2
	BIA	22	1	0	0
	Private	41	40	10	0
	Unknown	196	0	0	0
Total and Percent Complete		1169	78%	38%	25%
Arizona	BLM	14	13	0	0
	USFS	26	26	0	0
	NPS	14	14	0	0
	USBR	3	3	0	0
	Mixed	2	2	0	0
	State	9	9	0	0
	BIA	315	2	0	0
	Private	7	7	0	0
	Unknown	3	0	0	0
Total and Percent Complete		393	19%	0%	0%

Table 1. Progress by State of the DRUM Program.

State	Land Agency	Number of Mines	Reconciled Mines	V&V Completed	Final Report Completed
New Mexico	BLM	29	29	26	26
	USFS	16	16	15	15
	USFWS	2	2	2	2
	Mixed	16	16	13	13
	State	9	9	3	3
	BIA	78	78	0	0
	Private	64	64	7	1
	Unknown	2	0	0	0
Total and Percent Complete		216	99%	31%	28%
Wyoming	BLM	83	83	36	0
	USFS	4	4	0	0
	Mixed	13	13	1	0
	State	15	15	1	0
	Private	138	138	0	0
	Unknown	7	0	0	0
Total and Percent Complete		260	97%	15%	0%
South Dakota	BLM	1	1	0	0
	USFS	102	102	26	0
	Mixed	1	1	0	0
	Private	30	30	0	0
	Unknown	7	0	0	0
Total and Percent Complete		141	95%	18%	0%
North Dakota	USFS	2	2	0	0
	State	1	1	0	0
	Private	9	9	0	0
Total and Percent Complete		12	100%	0%	0%
Montana	BLM	10	10	0	0
	USFS	3	3	0	0
	NPS	2	2	0	0
	Mixed	1	1	0	0
	Private	4	4	0	0
	Unknown	1	0	0	0
Total and Percent Complete		21	95%	0%	0%

Table 1 (Cont). Progress by State of the DRUM Program.

State	Land Agency	Number of Mines	Reconciled Mines	V&V Completed	Final Report Completed
California	BLM	12	12	0	0
	USFS	9	9	0	0
	State	1	1	0	0
	Private	1	1	0	0
	Unknown	1	0	0	0
Total and Percent Complete		24	96%	0%	0%
Nevada	BLM	15	15	0	0
	USFS	6	6	0	0
	Private	1	1	0	0
Total and Percent Complete		22	100%	0%	0%
Washington	USFS	3	3	0	0
	BIA	3	3	0	0
	Private	9	9	0	0
Total and Percent Complete		15	100%	0%	0%
Oregon	BLM	1	1	0	0
	USFS	2	2	0	0
Total and Percent Complete		3	100%	0%	0%
Idaho	BLM	1	1	0	0
	USFS	5	5	0	0
Total and Percent Complete		6	100%	0%	0%
Other	AK-USFS	1	1	0	0
	NJ-State	1	1	0	0
	TX-Unknown	28	0	0	0
	PA-Unknown	1	0	0	0
	OK-Unknown	2	0	0	0
	FL-Unknown	1	0	0	0
	Unknown	2	0	0	0
Total and Percent Complete		36	6%	0%	0%

Table 1 (Cont). Progress by State of the DRUM Program.

Bureau of Indian Affairs

As a trustee for Tribal mine sites, BIA is participating in community outreach efforts, ensuring that Tribes are informed and consulted both formally and informally. The BIA is monitoring the ongoing work at Tribal sites and providing long-term monitoring of institutional controls and completed remedies.

Bureau of Land Management

The BLM is continuing their assessment and cleanup of DRUM sites. Although the rate of progress at those sites is constrained by available funding, we are making progress. The BLM is leveraging program funding, existing agreements, and available federal funding with states to continue its response actions on the mine sites it has already identified. Additional funding would specifically allow BLM to complete preliminary assessments and site inspections of AUM on federal public land. The BLM is partnering with DOE so that the resources of both agencies can be leveraged to collectively do DRUM inventory work on BLM-managed land.

- The BLM collaborated with DOE to facilitate the completion of numerous V&V activities in Colorado, Utah, New Mexico and Wyoming.

- The BLM worked with DOE to prepare numerous field operation plans for V&V efforts scheduled to start in 2020.

- The BLM initiated safeguarding of physical hazards in Utah and are poised to initiate additional safeguarding activities in Utah, Colorado and New Mexico in 2020.

U.S. Forest Service

The FS is continuing its assessment and cleanup of AUM sites commensurate with annual funding and other priority projects. Additional funding would permit the FS to conduct a complete AUM inventory and evaluate these sites for potential releases to the environment.

- The FS partnered with EPA Region 6 on the *Assessment of Health and Environmental Impacts of Uranium Mining and Milling* in the Grants Mining District, New Mexico.

- The FS partnered with other EPA Regions, as well as states and DOE, to leverage agency resources and collectively address AUMs located on FS-managed land.

- The FS executed a national-level agreement with DOE to accomplish National Environmental Policy Act (NEPA) reviews, closure designs, and physical closures. They also facilitated concurrence with Forest Supervisors from the Arapaho, Roosevelt, Pike, and San Isabel National Forests to execute physical closures in the future.

- The FS continued assessment and cleanup work of other AUMs located on FS-managed land.

National Park Service

The NPS is investigating the nature and extent of contamination at the Orphan Mine Site, located in the Grand Canyon National Park, using its CERCLA authority. The NPS intends to identify a recommended cleanup action for the upper mine area in the near term and address the lower mine area in the future as they are generally inaccessible to park visitors.

- ❖ The NPS determined CERCLA cleanup action was required to reduce potential risks posed by hazardous substances present at the upper mine site. This was accomplished through the development of an Engineering Evaluation/Cost Analysis (EE/CA). The EE/CA and supporting documents were made available to the public for review and comment.

- ❖ The DOE and NPS executed an Interagency Agreement to accomplish the inventory of DRUM sites on NPS-managed land.

BENEFIT POTENTIAL

A number of benefits can be achieved when the AUMWG and its partner agencies collectively address the hazards posed by AUMs. The cleanup and restoration of an abandoned uranium mine site, using effective partnerships and collaboration among diverse site stakeholders, can provide significant economic, public health, and environmental benefits.

Background

Mining for uranium has a long history in the United States and made its debut coinciding with the Atomic Energy Act of 1946, which allowed uranium mining, if the finished product was sold to the AEC. These mines initially opened in the states of Utah, Colorado, New Mexico and Arizona, and then rapidly spread to other states. When these ventures were no longer economically viable, the mines were abandoned without the closure and cleanup requirements of present-day regulation. Most abandoned mines have no responsible or solvent party to perform the reclamation and cleanup, so the federal government including the agencies in this working group, have undertaken the extensive effort to assess and cleanup these mines. However, there are still many abandoned mines that pose significant safety hazards.

As mentioned in the Report to Congress, nearly 11% of DRUM sites are on Tribal land and the majority of these are on the Navajo Nation. Because the radiological risks are not visually evident at many of these abandoned uranium mines, the mine waste material has been used in construction of some homes, and in other cases, homes have been built directly on top of mine waste. To date, over 50 homes on the Navajo Nation have been remediated or replaced due to radiologic contamination.

Benefits

As part of our commitment to finding effective solutions to address the potential threats that abandoned mines pose to human health, safety, and the environment, significant attention is being focused on the potential future uses of these lands, and the economic, environmental, and social impact that reuse can provide to the neighboring communities. The AUMWG is critical to achieving these benefits to include:

- Reclaiming and reusing thousands of acres of formerly contaminated land;

- Safeguarding historic mining areas for recreational visitation and tourism;
- Providing neighboring communities with new opportunities to grow and prosper;
- Creating, preserving and restoring land for recreational and ecological purposes;
- Creating and enhancing wildlife habitats;
- Restoring a community's connection to the area;
- Maintaining the protective use of the land; and
- Sustaining the environment for future generations.

CONCLUSION

The AUMWG has successfully fostered the dialogue among partner agencies, enabled community and stakeholder engagements, and collaborated to address the human health, safety, and environmental challenges posed by the abandoned uranium mines. By orchestrating the resources and efforts of multiple federal agencies, the working group can help states and tribes to identify and address high-priority mines in an effective and coordinated manner. Acting as one government is essential to our overall success.

Notably, the DRUM program is well underway on public land. Based on preliminary analysis of data collected from ongoing mine evaluations, the main risk driver continues to be physical hazards that are immediate threats to humans and wildlife. The "high" rankings for the physical hazards were mostly influenced by open, easily entered and unstable adits, open shafts, ground subsidence, and large unstable structures associated with historic mining operations.

So far, most mines were found to be potential candidates for no additional action by the land management agencies. Since many sites will not need additional action, the federal government could realize up to $150 million in cost avoidance as compared to the estimates made in the Report to Congress. However, this trend cannot be fully predictive of the remaining mines, because of factors such as geological formations, mining methods, and land use risk scenarios.

The partners continued to fulfill their responsibilities to protect human health and the environment. This was viewed as an imperative. Their efforts focused on assessments and response actions, enforcement of responsible party agreements and settlements, and community outreach. We have made great strides, but more progress is needed.

Finally, as part of our commitment to finding effective solutions to address the potential threats that abandoned mines pose to human health, safety, and the environment, significant attention has been placed on the potential future uses of these lands, and the economic, environmental, and social impact that reuse can provide to the neighboring communities. This is important for sustaining the environment for future generations.

APPENDIX A
Acronym List

AEC	U.S. Atomic Energy Commission
AML	Abandoned Mine Lands
AUMWG	Abandoned Uranium Mines Working Group
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
DOE	U.S. Department of Energy
DOI	U.S. Department of the Interior
DRUM	Defense-Related Uranium Mines
EE/CA	Engineering Evaluation/Cost Analysis
EPA	U.S. Environmental Protection Agency
EPCRA	Emergency Planning and Community Right-to-Know Act
FLPMA	Federal Land Policy and Management Act
FS	U.S. Forest Service
LM	Legacy Management
NFMA	National Forest Management Act
NPS	National Park Service
PRP	Potentially Responsible Party
RSE	Removal Site Evaluation
SARA	Superfund Amendments and Reauthorization Act
SMCRA	Surface Mining Control and Reclamation Act
V&V	Validate and Verify

APPENDIX B
Agency Authorities

This appendix contains statutes that provide authority to the agencies. It defines the extent of powers and responsibilities held by the agencies, which must be consistent with constitutional constraints and legislative intent.

Atomic Energy Act
42 U.S.C. §§ 2011 et seq. (1954)

The Act is a United States federal law that covers the development, regulation, and disposal of nuclear materials and facilities in the United States. It was an amendment to the Atomic Energy Act of 1946 and substantially refined certain aspects of the law, including increased support for the possibility of a civilian nuclear industry. Notably, it made it possible for the government to allow private companies to gain technical information (Restricted Data) about nuclear energy production and the production of fissile materials, allowing for greater exchange of information with foreign nations as part of President Dwight D. Eisenhower's Atoms for Peace program. It reversed certain provisions in the 1946 law, which had made it impossible to patent processes for generating nuclear energy or fissile materials.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
42 U.S.C. § 9601 et seq. (1980)

The Act provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, EPA was also given authority to require parties responsible for contamination to either perform cleanups or reimburse the government for EPA-led cleanup work.

EPA cleans up orphan sites when potentially responsible parties cannot be identified or located, or when they fail to act. Through various enforcement tools, EPA obtains private party cleanup through orders, consent decrees, and other settlements. EPA also recovers costs from financially viable individuals and companies once a response action has been completed.

EPA is authorized to implement the Act in all 50 states and U.S. territories. Superfund site identification, monitoring, and response activities may be taken in coordination with state environmental protection or waste management agencies.

The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definitions clarifications, and technical requirements were added to the legislation, including additional enforcement authorities. Also, Title III of SARA authorized the Emergency Planning and Community Right-to-Know Act (EPCRA).

Under CERCLA, the Secretary of the Interior has the authority to address the release or threatened release of hazardous substances on or from land under the Department's jurisdiction, custody, or control. The Secretary has delegated this authority to the bureau directors. In addition, under CERCLA, the Department is designated as a trustee for natural resources and must act as such on behalf of the public.

Federal Land Policy and Management Act (FLPMA)
P.L. 94-579 (1976)

The Act is a United States federal law that governs the way in which the public lands administered by the Bureau of Land Management are managed. The Act phased out homesteading in the United States by repealing the pre-existing Homestead Acts. Congress recognized the value of the public lands, declaring that these lands would remain in public ownership. The National Forest Service, National Park Service, and now, the Bureau of Land Management, are commissioned in FLPMA to allow a variety of uses on their land while simultaneously trying to preserve the natural resources in them. This concept is best summarized by the term 'multiple-use.' The term 'Multiple use' is defined in the Act as "management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people."

The Act addresses topics such as land-use planning, land acquisition, fees and payments, administration of federal land, range management, and rights-of-way on federal land. It has specific objectives and time frames in which to accomplish these objectives, giving it more authority and eliminating the uncertainty surrounding BLM's role in wilderness designation and management.

National Forest Management Act (NFMA)
P.L. 94-588 (1976)

The Act is a United States federal law that is the primary statute governing the administration of national forests and was an amendment to the Forest and Rangeland Renewable Resources Planning Act of 1974, which called for the management of renewable resources on national forest lands.

The main objectives of NFMA are to require the U.S. Forest Service to develop plans for national forests, set standards for timber sales, and create policies to regulate timber harvesting. The purpose of these objectives is to protect national forests from permanent damages from excessive logging and clear cutting. Congress requires the Forest Service, in conjunction with other applicable agencies, to thoroughly assess, research, and plan for the nation's renewable resource use, the current demand, anticipated demands, and environmental and economic impacts.

The Forest Service's abandoned mine lands program uses this Act to restore the land disturbed by historic mining activities. There are approximately 40,000 abandoned mine sites on National

Forest lands. Of that, 34% were mines with records of mineral production. Many involved minerals like arsenic, cadmium, copper, lead, mercury, uranium, and zinc, which can cause human health, safety and environmental impacts.

National Park Service Organic Act
P.L. 64-235 (1916)

The Act is a United States federal law that established the National Park Service, an agency of the United States Department of the Interior. The National Park Service established by the Act promotes and regulates the use of the Federal areas known as national parks, monuments, and reservations, which its purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

Surface Mining Control and Reclamation Act (SMCRA)
30 U.S.C. Ch. 25 § 1201 et seq. (1977)

The Act provides for the cooperation between the Secretary of the Interior and the States with respect to the regulation of surface coal mining operations, and the acquisition and reclamation of abandoned mines, and for other purposes.

SMCRA created two programs: one for regulating active coal mines and a second for reclaiming abandoned mine lands. SMCRA also created the Office of Surface Mining, an agency within the Department of the Interior, to promulgate regulations, to fund state regulatory and reclamation efforts, and to ensure consistency among state regulatory programs.

The regulation of active mines under SMCRA has five major components:

- Standards of Performance. SMCRA and its implementing regulations set environmental standards that mines must follow while operating and achieve when reclaiming mined land.

- Permitting. SMCRA requires that companies obtain permits before conducting surface mining. Permit applications must describe what the pre-mining environmental conditions and land use are, what the proposed mining and reclamation will be, how the mine will meet the SMCRA performance standards, and how the land will be used after reclamation is complete. This information is intended to help the government determine whether to allow the mine and set requirements in the permit that will protect the environment.

- Bonding. SMCRA requires that mining companies post a bond sufficient to cover the cost of reclaiming the site. This is meant to ensure that the mining site will be reclaimed even if the company goes out of business or fails to clean up the land for some other reason.

The bond is not released until the mining site has been fully reclaimed and the government has found that the reclamation was successful.

- Inspection and Enforcement. SMCRA gives government regulators the authority to inspect mining operations, and to punish companies that violate SMCRA or an equivalent state statute. Inspectors can issue "notices of violation," which require operators to correct problems within a certain amount of time; levy fines; or order that mining cease.

- Land Restrictions. SMCRA prohibits surface mining altogether on certain lands, such as in National Parks and wilderness areas. It also allows citizens to challenge proposed surface mining operations on the ground that they will cause too much environmental harm.

Surface Resources Act
P.L. 84-167 (1955), 30 U.S.C. § 611 et seq.

This Act allows the Bureau of Land Management (BLM) to address an abandoned mine opening on an active mining claim staked after 1955 as long as the proposed closure work does not endanger or materially interfere with actual, established prospecting, mining or processing operations or reasonably incidental uses. Therefore, the BLM is authorized to take the necessary steps to protect public safety and prevent further unnecessary and undue degradation caused by abandoned mines.