
How the Program Affects the Landowner

There are several important points for landowners to know about the AML Reclamation Program:

- ✓ For land to be eligible for reclamation, the following conditions must be met:
 - The land must have been mined before August 3, 1977.
 - The land was left either unreclaimed or inadequately reclaimed.
 - There is no continuing responsibility for reclamation under state or federal laws.
 - The land is in a condition which endangers the health or safety of the public, or the quality of the environment, or prevents or damages the beneficial use of the land or water resources.

- ✓ A lien may be placed against the reclaimed land if the reclamation results in a significant increase in the fair market value. However, if the reclamation work primarily benefits the health or safety of the public, the Commission can waive this requirement.

✓ The Conservation Commission does not restrict the landowner's use of the reclaimed site after construction is completed with one exception. Livestock grazing may be limited or prohibited on the site for a minimum of two years following planting of permanent vegetation. This will ensure that an adequate vegetative cover is established. If sites are overgrazed, the landowner will be responsible for revegetation and/or erosion control on the site.

When feasible, the Commission will plant the landowner's choice of vegetation on the site. However, the final decision will be based on soil tests and soil conditions existing after construction activities have been completed.



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Oklahoma's Abandoned Mine Land Reclamation Program



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How the Program Began

On August 3, 1977, Congress passed the Surface Mining Control and Reclamation Act (Public Law 95-87). This federal legislation established a nationwide system for controlling the surface effects of active coal mining and for correcting the damages from past mining. As part of the Act, reclamation fees (taxes) were levied per ton on active coal mining operations. By law the states and tribes are to receive at least one-half of the fees collected in their respective state or tribe. The United States Department of the Interior, Office of Surface Mining Reclamation and Enforcement is the federal agency responsible for allocating the reclamation fees in the Abandoned Mine Land (AML) Trust Fund.

In December 2006 the Surface Mining Control and Reclamation Act was amended by the passage of Public Law 109-432. The tax on active coal mining that funds the AML Program was extended through 2021 but at a reduced rate per ton.

The Oklahoma Conservation Commission is responsible for reclaiming abandoned mine land in Oklahoma through the AML Reclamation Program. Over 32,000 acres of surface coal mines and another 40,000 acres of underground coal mines exist in a 16-county area of eastern Oklahoma. Much of this abandoned mine land presents public health, safety, and environmental

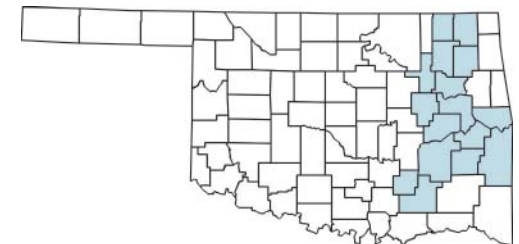
problems. Hazards range from dangerous highwalls and hazardous water bodies to open mine shafts, acid mine drainage, and dilapidated mine structures. Numerous deaths and injuries have been and continue to be associated with these problem areas. The primary purpose of the AML Reclamation Program is to protect the public from mine-related hazards.

How the Program Works

The Conservation Commission made an inventory of all abandoned coal mine lands in the state. Sites were evaluated based on the danger to the public's health and safety. It is the Conservation Commission's responsibility, in accordance with the Surface Mining Control and Reclamation Act, to first reclaim those sites that are the most dangerous. Sites for future reclamation are selected annually by the Conservation Commission from the inventory and from sites identified by local conservation districts and the public. Each year the Conservation Commission places legal notices in major eastern Oklahoma newspapers soliciting input from the public to identify abandoned coal mine sites (strip pits, open mine shafts, mining equipment) that may pose a dangerous health and/or safety problem to the public. On-site visits are then made to determine priority. Over \$130 million of high priority sites have yet to be reclaimed in Oklahoma.

Once the sites have been selected, the State Reclamation Committee reviews the proposed sites. When a site is approved by the committee, a representative of the Conservation Commission or the local conservation district meets with the landowners. Projects are engineered by private firms or Conservation Commission engineers. When the conceptual design is completed, the landowner is given an opportunity to review the design. Once the landowner and the Conservation Commission agree on the design, the landowner then signs a right-of-entry to permit the reclamation work. The Conservation Commission provides an inspector to oversee construction activities.

Counties in AML Area



Atoka	Muskogee
Coal	Nowata
Craig	Okmulgee
Haskell	Pittsburg
Latimer	Rogers
LeFlore	Sequoyah
Mayes	Tulsa
McIntosh	Wagoner
