



COALEX STATE INQUIRY REPORT - 339

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TOPIC: LEGISLATIVE HISTORY OF SMCRA SECTIONS 506, 507 & 510

INQUIRY: Please locate legislative history material for SMCRA sections 506 (permits), 507 (application requirements) and 510 (permit approval or denial); state counterparts to SMCRA 510(c); and a copy of the federal regulation history.

SEARCH RESULTS: Research was conducted using the COALEX Library, other LEXIS materials and existing COALEX Reports. The legislative history materials retrieved include sections from bills introduced into the House and Senate from 1972 through 1977; excerpts from House and Senate committee reports; and excerpts from debates printed in the Congressional Record. Excerpts from the Federal Register notices from 1982 through 1997 discussing approval of state program amendments corresponding to SMCRA 510(c), a copy of the history of changes to the federal regulations (current through 9/30/94) and copies of two earlier COALEX Reports are also attached.

The materials attached are "raw data". No analysis of the changes in language is provided.

ATTACHMENTS

A. BILLS

1. H.R. 2, 95th Cong., 1st Sess. (July 12, 1977, H.R. Rep. No. 95-493)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
2. H.R. 2, 95th Cong., 1st Sess. (May 5, 1977, passed by the House April 29, 1977)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
3. H.R. 25, 94th Cong., 1st Sess. (May 2, 1977, H.R. Rep. No. 94-189)
 - a. Section 506 Permits



4. H.R. 2, 95th Cong., 1st Sess. (April 22, 1977, H.R. Rep. No. 95-218)
 - a. Section 507 Application Requirements
 - b. Section 510 Permit Approval or Denial
5. H.R. 2, 95th Cong., 1st Sess. (April 1, 1977, Committee Print)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
6. S. 7, 95th Cong., 1st Sess. (January 10, 1977)
 - a. Section 406 Permits
 - b. Section 407 Application Requirements
 - c. Section 410 Permit Approval or Denial
7. H.R. 2, 95th Cong., 1st Sess. (January 4, 1977)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
8. H.R. 13950, 94th Cong., 2nd Sess. (August 3, 1976, H.R. Rep. No. 94-1445)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
9. H.R. 13950, 94th Cong., 2nd Sess. (May 21, 1976)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
10. H.R. 9725, 94th Cong., 2nd Sess. (March 12, 1976, H.R. Rep. No. 94-896)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
11. H.R. 9725, 94th Cong., 1st Sess. (September 19, 1975)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
12. H.R. 25, 94th Cong., 1st Sess. (May 2, 1975, H.R. Rep. No. 94-189)
 - a. Section 507 Application Requirements
 - b. Section 510 Permit Approval or Denial
13. H.R. 25, 94th Cong., 1st Sess. (March 20, 1975, as passed by the Senate)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
14. H.R. 25, 94th Cong., 1st Sess. (March 6, 1975, H.R. Rep. No. 94-45)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
15. S. 7, 94th Cong., 1st Sess. (March 5, 1975, S. Rep. No. 94-28)



- a. Section 506 Permits
- b. Section 507 Application Requirements
- c. Section 510 Permit Approval or Denial
- 16. S. 7, 94th Cong., 1st Sess. (January 15, 1975)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
- 17. H.R. 25, 94th Cong., 1st Sess. (January 14, 1975)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
- 18. S. 425, 93rd Cong., 2nd Sess. (December 5, 1974, H.R. Rep. No. 93-1522)
 - a. Section 506 Permits
 - b. Section 507 Application Requirements
 - c. Section 510 Permit Approval or Denial
- 19. H.R. 1500, 93rd Cong., 2nd Sess. (May 30, 1974, H.R. Rep. No. 92-1072)
 - a. Section 208 Permits
 - b. Section 209 Permit Approval or Denial
 - c. Section 210 Application Requirements
- 20. S. 425, 93rd Cong., 1st Sess. (September 21, 1973, S. Rep. No. 93-402)
 - a. Section 207 Permits
 - b. Section 208 Permit Application Requirements
 - c. Section 209 Permit Application Approval Procedures
- 21. S. 630, 92nd Cong., 2nd Sess. (September 18, 1972, S. Rep. No. 92-1162)

B. CONGRESSIONAL REPORTS [Excerpts]

- 1. Conf. Rep.; H.R. Rep. No. 95-493; S. Rep. No. 95-337, 95th Cong., 1st Sess. (July 12, 1977). Overview of Conference Decisions at 102.
- 2. S. Rep. No. 95-128, 95th Cong., 1st Sess. (May 10, 1977).
 - a. Title IV - Control of the Environmental Impacts of Surface Coal Mining at 15.
 - b. Section-by-Section Analysis at 74.
- 3. H.R. Rep. No. 95-218, 95th Cong., 1st Sess. (April 22, 1977).
 - a. Purposes of H.R. 2 at 61
 - b. Major Modifications at 63
 - c. Issues: Mine Coverage at 89
 - d. Elements of a Mine Regulation Program at 113
 - e. Section-by-Section Analysis at 172
- 4. H.R. Rep. No. 94-1445, 94th Cong., 2nd Sess. (August 31, 1976).
 - a. Introduction at 8
 - b. Issues: Mineral Coverage at 37



- c. Elements of Mine Regulation Program at 43
 - d. Section-by-Section Analysis at 112
5. H.R. Rep. No. 94-896, 94th Cong., 2nd Sess. (March 12, 1976).
 - a. Elements of Mine Regulation Program at 43
 - b. Section-by-Section Analysis at 108
6. H.R. Rep. No. 94-45, 94th Cong., 1st Sess. (March 6, 1975).
 - a. Elements of Mine Regulation Program at 87
 - b. Additional Views at 151
 - c. Section-by-Section Analysis at 196
7. S. Rep. No. 94-28, 94th Cong., 1st Sess. (March 5, 1975). Section-by-Section Analysis at 205.
8. H.R. Rep. No. 93-1072, 93rd Cong., 2nd Sess. (May 30, 1974).
 - a. Elements of Mine Regulation Program at 81
 - b. Section-by-Section Analysis at 132
9. S. Rep. No. 93-402, 93rd Cong., 1st Sess. (September 21, 1973). Section-by-Section Analysis at 53
10. S. Rep. No. 92-1162, 92nd Cong., 2nd Sess. (September 18, 1972). Section-by-Section Analysis at 38.

C. CONGRESSIONAL RECORD [Excerpts]

1. 123 Cong. Rec. S12425, July 20, 1977
2. 121 Cong. Rec. 13368, May 7, 1975
3. 120 Cong. Rec. 39598, December 9, 1974

D. FEDERAL REGISTER PREAMBLES RE: STATE SECTIONS CORRESPONDING TO 510 [Excerpts]

1. Arkansas: 60 FR 34138, June 30, 1995
2. Colorado:
 - a. 61 FR 59332, November 22, 1996
 - b. 51 FR 4485, February 5, 1986
 - c. 47 FR 8207, February 25, 1982
3. Illinois:
 - a. 53 FR 43112, October 25, 1988
 - b. 48 FR 46528, October 13, 1983
 - c. 48 FR 36625, August 12, 1983
 - d. 48 FR 27550, June 16, 1983
4. Indiana:
 - a. 61 FR 15891, April 10, 1996
 - b. 49 FR 28054, July 10, 1984
 - c. 47 FR 32071, July 26, 1982
5. Iowa: 59 FR 5709, February 8, 1994



6. Kentucky:
 - a. 58 FR 3833, January 12, 1993
 - b. 56 FR 47907, September 23, 1991
 - c. 47 FR 21404, May 18, 1982
7. Mississippi: 63 FR 1342, January 9, 1998
8. Missouri: 57 FR 44660, September 29, 1992
9. Montana:
 - a. 60 FR 6006, February 1, 1995
 - b. 49 FR 66, January 3, 1984
10. New Mexico: 58 FR 65907, December 17, 1993
11. North Dakota:
 - a. 59 FR 37423, July 22, 1994
 - b. 59 FR 11928, March 15, 1994
 - c. 57 FR 807, January 9, 1992
 - d. 51 FR 5708, February 18, 1986
 - e. 48 FR 5902, February 9, 1983
 - f. 47 FR 42347, September 27, 1982
 - g. 47 FR 39868, September 10, 1982
 - h. 47 FR 31896, July 23, 1982
12. Pennsylvania:
 - a. 56 FR 55080, October 24, 1991
 - b. 49 FR 10253, March 20, 1984
 - c. 47 FR 33050, July 30, 1982
13. Tennessee: 48 FR 51461, November 9, 1983
14. Texas:
 - a. 62 FR 4451, January 30, 1997
 - b. 61 FR 30805, June 18, 1996
 - c. 60 FR 15675, March 27, 1995
 - d. 59 FR 13200, March 21, 1994
 - e. 57 FR 21600, May 21, 1992
15. Utah:
 - a. 62 FR 41845, August 4, 1997
 - b. 60 FR 37002, July 19, 1995
16. Virginia:
 - a. 55 FR 3733, February 5, 1990
 - b. 49 FR 19476, May 8, 1984
 - c. 49 FR 19525, May 8, 1984
 - d. 49 FR 7408, February 29, 1984
 - e. 49 FR 39223, August 30, 1983
 - f. 48 FR 26624, June 9, 1983
17. West Virginia:
 - a. 61 FR 6511, February 21, 1996
 - b. 50 FR 35082, August 29, 1985
 - c. 50 FR 28316, July 11, 1985
 - d. 50 FR 28324, July 11, 1985



e. 50 FR 28343, July 11, 1985

E. REGULATION HISTORY, current through 9/30/94.

F. COALEX REPORTS

1. COALEX State Inquiry Report - 201, "Legislative History of phrase owned or controlled' [SMCRA 510(c)]" (1991).
2. COALEX State Inquiry Report - 41, "Legislative History of 'owned or controlled by'".