

CHAPTER 13—CONTROL OF COAL-MINE FIRES

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§ 551. Declaration of policy

It is recognized that outcrop and underground fires in coal formations involve serious wastage of the fuel resources of the Nation, and constitute a menace to the health and safety of the public and to surface property. It is therefore declared to be the policy of the Congress to provide for the control and extinguishment of outcrop and underground coal fires and thereby to prevent injuries and loss of life, protect public health, conserve natural resources, and to preserve public and private surface property.

(Aug. 31, 1954, ch. 1156, § 1, 68 Stat. 1009.)

COAL FORMATIONS

Pub. L. 102-486, title XXV, § 2504(d)(1), (2), Oct. 24, 1992, 106 Stat. 3105, 3106, provided that:

“(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