

**(B) Initial payments**

The first 3 payments made to any State or Indian tribe shall be reduced to 25 percent, 50 percent, and 75 percent, respectively, of the amounts otherwise required under paragraph (2)(A).

**(C) Installments**

Amounts withheld from the first 3 annual installments as provided under subparagraph (B) shall be paid in 2 equal annual installments beginning with fiscal year 2018.

**(4) Reallocation****(A) In general**

The amount allocated to any State or Indian tribe under subparagraph (A) or (B) of section 1232(g)(1) of this title that is paid to the State or Indian tribe as a result of a payment under paragraph (1) or (2) shall be reallocated and available for grants under section 1232(g)(5) of this title.

**(B) Allocation**

The grants shall be allocated based on the amount of coal historically produced before August 3, 1977, in the same manner as under section 1232(g)(5) of this title.

(Pub. L. 95–87, title IV, §411, as added Pub. L. 101–508, title VI, §6010(2), Nov. 5, 1990, 104 Stat. 1388–296; amended Pub. L. 109–432, div. C, title II, §206, Dec. 20, 2006, 120 Stat. 3016.)

## REFERENCES IN TEXT

The Uranium Mill Tailings Radiation Control Act of 1978, referred to in subsec. (d), is Pub. L. 95–604, Nov. 8, 1978, 92 Stat. 3021, as amended, which is classified principally to chapter 88 (§7901 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 7901 of Title 42 and Tables.

The Comprehensive Environmental Response Compensation and Liability Act of 1980, referred to in subsec. (d), probably means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96–510, Dec. 11, 1980, 94 Stat. 2767, as amended, which is classified principally to chapter 103 (§9601 et seq.) of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 9601 of Title 42 and Tables.

## PRIOR PROVISIONS

A prior section 411 of Pub. L. 95–87 was renumbered section 412 and was classified to section 1241 of this title, prior to being omitted from the Code.

## AMENDMENTS

2006—Subsec. (a). Pub. L. 109–432, §206(1), designated existing provisions as par. (1) and added par. (2).

Subsec. (h). Pub. L. 109–432, §206(2), added subsec. (h).

## EFFECTIVE DATE

Section effective Oct. 1, 1991, see section 6014 of Pub. L. 101–508 set out as an Effective Date of 1990 Amendment note under section 1231 of this title.

**§ 1241. Omitted**

## CODIFICATION

Section, Pub. L. 95–87, title IV, §412, formerly §411, Aug. 3, 1977, 91 Stat. 466, renumbered §412, Pub. L. 101–508, title VI, §6010(1), Nov. 5, 1990, 104 Stat. 1388–296, which required the Secretary of the Interior or the State pursuant to an approved State program to report

to Congress annually on operations under the fund together with recommendations for future use of the fund, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 109 of House Document No. 103–7.

**§ 1242. Powers of Secretary or State****(a) Engage in work, promulgate rules and regulations, etc., to implement and administer this subchapter**

The Secretary or the State pursuant to an approved State program, shall have the power and authority, if not granted it otherwise, to engage in any work and to do all things necessary or expedient, including promulgation of rules and regulations, to implement and administer the provisions of this subchapter.

**(b) Engage in cooperative projects**

The Secretary or the State pursuant to an approved State program, shall have the power and authority to engage in cooperative projects under this subchapter with any other agency of the United States of America, any State and their governmental agencies.

**(c) Request for action to restrain interference with regard to this subchapter**

The Secretary or the State pursuant to an approved State program, may request the Attorney General, who is hereby authorized to initiate, in addition to any other remedies provided for in this subchapter, in any court of competent jurisdiction, an action in equity for an injunction to restrain any interference with the exercise of the right to enter or to conduct any work provided in this subchapter.

**(d) Construct and operate plants for control and treatment of water pollution resulting from mine drainage**

The Secretary or the State pursuant to an approved State program, shall have the power and authority to construct and operate a plant or plants for the control and treatment of water pollution resulting from mine drainage. The extent of this control and treatment may be dependent upon the ultimate use of the water: *Provided*, That the above provisions of this paragraph shall not be deemed in any way to repeal or supersede any portion of the Federal Water Pollution Control Act (33 U.S.C.A. 1151, et seq. as amended) [33 U.S.C. 1251 et seq.] and no control or treatment under this subsection shall in any way be less than that required under the Federal Water Pollution Control Act. The construction of a plant or plants may include major interceptors and other facilities appurtenant to the plant.

**(e) Transfer funds**

The Secretary may transfer funds to other appropriate Federal agencies, in order to carry out the reclamation activities authorized by this subchapter.

(Pub. L. 95–87, title IV, §413, formerly §412, Aug. 3, 1977, 91 Stat. 466, renumbered §413, Pub. L. 101–508, title VI, §6010(1), Nov. 5, 1990, 104 Stat. 1388–296.)

## REFERENCES IN TEXT

The Federal Water Pollution Control Act (33 U.S.C.A. 1151, et seq. as amended), referred to in subsec. (d), is