

granted, or patented lands, who, except for the reservation of coal to the United States would have the right to mine and remove such source material, shall have the exclusive right to mine, remove, and dispose of lignite containing such source material and lignite necessary to be stripped or mined in the recovery of such material, subject to the reporting and payment requirements of section 541 of this title, and subject to the provisions of the Atomic Energy Act of 1954 [42 U.S.C. 2011 et seq.], upon filing in the land office designated in section 541 of this title, an adequate description sufficient to identify the land containing such lignite.

(Aug. 11, 1955, ch. 795, § 4, 69 Stat. 680.)

REFERENCES IN TEXT

The Atomic Energy Act of 1954, referred to in text, is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 921, and amended, which is classified generally to chapter 23 (§2011 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 2011 of Title 42 and Tables.

§ 541d. Location of source materials by holders of coal leases

The holders of coal leases issued under the provision of the mineral leasing laws, including chapter 7 of this title, prior to August 11, 1955, or thereafter if based upon a prospecting permit issued prior to that date, upon the discovery during the term of such lease of valuable source material in any bed or deposit of lignite situated within the leased lands, shall have the exclusive right to locate such source material under the provisions of this chapter but the mining and disposal of such source material shall be subject to the operating provisions of the lease and to the provisions of the Atomic Energy Act of 1954 [42 U.S.C. 2011 et seq.]: *Provided*, That the provisions of this section shall not apply to coal prospecting, permits or leases on lands embraced within entered, granted or patented lands described in section 541c of this title.

(Aug. 11, 1955, ch. 795, § 5, 69 Stat. 680.)

REFERENCES IN TEXT

The Atomic Energy Act of 1954, referred to in text, is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 921, and amended, which is classified generally to chapter 23 (§2011 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 2011 of Title 42 and Tables.

§ 541e. Definitions

As used in this chapter “mineral leasing laws” shall mean the Act of October 20, 1914 (38 Stat. 741); the Act of February 25, 1920 (41 Stat. 437) [30 U.S.C. 181 et seq.]; the Act of April 17, 1926 (44 Stat. 301) [30 U.S.C. 271 et seq.]; the Act of February 7, 1927 (44 Stat. 1057) [30 U.S.C. 281 et seq.]; and all Acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing Acts; “Leasing Act minerals” shall mean all minerals which, upon August 11, 1955, are provided in the mineral leasing laws to be disposed of thereunder; “lignite” shall mean coal classified as ASTM designation: D 388-38, according to the standards established

in the American Society for Testing Materials on Coal and Coke under standard specifications for Classification of Coals by Rank, contained in public-land deposits considered as valuable under the coal-land classification standards established by the Secretary of the Interior and prescribed in section 30, Code of Federal Regulations, part 201; and “source material” shall mean uranium, thorium, or any other material which is determined by the Atomic Energy Commission pursuant to the provisions of section 2091 of title 42 to be source material.

(Aug. 11, 1955, ch. 795, § 6, 69 Stat. 680.)

REFERENCES IN TEXT

Act of October 20, 1914, referred to in text, is act Oct. 20, 1914, ch. 330, 38 Stat. 741, known as the Alaska Coal Lands Act, which was repealed by Pub. L. 86-252, § 1, Sept. 9, 1959, 73 Stat. 490. The subject matter of this Act is generally covered by subchapters I to VII (§181 et seq.) of chapter 3A of this title. For complete classification of this Act to the Code prior to repeal, see Tables.

Act of February 25, 1920, referred to in text, is act Feb. 25, 1920, ch. 85, 41 Stat. 437, as amended, known as the Mineral Leasing Act, which is classified generally to chapter 3A (§181 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 181 of this title and Tables.

Act of April 17, 1926, referred to in text, is act Apr. 17, 1926, ch. 158, 44 Stat. 301, as amended, which is classified generally to subchapter VIII (§271 et seq.) of chapter 3A of this title. For complete classification of this Act to the Code, see Tables.

Act of February 7, 1927, referred to in text, is act Feb. 7, 1927, ch. 66, 44 Stat. 1057, as amended, which enacted subchapter IX (§281 et seq.) of chapter 3A of this title, amended sections 181 and 193 of this title, and repealed subchapter VII (§141 et seq.) of chapter 3 of this title. For complete classification of this Act to the Code, see Tables.

TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See, also, Transfer of Functions notes set out under those sections.

§ 541f. Disbursement of moneys

All moneys received under the provisions of this chapter shall be paid into the Treasury of the United States and distributed in the same manner as provided in section 191 of this title and sections 437, 438, and 439¹ of title 48.

(Aug. 11, 1955, ch. 795, § 7, 69 Stat. 681.)

REFERENCES IN TEXT

Sections 437, 438, and 439 of title 48, referred to in text, were repealed by Pub. L. 86-252, § 1, Sept. 9, 1959, 73 Stat. 490.

§ 541g. Rules and regulations

The Secretary of the Interior is authorized to issue such rules and regulations as may be necessary or appropriate to effectuate the purposes of this chapter.

(Aug. 11, 1955, ch. 795, § 8, 69 Stat. 681.)

§ 541h. Savings provision

Nothing in this chapter shall be deemed to amend or repeal any provisions of chapter 12 of this title, or any right granted thereunder.

¹ See References in Text note below.

(Aug. 11, 1955, ch. 795, §9, 69 Stat. 681.)

§ 541i. Withdrawal of lands from entry; expiration of claims

Twenty years after August 11, 1955, all lands subject to the provisions of section 541 of this title shall be withdrawn from all forms of entry under this chapter. All claims made pursuant to the provisions of this chapter shall expire at that time, except for (1) claims for which patent has already been issued, and (2) claims on which application for patent has already been made and on which patent is subsequently issued: *Provided*, That, if the President shall so provide by Executive order, the provisions of this section shall not become effective until thirty years after August 11, 1955.

(Aug. 11, 1955, ch. 795, §10, 69 Stat. 681.)

CHAPTER 13—CONTROL OF COAL-MINE FIRES

Sec.	
551.	Declaration of policy.
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553.	Duties of Secretary; surveys, research, etc.; projects.
554.	Lands subject to chapter.
555.	Conditions precedent for aid to non-Federal lands.
556.	Administration.
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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