

and (c)(11), probably means the Federal Coal Leasing Amendments Act of 1976, Pub. L. 94-377, §9(a), Aug. 4, 1976, 90 Stat. 1090, as amended, which amended section 191 of this title.

#### TRANSFER OF FUNCTIONS

“Secretary of Energy” substituted in text for “Administrator” (meaning Administrator of Energy Research and Development Administration, see section 501(2) of Pub. L. 95-238, title V, Feb. 25, 1978, 92 Stat. 86), pursuant to sections 301(a), 703, and 707 of Pub. L. 95-91, which are classified to sections 7151(a), 7293, and 7297 of Title 42, The Public Health and Welfare, and which terminated Energy Research and Development Administration and transferred its functions and functions of Administrator thereof (with certain exceptions) to Secretary of Energy.

#### § 1146. Approval or disapproval of loan guarantee applications

The Secretary, within sixty days after June 30, 1980, shall establish and implement procedures providing for a final decision on any loan guarantee application within four months of the date of filing. To the maximum extent practical, an applicant should be advised (prior to the submission of the application) of all information which will be required of the applicant in processing the application; and the date of filing shall be considered to be the date when all of such information has been submitted by the applicant. Any application proposed and filed as of June 30, 1980, shall be subject to final decision within not more than four months after such date.

(Pub. L. 93-410, title II, §206, as added Pub. L. 96-294, title VI, §641(3), June 30, 1980, 94 Stat. 769.)

#### § 1147. Application of national environmental policy provisions

The Secretary shall ensure, to the maximum extent possible, that any action undertaken pursuant to section 4332(2)(C) of title 42 which is associated with the granting of a loan guarantee under this subchapter takes the maximum cognizance allowable under law of any other action theretofore undertaken pursuant to such section 4332(2)(C) of title 42 with respect to the project which is the subject of such loan guarantee, and that no such action associated with the loan guarantee shall duplicate any action theretofore undertaken under such section 4332(2)(C) of title 42 in connection with such project, so long as all of the requirements which are applicable to such project under such section 4332(2)(C) of title 42 will have been satisfied.

(Pub. L. 93-410, title II, §207, as added Pub. L. 96-294, title VI, §641(3), June 30, 1980, 94 Stat. 769.)

#### SUBCHAPTER III—GENERAL PROVISIONS

#### § 1161. Protection of environment

In the conduct of its activities, the Project and any participating public or private persons or agencies shall place particular emphasis upon the objective of assuring that the environment and the safety of persons or property are effectively protected; and the program under subchapter I shall include such special research and development as may be necessary for the achievement of that objective.

(Pub. L. 93-410, title III, §301, Sept. 3, 1974, 88 Stat. 1088.)

#### § 1162. Final report to President and Congress on terminated projects

(a) Repealed. Pub. L. 104-66, title I, §1051(m), Dec. 21, 1995, 109 Stat. 717.

(b) No later than one year after the termination of each demonstration project under section 1125 of this title, the Chairman of the Project shall submit to the President and the Congress a final report on the activities of the Project related to each project, including his recommendations with respect to any further legislative, administrative, and other actions which should be taken in support of the objectives of this chapter.

(Pub. L. 93-410, title III, §302, Sept. 3, 1974, 88 Stat. 1088; Pub. L. 104-66, title I, §1051(m), Dec. 21, 1995, 109 Stat. 717.)

#### AMENDMENTS

1995—Subsec. (a). Pub. L. 104-66 struck out subsec. (a) which read as follows: “The Chairman of the Project shall submit to the President and the Congress full and complete annual reports of the activities of the Project, including such projections and estimates as may be necessary to evaluate the progress of the national geothermal energy research, development and demonstration program and to provide the basis for as accurate a judgment as is possible concerning the extent to which the objectives of this chapter will have been achieved by June 30, 1980.”

#### § 1163. Transfer of functions

(a) Within sixty days after the effective date of the law creating a permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States (or within sixty days after September 3, 1974, if the effective date of such law occurs prior to September 3, 1974), all of the research, development, and demonstration functions (including the loan guaranty program) vested in the Project under this chapter, along with related records, documents, personnel, obligations, and other items to the extent necessary or appropriate, shall, in accordance with regulations prescribed by the Office of Management and Budget, be transferred to and vested in such organization or agency.

(b) Upon the establishment of a permanent Federal organization or agency having jurisdiction over the energy research and development functions of the United States, and when all research and development (and other) functions of the Project are transferred, the members of the Project may provide advice and counsel to the head of such organization or agency, in accordance with arrangements made at that time.

(Pub. L. 93-410, title III, §303, Sept. 3, 1974, 88 Stat. 1088.)

#### § 1164. Authorization of appropriations

##### (a) Fiscal years ending June 30, 1976, and September 30, 1977, through September 30, 1980

For the fiscal years ending June 30, 1976, and September 30, 1977, 1978, 1979, and 1980, only such sums may be appropriated as the Congress may hereafter authorize by law.

**(b) Fiscal year ending June 30, 1975**

There are authorized to be appropriated to the National Aeronautics and Space Administration not to exceed \$2,500,000 for the fiscal year ending June 30, 1975, for the purpose of preparing the program definition under section 1122(a) of this title.

**(c) Additional sums for Project**

In addition to sums authorized to be appropriated by subsection (b), there are authorized to be appropriated to the fund not to exceed \$50,000,000 annually, such sums to carry out the provisions of the loan guaranty program by the Project under subchapter II.

(Pub. L. 93-410, title III, §304, Sept. 3, 1974, 88 Stat. 1089.)

**CHAPTER 25—SURFACE MINING CONTROL AND RECLAMATION**

**SUBCHAPTER I—STATEMENT OF FINDINGS AND POLICY**

- Sec. 1201. Congressional findings.
- 1202. Statement of purpose.

**SUBCHAPTER II—OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT**

- 1211. Office of Surface Mining Reclamation and Enforcement.

**SUBCHAPTER III—STATE MINING AND MINERAL RESOURCES RESEARCH INSTITUTES**

- 1221. Authorization of State allotments to institutes.
- 1222. Research funds to institutes.
- 1223. Funding criteria.
- 1224. Duties of Secretary.
- 1225. Effect on colleges and universities.
- 1226. Research.
- 1227. Center for cataloging.
- 1228. Interagency cooperation.
- 1229. Committee on Mining and Mineral Resources Research.
- 1230. Eligibility criteria.
- 1230a. Strategic Resources Generic Mineral Technology Center.

**SUBCHAPTER IV—ABANDONED MINE RECLAMATIONS**

- 1231. Abandoned Mine Reclamation Fund.
- 1232. Reclamation fee.
- 1233. Objectives of fund.
- 1234. Eligible lands and water.
- 1235. State reclamation program.
- 1236. Reclamation of rural lands.
- 1237. Acquisition and reclamation of land adversely affected by past coal mining practices.
- 1238. Liens.
- 1239. Filling voids and sealing tunnels.
- 1240. Emergency powers.
- 1240a. Certification.
- 1241. Omitted.
- 1242. Powers of Secretary or State.
- 1243. Interagency cooperation.
- 1244. Remining incentives.

**SUBCHAPTER V—CONTROL OF THE ENVIRONMENTAL IMPACTS OF SURFACE COAL MINING**

- 1251. Environmental protection standards.
- 1251a. Abandoned coal refuse sites.
- 1252. Initial regulatory procedures.
- 1253. State programs.
- 1254. Federal programs.
- 1255. State laws.

- Sec. 1256. Permits.
- 1257. Application requirements.
- 1258. Reclamation plan requirements.
- 1259. Performance bonds.
- 1260. Permit approval or denial.
- 1261. Revision of permits.
- 1262. Coal exploration permits.
- 1263. Public notice and public hearings.
- 1264. Decisions of regulatory authority and appeals.
- 1265. Environmental protection performance standards.
- 1266. Surface effects of underground coal mining operations.
- 1267. Inspections and monitoring.
- 1268. Penalties.
- 1269. Release of performance bonds or deposits.
- 1270. Citizens suits.
- 1271. Enforcement.
- 1272. Designating areas unsuitable for surface coal mining.
- 1273. Federal lands.
- 1274. Public agencies, public utilities, and public corporations.
- 1275. Review by Secretary.
- 1276. Judicial review.
- 1277. Special bituminous coal mines.
- 1278. Surface mining operations not subject to this chapter.
- 1279. Anthracite coal mines.

**SUBCHAPTER VI—DESIGNATION OF LANDS UNSUITABLE FOR NONCOAL MINING**

- 1281. Designation procedures.

**SUBCHAPTER VII—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS**

- 1291. Definitions.
- 1292. Other Federal laws.
- 1293. Employee protection.
- 1294. Penalty.
- 1295. Grants to States.
- 1296. Annual report to President and Congress.
- 1297. Separability.
- 1298. Alaskan surface coal mine study.
- 1299. Study of reclamation standards for surface mining of other minerals.
- 1300. Indian lands.
- 1301. Environmental practices.
- 1302. Authorization of appropriations.
- 1303. Coordination of regulatory and inspection activities.
- 1304. Surface owner protection.
- 1305. Federal lessee protection.
- 1306. Effect on rights of owner of coal in Alaska to conduct surface mining operations.
- 1307. Water rights and replacement.
- 1308. Advance appropriations.
- 1308a. Use of civil penalty funds to reclaim lands.
- 1308b. Transfer of computer hardware, software and other technical equipment.
- 1309. Certification and training of blasters.
- 1309a. Subsidence.
- 1309b. Research.

**SUBCHAPTER VIII—UNIVERSITY COAL RESEARCH LABORATORIES**

- 1311. Establishment of university coal research laboratories.
- 1312. Financial assistance.
- 1313. Limitation on payments.
- 1314. Payments; Federal share of operating expenses.
- 1315. Advisory Council on Coal Research.
- 1316. Authorization of appropriations.

**SUBCHAPTER IX—ENERGY RESOURCE GRADUATE FELLOWSHIPS**

- 1321. Fellowship awards.