

CHAPTER 4-140

AML SPECIAL FUTURE SET-ASIDE PROGRAM

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4-140-00 What does this chapter do?

This chapter explains procedures for special Abandoned Mine Land (AML) future set-aside program funding awarded to you, a State or Tribal recipient, by us, the Office of Surface Mining Reclamation and Enforcement (OSM).

4-140-10 Where do these requirements come from?

The AML special or future set-aside program was authorized, then changed, and finally abolished by Congress in amendments to the Surface Mining Control and Reclamation Act (SMCRA). In 1987, Congress established the future set-aside program to allow States and Tribes with approved AML programs to set aside AML funds to use for mine reclamation after the end of AML funding. The initial set-aside allowed you to spend the funds after August 3, 1992, for the purposes of Title IV. In 1990, Congress amended the program to allow you to spend the funds after September 30, 1995, for the coal priorities in section 403(a). In 2006, Congress abolished the future set-aside program.

4-140-20 Can you put more money in a future set-aside account?

No, you cannot put any more AML funds in a future set-aside account.

4-140-30 What can you do with funds in a future set-aside account?

- A. We will consider all set-aside funds deposited in your set-aside account, plus any interest earned, as State or Tribal funds.
- B. You may spend funds in the set-aside account according to the terms in effect at the time we awarded each grant.
 1. You must spend funds awarded under the 1987 set-aside, and related interest, for the purposes of Title IV of SMCRA.
 2. You must spend funds awarded under the 1990 set-aside, and related interest, for any of the coal priorities in section 403(a) of SMCRA.
- C. You can use funds in the set-aside account to meet a non-Federal funding match requirement for another Federal assistance program. However, the goals of the other program must meet the spending requirements for the AML set-aside program.