

CHAPTER 4-170

THE AUTHORIZATION TO PROCEED PROCESS

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4-170-00 What does this chapter do?

This chapter explains how you, a State or Tribe with an Abandoned Mine Land (AML) grant, can get approval from us, the Office of Surface Mining Reclamation and Enforcement (OSM), to proceed with construction on a specific reclamation project.

4-170-10 What is the Authorization to Proceed (ATP)?

- A. You must request and receive our approval before you begin construction on an individual non-emergency reclamation project. We call the process in which you request and we approve individual projects the Authorization to Proceed (ATP).
- B. Our ATP letter notifies you that we have determined that the environmental review is complete and the problem area information is properly recorded in the Abandoned Mine Land Inventory System (AMLIS). The ATP is our approval for you to spend AML grant funds to reclaim this specific project. You may proceed with project construction as soon as you receive the ATP.
- C. The ATP is the official "Point of Federal Action" for AML construction activities. Because you do not have to include information on individual AML projects in your grant application, we do not approve them in the grant award. After approval of your AML grant, you must request the ATP for each project when you are ready.
- D. The ATP process also meets OMB requirements for an assistance application to identify specific project objectives, results, benefits expected, approach, and geographic location. You normally fulfill this requirement when you send us environmental compliance documentation and when you enter site information into the funded category in AMLIS.

4-170-20 What is the process for you to request and us to approve an ATP?

- A. You must include the following information in a complete ATP request.
 - 1. Confirmation that you have entered the problem area information into AMLIS in compliance with directive AML-1. Problem features proposed for reclamation should be in the funded category, the unfunded category or not listed, as appropriate for the particular site.

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2. Environmental documents with compliance information for the National Environmental Policy Act (NEPA) and other environmental requirements. See Chapter [4-160](#) for a detailed description of the appropriate environmental compliance information and documents.
 3. AML eligibility Statement and basis for claiming AML eligibility.
 4. For AML enhancement projects, or Title IV projects less than 50% governmentally funded, the determinations document you developed jointly with the Title V State regulatory authority. See Chapter [4-100-100](#) for more information.
- B. We will process the ATP request within 14 working days after receipt of a complete ATP package. We will send you our ATP or notification of our disapproval in writing.