

	U.S. DEPARTMENT OF THE INTERIOR OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT DIRECTIVES SYSTEM	Subject Code: GMT-10-16
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Subject: Federal Assistance Manual		
Approval: Joseph G. Pizarchik		Title: Director
<h1>CHANGE NOTICE</h1>		

1. **Purpose.** The revised Federal Assistance Manual (FAM) provides guidance to the Office of Surface Mining Reclamation and Enforcement (OSM) and grant recipients. Sources for this guidance come from the Surface Mining Control and Reclamation Act of 1977 (SMCRA), The Department of the Interior, the Office of Management and Budget (OMB) and Department of the Treasury. FAM is applicable to all grants and cooperative agreements awarded by the OSM.

2. **Summary of Changes.** The FAM is written in plain language and is re-organized with chapters grouped by program. For example, all chapters about the coal regulatory program are grouped together in Part 5 of the manual. Chapters which are not program specific, such as allowable costs in Part 3, are grouped by the source or type of the information. Many of the changes to the FAM reflect amendments to SMCRA made in 2006 and the final Abandoned Mine Land (AML) rule, published by OSM in the *Federal Register* on November 14, 2008, at 73 FR 67576, 67647. The FAM contains the following changes:

Part 1 – Requirements for All OSM Assistance Agreements

In general, the chapter was written in question-and-answer format, using pronouns and other plain English techniques making the document easier to read.

1-120-50

- Removed the specific reference to “Treasury’s ASAP System” and replaced it more generically with, “Treasury’s grant payment system” to minimize future changes if Treasury’s payment system changes.

1-140-60

- Eliminated the discussions of AML subaccounts because there are more detailed discussions in 4-200-40 B and 4-300-30 C.

Part 2 – General Requirements for Federal Assistance

This chapter was written in question-and-answer format, using pronouns and other plain English

techniques making the document easier to read.

2-200-100 A

- Defined the awarding official in OSM that approves land acquisition.

Part 3 – Allowable Costs

This chapter was written in question-and-answer format, using pronouns and other plain English Techniques making the document easier to read.

Part 4 – Abandoned Mine Lands (AML) Grant Program

This chapter was written in question-and-answer format, using pronouns and other plain English Techniques making the document easier to read.

4-100-20 E.

- Added language requiring recipients to use other funds (i.e. AML Program Grant Funds) if emergency funds are depleted or insufficient to cover emergency project costs.

4-100-30 B

- Added emergency sites to the list of other lands and waters eligible for funding. Prior to this revision only P1 and P2 sites were listed which could have been interpreted not to include emergencies.

4-100-30 D

- Rewritten to more clearly explain under what conditions bond forfeiture sites are eligible to use AML funds and the requirement to repay the appropriate AML account if additional funds are recovered or obtained.

4-100-30 E.1.

- Adds “safety issues” and now reads; The post-SMCRA mining did not substantially increase or alter the environmental damage/safety issues presented by the pre-SMCRA mining. P1, P2, and emergencies are likely to be safety issues and may not involve

4-100-30 F

- Changed to better define eligibility. “However, they are eligible only to the extent that mining-related problems still exist and create an environmental or safety issue at the site. When the non-mining activity is the primary cause of the problem, the reclamation responsibility may shift away from the AML program”.

4-120-00

- Rewritten to define emergency as it is defined in 30 CFR 700.5

4-130-40 b

- Rewritten to conform to the wording and intent of SMCRA and regulations.
- Changed to read: A “qualified hydrological unit” means a hydrologic unit which

meets the following requirements:

- Water quality has been significantly affected by acid mine drainage from coal mining practices in a manner that adversely impacts biological resources; and
- That contains lands and waters that are:
 - Eligible under Section 404 of SMCRA and include any of the priorities described in section 403(a) of SMCRA; and
 - The subject of the expenditure from the forfeiture of a bond required under section 509 of SMCRA or from other State sources to abate and treat acid mine drainage.

Part 5 – Regulatory Grant Program

The chapter was written in question-and-answer format, using pronouns and other plain English techniques making the document easier to read.

Part 6 – Watershed Cooperative Agreement Program

The chapter is written in question-and-answer format, using pronouns and other plain English techniques making the document easier to read and clarifies language about the complete reclamation approach and removed duplicate references to passive and active treatments. It also defines not-for-profit organization as tax exempt under 23 U.S.C. 501(c)(3) according to the IRS code.

Part 7 – Technical Studies Cooperative Agreement Programs

This is a new chapter to FAM to better explain the Technical Studies Program and the Underground Mine Map Program Cooperative Agreements. As with the other chapters, Part 7 was written in question-and-answer format, using pronouns and other plain English techniques making the document easier to read.

3. **Definitions.** See the Definitions and Acronyms sections of FAM.
4. **Policy.** OSM offices will use FAM to award and manage all grants and cooperative agreements.
5. **Responsibilities.** See Chapter 1-110, OSM Responsibilities for the Administration of Our Assistance Agreements.
6. **Procedures.** FAM chapters provide specific procedures for application, award, amendment, monitoring, reporting, and closeout of OSM financial assistance agreements. FAM provides specific guidance for Title V Coal Regulatory Administration and Enforcement grants, Title IV AML grants to uncertified states and to certified states and tribes, Watershed cooperative agreements, and Technical Studies Program Cooperative Agreements.
7. **Reporting Requirements.** The chapters change the financial reporting form as directed by OMB, but the timing of reports, and the information to be provided are not changed.

8. **Effect on Other Documents.** None
9. **References.** See FAM chapters for references.
10. **Effective Date.** Upon issuance
11. **Distribution.** Electronically
12. **Appendices.** See FAM chapters for exhibits.

Contact. Program Support Directorate, Division of Reclamation Support, Grants Policy Team.