

approved by the Office of Management and Budget.

18. Section 886.21 is amended by revising paragraph (a) to read as follows:

**§ 886.21 Allowable costs.**

(a) Allowable reclamation costs include actual costs of construction, operation and maintenance, planning and engineering, construction inspection, other necessary administrative costs, and up to 90 percent of the costs of the acquisition of land.

\* \* \* \* \*

19. Section 886.22 is amended by revising paragraphs (a) and (d) to read as follows:

**§ 886.22 Financial management.**

(a) The agency shall account for grant funds in accordance with the requirements of 43 CFR part 12, subpart C. Accounting for grant funds must be accurate and current.

\* \* \* \* \*

(d) When advances are made, they should be made as closely as possible to the actual time of the disbursement.

\* \* \* \* \*

20. Section 886.23 is revised to read as follows:

**§ 886.23 Reports.**

(a) For each grant, the agency shall annually submit to OSM reporting forms specified by OSM.

(b) At the completion of each grant, the agency shall submit a completed Form OSM-76 and any other closeout reports specified by OSM.

21. Section 886.24 is amended by revising paragraph (a) and deleting its designation as (a); revising paragraph (a)(1) and redesignating as (a); redesignating paragraph (a)(2) as (b); and by removing the existing paragraph (b) to read as follows:

**§ 886.24 Records.**

The agency shall maintain complete records in accordance with 43 CFR part 12, subpart C. This includes, but is not limited to, books, documents, maps, and other evidence and accounting procedures and practices sufficient to reflect properly—

(a) The amount and disposition of all assistance received for the program; and

(b) \* \* \*

22. Section 886.25 is added to read as follows:

**§ 886.25 Special Indian lands procedures.**

(a) This section applies to Indian lands not subject to an approved Tribal reclamation program. The Director is authorized to mitigate emergency situations or extreme danger situations

arising from past mining practices and begin reclamation of other areas determined to have high priority on such lands.

(b) The Director is authorized to receive proposals from Indian tribes for projects that should be carried out on Indian lands subject to this Section and to carry out these projects under parts 872 through 882 of this chapter.

(c) For reclamation activities carried out under this section on Indian lands, the Director shall consult with the Indian tribe and the Bureau of Indian Affairs office having jurisdiction over the Indian lands.

(d) If a proposal is made by an Indian tribe and approved by the Director, the Tribal governing body shall approve the project plans. The costs of the project may be charged against the money allocated to OSM under § 872.11(b)(5).

(e) Approved projects may be carried out directly by the Director or through such arrangements as the Director may make with the Bureau of Indian Affairs or other agencies.

**PART 887—SUBSIDENCE INSURANCE PROGRAM GRANTS**

23. The authority citation for part 887 is revised to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

24. Section 887.3 is revised to read as follows:

**§ 887.3 Authority.**

The Director is authorized to approve or disapprove applications for grants up to a total amount of \$3,000,000 for each State with an approved State reclamation plan provided moneys are available under § 872.11(b) of this chapter and Section 402(g)(1) of Pub. L. 95-87 (30 U.S.C. 1232).

25. Section 887.10 is revised to read as follows:

**§ 887.10 Information collection.**

The collections of information contained in 30 CFR part 887 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*, and assigned clearance number 1029-0107. The information will be used to grant funds to State regulatory authorities and Indian tribes to administer their subsidence insurance program. Response is required to obtain a benefit in accordance with 30 U.S.C. 1201 *et seq.* Public reporting burden for this information is estimated to average 40 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send

comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Surface Mining Reclamation and Enforcement, Information Collection Clearance Officer, 1951 Constitution Avenue, N.W., Room 640 NC, Washington, D.C. 20240; and the Office of Management and Budget, Paperwork Reduction Project (1029-0107), Washington, D.C. 20503.

26. Section 887.11 is revised to read as follows:

**§ 887.11 Eligibility for grants.**

A State is eligible for grants under this part if it has a State reclamation plan approved under part 884 of this chapter and if it has funds available under § 872.11(b) of this chapter and Section 402(g)(1) of SMCRA, as amended, 30 U.S.C. 1232.

27. Section 887.12 is amended by revising paragraph (a), the introductory sentence of paragraph (b), and paragraph (e) to read as follows:

**§ 887.12 Coverage and amount of grants.**

(a) An agency may use moneys granted under this part to develop, administer, and operate a subsidence insurance program to insure private property against damages caused by subsidence resulting from underground coal mining. The moneys may be used to cover costs to the agency for services and materials obtained from other State and Federal agencies or local jurisdictions according to OMB Circular A-87. Moneys granted may be used to cover capitalization requirements and initial reserve requirements mandated by applicable State law provided use of such moneys is consistent with the Grants Management Common Rule (43 CFR part 12, subpart C).

(b) The grant application shall be submitted under the procedures of 30 CFR part 886 and contain the following:

\* \* \* \* \*

(e) Insurance premiums shall be considered program income and must be used to further eligible subsidence insurance program objectives in accordance with 43 CFR part 12, subpart C.

28. Section 887.13 is revised to read as follows:

**§ 887.13 Grant period.**

The grant funding period shall not exceed eight years from the time the grant is approved by OSM. Unexpended funds remaining at the end of any grant period shall be returned according to the 43 CFR part 12, subpart C.