

Western Region Program Support Division

DELEGATION OF AUTHORITY

This is a statement of re-delegated authority by the Western Region Program Support Division (PSD) Manager to Division Staff Members, Mine Teams, Individual Mine Coordinators, Federal Lands Coordinators, and the Field Operations Branch, Northwest Branch, and Southwest Branch Managers. Those authorities identified in Directive OPM-5 that are delegated to a Field Office Director (FOD), Division Chief (DC), and the Western Region PSD Manager (“W” in DC column or “PSDW” in the OTH column) that have not be re-delegated in this document are retained by the Western Region PSD Manager. This statement of re-delegated authorities supplements Directive OPM-5, which should be referenced for the complete list of authorities and their delegation levels.

The purpose of this re-delegation is to improve operating effectiveness and efficiencies through teamwork and employee empowerment in accordance with OSM Directive OPM-5. Unless specifically excluded, managers have the same authority as their subordinates. The re-delegations do not take from the Branch Managers or the Division Manager the power to exercise those authorities, nor do the re-delegations relieve them of the responsibility for actions taken pursuant to the re-delegations. Those people who are delegated authority to make decisions must exercise that authority consistent with established statutory, regulatory and procedural requirements. Division staff members are required to be familiar with all applicable requirements of an authority before using it.

I. All Division Staff Members are authorized to:

1. Sign routine (e.g., non-mine or non-team related), non-controversial, and/or discipline-specific external correspondence with counterparts of SRA's, other Federal agencies, Tribal governments, other OSM offices, industry and the general public
2. Sign responses to requests for routine (non-mine or non-team related), non-controversial, and/or discipline-specific information. Consideration of confidentiality must be taken into account prior to responding to a request for information. (See OSM Directives for further information.)
3. Sign documentation of meetings, field visits, as needed

II. Inspectors (i.e., authorized representatives of the Secretary) are authorized to sign those documents (e.g., inspection reports, notices of violations, termination notices, etc.) for which they are responsible as an authorized representative of the Secretary

III. Federal Lands Coordinators are authorized to:

1. Sign notification memorandums generated through the Automated Record Management System (ARMS) to other Federal agencies of the receipt of draft or final permitting materials associated with proposed mine-related activities
2. Sign memos/letters to BLM, the Federal surface management agency, USFWS, and SHPO soliciting comments or concurrences on the proposed mining plan decision, as needed

3. Sign memos to the Office of the Regional Solicitor soliciting comments and/or concurrence on the draft mining plan decision document
4. Sign letters to applicants notifying them of mining plan decisions

IV. Mine Teams and Individual Mine Coordinators* are authorized to:

1. Decide and sign non-significant permit revision actions (Non-significant revisions) including SMCRA/NEPA findings where OSM is the RA.
2. Sign deficiency letters to applicants/operators where OSM is the RA for all permitting actions
3. Sign notifications generated through ARMS to Tribal and other Federal agencies of the receipt of draft or final permitting materials associated with proposed mine-related activities
4. Sign routine non-controversial, mine- or team-related external correspondence with counterparts of SRA's, other Federal agencies, Tribal governments, other OSM offices, industry and the general public
5. Sign memos to the Branch Manager recommending permit application approval, actual permit document approvals, significant revisions, renewals, and terminations
6. Sign letters of reasonable time extensions for deadlines established for responses to special permit conditions, deficiency letters, permit orders, etc.
7. Sign responses to requests for routine non-controversial, mine- or team-related information. Consideration of confidentiality must be taken into account prior to responding to a request for information. (See OSM Directives for further information.)
8. Conduct administrative completeness reviews and midterm reviews and sign notification letters to applicants of administratively complete permit applications, significant revisions, and renewals; midterm review results; and authorizations to applicants to publish notices pursuant to 30 CFR § 773.13(a)
9. Sign notification letters to local, Federal, Tribal, and State agencies [as required under 30 CFR § 773.13(a) or program counter part] of the receipt of administratively complete permit applications, significant revisions, and renewals
10. Sign OSM notices of permit decisions [as required under 30 CFR § 773.19(b)] to Federal, Tribal, and State agencies, and public participants
11. Sign documentation of the results of mine- or team-related meetings/field visits

* This re-delegation of authority is applicable to mine teams for Absaloka, Black Mesa, Kayenta, McKinley, and Navajo mines and to individual mine coordinators for Amcoal, Burnham, King, and La Plata mines. Signature authority, within mine teams, for the above delegations is specified in the team charters.

12. Sign courtesy letters to permittees notifying them that renewal applications are due, certificate of liability insurance will expire, and that bond instruments will expire
13. Upon completion of permitting actions, sign transmittal letters to the Division of Financial Management releasing permit fee monies to the general treasury
14. Maintain WATS and MIPPS for all permitting actions, and create WATS requests for technical reviews from staff within or outside teams. Maintain ARMS for all mine-related correspondence and submittals

V. The Northwest Branch and Southwest Branch Managers are authorized to:

1. Approve or disapprove permit applications, permit decision document packages (including the letter of determination to applicants that the application is technically complete and accurate), and associated SMCRA and NEPA findings and sign actual permit documents for:
 - significant revisions
 - revisions submitted in response to a permit revision order
 - permit transfers
 - permit renewals
 - permit terminations
 - modified permit conditions
2. Approve or disapprove full or partial permit fee refund based upon permit denial or withdrawal of permit application by applicant
3. Determine if proposed revisions of permits are significant in accordance with the criteria specified in the applicable regulatory program
4. Issue or modify permit revision orders pursuant to the requirements of 30 CFR § 774.11(b)
5. Sign transmittal letters to the Solicitors Office when review of proposed permitting decisions would be desirable
7. Sign transmittals of draft and final petition evaluation documents (PED's) and environmental impact statements (EIS's) to other agencies and the general public
8. Sign correspondence to the State RA documenting decisions to not prepare a mining plan decision document
9. Determine that there are no significant recreational, timber, economic or other values which may be incompatible with surface coal mining and reclamation operations on any Federal lands within any National Forest

VI. The Field Operations Branch Manager is authorized to:

1. Approve inspection reports

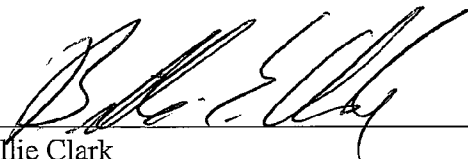
2. Approve requests for uniform allowances
3. Conduct State regulatory and AML program evaluation activities in accordance with national procedures and guidance
4. Administer the Oath of Office to AAO and FAO employees

VII. All Branch Managers are authorized to carry out the following administrative procedures and actions in addition to those delegated to Supervisors (SUP) in Directive OPM-5:

1. Approve travel itineraries and authorizations that are within allocated budget limits
2. Approve time off awards up to 40 hours (OPM-5 A.2.b.i.)
3. Approve On-the-Spot (\$50-\$910) and Star awards up to \$1,500 (OPM-5 a.2.b.iii.) that are within allocated budget limits
4. Recommend approval of leave in excess of 15 working days at one time to the Division Manager per DM (OPM-5 A.18.a.iii.)
5. Approve work at home for medical reasons
6. Approve Request for Overnight Storage of Government Vehicle at Employee's Residence
7. Approve environmental assessments and sign findings of no significant impact
8. Authorize commitments for funds prior to obligation that are within allocated budget limits

VIII. The following authorities are reserved to the PSD Manager:

1. Approve or disapprove permit applications, permit decision document packages (including the letter of determination to applicants that the application is technically complete and accurate), and associated SMCRA and NEPA findings and sign actual permit documents for new permits
2. Approve time off awards for more than 40 hours (OPM-5 A.2.b.i.)
3. Approve Star awards for more than \$1,500 (OPM-5 a.2.b.iii.)



Billie Clark
Manager, Program Support Division



Date

Appendix A – OPM-5 Delegations of Authority (May 29, 1997)

The following authorities are delegated to Field Office Directors (FOD), Division Chiefs (DC), and the Western Region Program Support Division Chief (PSDW). Officials are responsible for further delegating these authorities to the lowest practical level of the workforce unless re-delegation is specifically restricted.

Authorities that **cannot be delegated** further include:

- Approve reciprocal agreements with emergency offices for non-AML emergency assistance [FOD]
- Exercise authority of Director with respect to the field unit involved in a Civil Defense or any other non-AML emergency [FOD]
- Excuse absences due to inclement weather or other reasons [FOD]
- Verify AML fund availability and enter into AML grants and cooperative agreements for States and Tribes [FOD]
- Enter into program grants and cooperative agreements for States and Tribes [FOD]

Authorities that **may be delegated** further include:

- Approve employees presenting papers, serving on panels, etc. [FOD, DC]
- Approve Time Off Awards (1 hour or more) and QSI Awards [FOD, DC]
- Approve individual and group awards up to \$2,500 (i.e., STAR, Meritorious Service, etc.) [FOD, DC]
- Authorize commitment for funds prior to obligation [FOD, DC]
- Sign documents (correspondence, manuals, etc.) that apply established policy or relate to operations, including operational commitments on behalf of the agency, that affect only their Directorate or field units under their jurisdiction, and including State correspondence addressed specifically to OSM officials [FOD, DC]
- Sign Congressionals addressed specifically to OSM officials [FOD]
- Administer the Oath of Office (delegated to RD in Regional Office) [FOD]
- Administer FOIA program within their jurisdiction in coordination with SOL [FOD, DC]
- Approve work at home for medical related reasons [FOD, DC]
- Issue US Govt ID cards [FOD]
- Issue and retrieve Inspector credentials and badges [FOD]
- Approve requests for payment of uniform allowances [FOD]
- Recommend approval of annual leave in excess of 15 working days at one time to next higher authority [FOD, DC but should have been SUP]
- Issue delegations of authority for IMPAC Purchase Card Holders (may be superseded) [FOD, DC]
- Issue National Government Gasoline Credit Cards (may be superseded) [FOD]
- Transfer and disposal of personal property [FOD]
- Approve publications under \$10,000 for combined printing/copying/mailing costs [FOD, DC]
- Approve Reimbursable Work Authorizations (RWA) of \$10,000 or less for office space work [FOD]
- Designate timekeepers [FOD, DC]
- Authorize use of chartered aircraft for “special use”, i.e., helicopter inspections [FOD]

- Approve Request for Overnight Storage of Government Vehicle at Employee's Residence [FOD, DC]
- Approve briefing papers, declarations of AML emergency for states with approved emergency programs [FOD]
- Approve requests to conduct AML noncoal reclamation prior to certification [FOD]
- Establish and waive liens [FOD, DC]
- Conduct state and tribal AML reclamation plan evaluation activities in accordance with national procedures and guidance [FOD]
- Approve NEPA Environmental Assessments, Findings of No Significant Impact, and related Notices [FOD, DC]
- Make Federal Lands National Forest compatibility finding [PSDW]
- Designate authorized representatives (i.e., inspectors) [FOD]
- Determine whether a pattern of violations exists [FOD]
- Determine whether violations were caused willfully or by unwarranted failure of the permittee and whether a show cause order should be issued [FOD]
- Approve extensions of NOV abatement beyond 90 days [FOD]
- Determine appropriateness of a State's response to a ten-day notice [FOD]
- Conduct an informal review of an authorized representatives decision not to inspect or take enforcement action regarding any violation alleged by a citizen in a request for a Federal inspection [FOD]
- Sign responses to requests for Federal inspection from citizen complaints [FOD]
- Conduct state program evaluation activities in accordance with national procedures and guidance [FOD]
- Approve and terminate experimental practices [PSDW]
- Approve, approve with conditions, or disapprove permit applications, revisions, and exploration permits where OSM is RA [PSDW]
- Approve and issue notices of proposed and actual rescission of improvidently issued Federal permits [FOD, DC]
- Forfeit bonds in Federal Program States and on Indian Lands [PSDW]
- Release performance bonds in Federal Program States and on Indian Lands [FOD, PSDW]
- Provide technical training and technical assistance to customers [FOD, DC]

The following authorities (non-supervisory) are **not in OPM-5**

- Approve participation as a cooperating agency in other agencies' or bureaus' NEPA processes (If EIS, RD; if not EIS, Branch Chiefs)
- Request other agencies' and bureaus' participation in WR NEPA processes (If EIS, RD; if not, FOD, DC or delegee)
- Approve and sign inspection reports
- Approve permit fee refunds
- Determine if revisions are significant
- Issue permit revision orders
- Federal Lands mining plan decision
- Approve permit renewals and permit transfers

The following authorities are delegated to Supervisors (SUP). Supervisor authorities cannot be delegated further.

- Approve employee attendance at professional meetings
- Approve On-the-Spot Awards (\$50 - \$910)
- Propose and decide disciplinary and adverse actions based upon conduct
- Propose and decide actions based upon unacceptable performance
- Terminate probationary employees for unsatisfactory performance, conduct, or conditions arising before appointment
- Withhold a Within-Grade increase (subject to review by next higher authority)
- Decide an Informal Grievance
- Specify official hours of duty (including AWS and Telecommuting)
- Approve annual leave up to 15 working days at one time (and cancel such leave if need arises)
- Recommend approval of annual leave in excess of 15 working days at one time to next higher authority [FOD, DC, but should have been SUP]
- Recommend approval of advance annual leave to next higher supervisory level
- Recommend approval of advance sick leave to next higher supervisory level (up to 240 hours for full-time employees, not more than the amount that can be accrued in any leave year for temp employees)
- Recommend approval of LWOP to next higher supervisory level (more than 30 consecutive days requires coordination with HR)
- Recommend approval or disapproval of requests for employees to participate in Leave Share Program to HR (HR is deciding authority)
- Determine, after consultation with HR, employee eligibility for LWOP NTE 12 work weeks during any 12 month period for Family and Medical Leave (may be superseded by new rules)
- Approve overtime
- Approve Performance Plans and results “achieved” ratings (results “not achieved” ratings must be at next higher level official not directly involved in the rating)
- Approve payments from the imprest fund (superseded?)
- Approve requisitions
- Certify time and attendance for subordinates
- Approve training requests
- Approve requests for travel advances and travel authorizations
- Approve travel vouchers
- Approve issuance of credit cards for travel and long distance service

The following supervisor authorities are not in OPM-5

- Recommend restoration of leave (lost “use or lose” annual leave)
- Approval of restoration of 240 hours or less of lost “use or lose” annual leave