TITLE 30 - MINERAL LANDS AND MINING
CHAPTER 3A - LEASES AND PROSPECTING PERMITS
SUBCHAPTER II - COAL

§ 203. Additional lands or deposits

(a) In general

(1) Except as provided in paragraph (3), on a finding by the Secretary under paragraph (2), any person, association, or corporation holding a lease of coal lands or coal deposits under the provisions of this chapter may with the approval of the Secretary of the Interior, secure modifications of the original coal lease by including additional coal lands or coal deposits contiguous or cornering to those embraced in the lease.

(2) A finding referred to in paragraph (1) is a finding by the Secretary that the modifications—

(A) would be in the interest of the United States;

(B) would not displace a competitive interest in the lands; and

(C) would not include lands or deposits that can be developed as part of another potential or existing operation.

(3) In no case shall the total area added by modifications to an existing coal lease under paragraph (1)—

(A) exceed 960 acres; or

(B) add acreage larger than that in the original lease.

(b) Terms and conditions

The Secretary shall prescribe terms and conditions which shall be consistent with this chapter and applicable to all of the acreage in such modified lease except that nothing in this section shall require the Secretary to apply the production or mining plan requirements of sections 202a (2) and 207 (c) of this title.

(c) Royalties

The minimum royalty provisions of section 207 (a) of this title shall not apply to any lands covered by this modified lease prior to a modification until the term of the original lease or extension thereof which became effective prior to the effective date of this Act has expired.

Footnotes

1 So in original. The comma probably should not appear.


References in Text

Sections 202a (2) and 207 (c) of this title, referred to in subsec. (b), was in the original “section 2(d)(2) and 7(c) of this Act (30 U.S.C. 201 (d)(2) and 207 (c))”, and was translated as sections 202a (2) and 207 (c) of this title to reflect the probable intent of Congress.

The effective date of this Act, referred to in subsec. (c), probably means the date of enactment of Pub. L. 95–554, which was approved Oct. 30, 1978.

Amendments

2005—Pub. L. 109–58 designated first sentence as par. (1) of subsec. (a), substituted “Except as provided in paragraph (3), on a finding by the Secretary under paragraph (2), any person” for “Any person” and “secure modifications of the original coal lease by including additional coal lands or coal deposits contiguous or cornering to those embraced in the lease” for “upon a finding by him that it would be in the interest of the United States, secure modifications of the original coal lease by including additional coal lands or coal deposits contiguous or cornering to those embraced in
such lease, but in no event shall the total area added by such modifications to an existing coal lease exceed one hundred sixty acres, or add acreage larger than that in the original lease”, added pars. (2) and (3), and designated second and third sentences as subsecs. (b) and (c), respectively.

1978—Pub. L. 95–554 authorized modification of leases to include coal lands or coal deposits cornering to those embraced in the leases and inserted provision respecting application of production or mining plan requirements of sections 202a (2) and 207 (c) and minimum royalty provisions of section 207 (a) of this title.

1976—Pub. L. 94–377 struck out the advantage to the lessee as one of the conditions for modification of the original lease, substituted provision prohibiting the addition of total area in excess of 160 acres or adding acreage larger than that in the original lease for provision limiting the total area embraced in such modified lease to an aggregate of 2560 acres, and inserted provision authorizing the Secretary to prescribe terms and conditions consistent with this chapter which shall be applicable to the total acreage in the modified lease.

**Effective Date of 2005 Amendment**

Amendment by Pub. L. 109–58 applicable with respect to any coal lease issued before, on, or after Aug. 8, 2005, see section 438 of Pub. L. 109–58, set out as a note under section 201 of this title.

**Savings Provision**

Section 13(b) of Pub. L. 94–377 provided that the amendment made by that section is subject to valid existing rights.