

**Supporting Statement for Paperwork Reduction Act Submissions**  
**OMB Control Number 1004-0121**

**TERMS OF CLEARANCE:** BLM is reminded to include the names and contact information of persons outside of the agency who were consulted on the information collection contained in this submission.

The terms of clearance are addressed in question 8 of this supporting statement.

**A. Justification**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Bureau of Land Management (BLM) seeks approval from the Office of Management and Budget (OMB) to renew the information collection requirements for the regulations at 43 parts CFR 3500 through 3590. These regulations cover the leasing of solid minerals other than coal and oil shale and operations on those leases. These regulations implement the following statutory authorities:

- (1) The Mineral Leasing Act of 1920 (30 U.S.C. 181 et seq.);
- (2) The Mineral Leasing Act for Acquired Lands of 1947 (30 U.S.C. 351-359);
- (3) Section 402 of Reorganization Plan No. 3 of 1946 (5 U.S.C. Appendix);
- (4) The Multiple Mineral Development Act of 1954 (30 U.S.C. 521-531);
- (5) The National Environmental Policy Act of 1969 (42 U.S.C. 4321); and
- (6) The Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1701 et seq.).

These statutes govern the leasing of minerals on Federal land and the development of those leases. In addition to governing operations on mineral leases on Federal land, 43 part CFR 3590 also governs operations on Tribal land and land held in trust by the Federal Government for the benefit of individual Indians.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]**

The BLM regulations at 43 parts CFR 3500 - 3590 have several sections requiring information collection. All of these information collection requirements are consistent with the authority of the Secretary of the Interior to manage the leasing of solid minerals other than coal or oil shale. The statutes give the Secretary the authority to issue prospecting

permits, exploration licenses, leases, and use permits. The Secretary also has the authority to exchange leases and to regulate mining activities on both Federal and Indian mineral leases.

The regulations require an applicant, a permittee or a lessee to submit the following information to BLM to:

Determine if applicants, permittees, and lessees meet the qualification criteria.  
Assure compliance with various other legal requirements relating to the leasing of solid minerals other than coal or oil shale.

Gather data needed to determine the environmental impacts of developing solid leasable minerals other than coal or oil shale.

Maintain accurate leasing records.

Oversee and manage the leasing of solid minerals other than coal or oil shale.

The following discussion presents our requirements for information collection in the order in which these requirements are presented in the regulations.

a. Subpart 3501 Leasing of Solid Minerals Other Than Coal or Oil Shale – General

Section 3501.20 establishes the effective date of use authorizations as the first day of the month after BLM signs it. This section also allows an applicant to request that a land use authorization be effective on the first day of the month in which BLM signs it. In order for an applicant to receive the benefit of the earlier effective date, the applicant must make the request in writing. BLM establishes the effective date for use authorizations issued under this part as the first day of the month following the date BLM signs the authorization as an administrative convenience. This avoids the need to prorate any rentals or other fees for partial months. We offer an opportunity for applicants to request an earlier effective date if this earlier date better meets their needs.

b. Subpart 3502 Qualification Requirements

Sections 3502.27, 3502.28, 3502.29, 3502.30, 3502.33, 3502.34, and 3502.40 identify the information on qualifications that an applicant must submit in order to hold all or part of a prospecting permit or lease. The information must show that they are:

Adult citizens of the United States;

Associations (including partnerships and trusts) of such citizens;

Corporations organized under the laws of the United States or of any U.S. State or territory;

A legal guardian of a minor United States citizen;

A trustee of a trust where the beneficiary is a minor but the trustee is qualified to hold a permit or lease; or

Any other person authorized to hold a lease under 30 U.S.C. 184.

BLM requires that an applicant file different information to demonstrate qualifications depending on whether the applicant is an individual, an association (including a partnership or trust), a corporation, an attorney-in-fact, or an heir or devisee. Specific information collection requirements are shown below.

Section 3502.27 - If you are an individual, you must send us a signed statement showing that:

You are a U.S. citizen; and

Your acreage holdings do not exceed the limits in section 43 CFR 3503.37 of this part. This includes your holdings through a corporation, association, or partnership in which you are the beneficial owner of more than 10 percent of the stock or other instruments of control.

Section 3502.28 - If you are an association, you must send us a signed statement showing:

The names, addresses, and citizenship of all members who own or control 10 percent or more of the association or partnership;

The names of the members authorized to act on behalf of the association or partnership;

That the association or partnership's acreage holdings for the particular mineral concerned do not exceed the acreage limits in section 43 CFR 3503.37; and

A copy of the articles of the association or the partnership agreement.

BLM needs this information to verify that the applicant is a legitimate association or partnership and the citizenship requirements are met. We also ensure that applicants do not exceed the acreage limits.

Section 3502.29 - If you are the guardian or trustee of a trust, you must send us a signed statement showing:

The beneficiary's citizenship;

Your citizenship;

The grantor's citizenship, if the trust is revocable;

That the acreage holdings of the beneficiary, the guardian or trustee, or the grantor, if the trust is revocable, cumulatively do not exceed the acreage limitations in section 43 CFR 3503.37 of this part; and

A copy of the court order or other document authorizing or creating the trust or guardianship.

BLM needs this information to verify that the applicant is a legitimate guardian or trustee and the citizenship requirements are met. We ensure that applicants do not exceed the acreage limits.

Section 3502.30 - If you are a corporation, a corporate officer or authorized attorney-in-fact must send BLM a signed statement stating:

The State or territory of incorporation;

The name and citizenship of, and percentage of stock owned, held, or controlled by, any stockholder owning, holding, or controlling more than 10 percent of the stock of the corporation;

The names of the officers authorized to act on behalf of the corporation; and

That the corporation's acreage holdings and those of any stockholder identified under paragraph (ii) of this section do not exceed the acreage limitations in 43 CFR 3503.37.

BLM needs this information to verify that the applicant is a legitimate corporation and the incorporation and citizenship requirements are met. We need to ensure that applicants do not exceed the acreage limits. We also need to know who can act on behalf of the corporation. A corporation may hold title to mineral permits and leases only if it is incorporated under the laws of the United States, a state, or a U.S. territory. A citizen of a foreign country may acquire an interest in a permit or lease only through stock ownership in a U.S. corporation if the laws, customs, or regulations of their country do not deny similar privileges to U.S. citizens.

Section 3502.33 - If you are an attorney-in-fact, you must send us evidence of your authority to act on behalf of the applicant, and a statement of the applicant's qualifications and acreage holdings if you are empowered to make this statement. Otherwise, the applicant must send us this information separately.

BLM needs this information to verify that the applicant authorized the attorney-in-fact to represent the applicant. We also need to verify that the citizenship requirements are met and

the applicants do not exceed the acreage limitations.

Section 3502.34 - If you are not the sole party in interest in an application for a permit or lease, include with your application the names of all other parties who hold or will hold any interest in the application or in the permit or lease when BLM issues it. All interested parties must show they are qualified to hold permit or lease interests.

BLM needs this information to verify that all parties seeking an interest in a permit or lease meet the qualification requirements. We need to verify that the citizenship requirements are met and the applicants do not exceed the acreage limitations.

Section 3502.40 - Heirs and Devisees - BLM can issue a permit or a lease directly to an heir or devisee of an estate or to an executor or administrator of an estate if the applicant dies before BLM issues the permit or lease. If probate of the estate has been completed or is not required, BLM will issue the permit or lease to the heirs or devisees, or their guardian. They must send us:

A certified copy of the will or decree of distribution, and if no will or decree exists, a statement signed by the heirs that they are the only heirs and citing the provisions of the law of the deceased's last domicile showing that no probate is required; and

A statement signed by each of the heirs or devisees with reference to citizenship and holdings similar to that required by section 3502.27 for individuals. If the heir or devisee is a minor, the guardian or trustee must sign the statement.

If probate is required but not completed, BLM will issue the permit or lease to the executor or administrator of the estate. He or she must send:

Evidence that the person who, as executor or administrator, submits lease and bond forms has authority to act in that capacity and to sign those forms;

Evidence that the heirs or devisees are the only heirs or devisees of the deceased; and

A statement signed by each heir or devisee concerning citizenship and holdings, as required by section 3502.27.

BLM needs this information in order to make sure that we grant the permit or lease only to the proper heir or devisee of a deceased applicant, or to the proper executor or administrator of the deceased applicant's estate.

c. Subpart 3503 - Areas available for Leasing

Section 3503.21(b) gives state and local government agencies, certain educational institutions and charitable or religious institutions the opportunity to suggest lease

stipulations to protect improvements or uses or to object to a permit or lease when the listed entities own the surface of the land where the Federal Government holds the mineral estate. Sections 3503.30, 3503.31, and 3503.32 require applicants to describe the land in their applications in specific ways. Section 3503.42 requires persons who submit data that is confidential or proprietary to clearly mark each page.

Section 3503.46 requires BLM to consult with Indian mineral owners whenever it contemplates releasing information a third party supplies under a Freedom of Information Act (FOIA) request.

Section 3503.21(b) - BLM will give certain entities who own the surface of the lands in your application up to 90 days to suggest any lease stipulations to protect existing surface improvements or uses, or to object to the permit or lease.

Applicants can lease Federal minerals where the surface is owned by state and local governments, colleges and other educational institutions, or charitable and religious institutions. The rules require BLM to give these surface owners up to 90 days to suggest stipulations for the mineral leases or object to mineral leasing. We need the information supplied by the surface owner to determine whether to issue the permit or lease, which stipulations suggested by the surface owner to include in the permit or lease, and how best to serve the interests of the United States.

Section 3503.30 - Applicants must describe the lands they seek to permit or lease by legal subdivision, section, township, and range in public land survey states.

BLM uses this information to properly note the public land records and to conduct needed administrative and environmental reviews of applications.

Section 3503.31 - Applicants must describe lands outside of public land states by metes and bounds in accordance with BLM standard survey practices for the public lands. Applicants must connect their land description by courses and distances between successive angle points to an official corner of the public land survey system or, for accreted lands, to an angle point that connects to a point on an official corner of the public land survey system to which the accretions belong.

BLM uses this information to properly note the public land records and to conduct needed administrative and environmental reviews of the applications.

Section 3503.32 - Applicants may describe acquired lands for which they wish to obtain a permit or lease by metes and bounds, or they may also use the description shown on the deed or other document that conveyed title to the United States. If they are applying for less than the entire tract acquired by the United States, they must describe the land using courses and distances tied to a point on the boundary of the requested tract. Where the acquiring agency assigned a tract number to the tract, the applicant may describe the lands by the tract number

and include a map which clearly shows the lands with respect to the administrative unit or the project of which they are a part. In States outside of the public land survey system, the applicant should describe the lands by tract number and include a map.

BLM uses this information to properly note the public land records and to conduct needed administrative and environmental reviews of the applications.

Section 3503.42 - When an applicant, permittee, or lessee submits information that is believed to be exempt from disclosure by part 2 of this title, the applicant, permittee, or lessee must clearly mark each page that is believed to contain confidential information.

BLM needs this information to fulfill its obligations under the FOIA. Generally, BLM may only withhold information from release if the information is exempt from release under one of the named criteria under FOIA or some other statute. BLM will review all material marked as confidential to see if it is exempt from release before releasing the information.

Section 3503.46 - BLM will notify the Indian mineral owner(s) identified in the records of the Bureau of Indian Affairs (BIA) and give them a reasonable period of time to state objections to disclosure, using the standards and procedures of 43 CFR 2.15(d), before making a decision about the applicability of FOIA exemption 4 to protect information obtained from a person outside the United States Government; when, following consultation with a submitter, BLM determines that the submitter does not have an interest in withholding the records that can be protected under the FOIA; but BLM has reason to believe that disclosure of the information may result in commercial or financial injury to the Indian mineral owner(s), but is uncertain that such is the case.

BLM needs this information to fulfill its obligations under the FOIA. Generally, BLM may only withhold information from release if the information is exempt from release by one of the named criteria under the FOIA or some other statute. BLM will review all material marked as confidential to see if it is exempt from release before releasing the information. BLM has a special relationship with Indian mineral owners. BLM provides technical services to Tribe and individual Indian mineral owners as part of the Federal government's trust relationship to Native American Tribes and peoples. BLM provides an opportunity for Indian mineral owners to comment on the possibility that we may release third party information involving their lands.

#### d. Subpart 3504 - Fees, Rental, Royalty and Bonds

Sections 3504.51, 3540.55, and 3504.56 list the bond requirements. Prior to the issuance of a prospecting permit or lease, the BLM requires an applicant to file a surety or personal bond on the approved form. Applicants must complete one of the following BLM forms:

BLM Form 3504-1, Personal Bond and Power of Attorney

BLM Form 3504-3, Bond under lease for Mining Deposits.

BLM Form 3504-4, Statewide or Nationwide Personal Mineral Bond

Each bond form requires identification of the serial number of the lease, the bond number, signature and address of the principal, and signatures of the witnesses.

The Federal Government requires and holds a bond to ensure that a permittee or lessee complies with the terms and conditions of the permit or lease as well as applicable regulatory and statutory requirements. BLM terminates the bond when all the terms and conditions of the lease or permit are met or when an acceptable replacement bond is filed.

If an applicant submits a negotiable U.S. Treasury bond with a personal bond, it must be accompanied by a document conveying to the Secretary of the Interior full authority to sell the bond in the case of default. This document is needed in order to ensure that title to the U.S. Treasury bond can expeditiously pass to the Department of the Interior in the event the permittee or lessee defaults and the bond must be sold.

Section 3504.50 sets minimum bond amounts of \$1,000 for prospecting permits and \$5,000 for leases. However, BLM can set the bond higher than the minimum as needed to protect mineral and other resources.

Section 3504.56 allows a person to combine bond coverage if they have more than one permit or lease. Instead of filing separate bonds for each permit or lease, the permittee or lessee may file a bond to cover all permits and leases for a specific mineral in any one state or nationwide. BLM will establish the amount of the bond; however, the minimums are:

\$25,000 for statewide bonds. File these bonds in the BLM State Office for the state where the permits or leases are located.

\$75,000 for nationwide bonds. File these bonds in any BLM State Office.

This section allows an applicant, permittee, or lessee to select the type of bond coverage they prefer. The only relevant information collection requirements that are entailed in filing a bond are the serial numbers and States of location of the permits or leases being covered by the bond and the name and address of the principal and signatures of the principal and surety.

e. Subpart 3505 - Prospecting Permits

Sections 3505.12, 3505.13, 3505.40 and 3505.41 address the information we need to collect from applicants for prospecting permits. Section 3505.30 addresses information we need to amend a prospecting permit application. Section 3505.31 addresses withdrawing applications for prospecting permits. Section 3505.51 addresses filing revised applications for prospecting permits if BLM rejects the original application. Sections 3505.62, 3505.64,



and 3505.65 address applications to extend prospecting permits for additional time. Section 3505.70 addresses the information we need if you wish to relinquish a prospecting permit.

Sections 3505.12 and 3505.13 - BLM requires that an applicant file three copies of Form 3510-1 to apply for a prospecting permit. This form is also used as the permit if BLM signs it. BLM requires a filing fee and the first year's rental with the application form. The form must be legible and dated. It must contain the applicant's signature or the signature of the applicant's agent. It must also include the name and address of the applicant, a statement of the applicant's qualifications, a complete and accurate land description and the names of all of the commodities covered by the application. We also need three copies of any maps needed to accompany the application.

Sections 3505.40 and 3505.41 require that applicants file three copies of an exploration plan reasonably designed to determine the existence or workability of the deposit. BLM does not require a specific form. We require that the applicant file the plan after we have completed a preliminary review of the application and cleared it for further processing, but before we issue the prospecting permit. We require the following information in the plan:

The names, addresses and telephone numbers of persons responsible for operations under your plan and to whom BLM will deliver notices and orders;

A brief description of the environment your plan may affect. Focus on the affected geologic, water and other physical factors, and the distribution and abundance of vegetation and habitat of fish and wildlife, particularly threatened and endangered species. Include maps with your descriptions and discuss the present land use in and adjacent to the area;

A narrative description showing:

- The method of exploration and types of equipment you will use;

- The measures you will take to prevent or control fire, soil erosion, pollution of surface and ground water, pollution of air, damage to fish and wildlife or their habitat, damage to other natural resources, and hazards to public health and safety, including specific actions necessary to meet all applicable laws and regulations;

- The method for plugging drill holes; and

- The measures you will take to reclaim the land, including:

  - A reclamation schedule;

  - The method of grading, backfilling, soil stabilization, compacting and contouring;

  - The method of soil preparation and fertilizer application;

  - The type and mixture of shrubs, trees, grasses, forbs or other vegetation you will plant;

The method of planting, including approximate quantity and spacing;  
The estimated timetable for each phase of the work and for final completion of the program;  
Suitable topographic maps or aerial photographs showing existing bodies of surface water, topographic, cultural and drainage features, and the proposed location of drill holes, trenches and roads; and  
Any other data which BLM may require.

We need this information to assess the potential impacts of mineral development on the lands included in the application, to ensure that adequate protective measures are taken to maintain the physical and biological balance of the surrounding environment, and to determine if the plan is reasonably designed to disclose the existence of a valuable deposit of minerals if one is present in the lands.

Sections 3505.30 and 3505.31 address information we need if applicants wish to amend or withdraw applications before they are issued. Applicants must submit both amendments and withdrawals to us in writing, but we require no specific form. If applicants add land to an application they must send in the additional first year's rental that would be required, but they do not need to send us an additional filing fee. If applicants withdraw all of their application we will refund the rental fee they submitted, but keep the filing fee. If applicants withdraw only part of their application, we will return a *pro rata* share of the rental fee but keep the balance of the rental and the filing fee.

Section 3505.51 allows applicants to file a revised application within 30 days after we reject their original application without submitting an additional filing fee. A revised application needs to be submitted on Form 3510-1. We need three copies of the application and must contain the same information as is required for a new application. In addition to this information the applicant needs to show the serial number we assigned to the original application and it needs to be submitted within 30 days of our decision rejecting the original application. If we do not receive a revised application, we will refund the rental payment that was included with the rejected application, but we will keep the filing fee.

Sections 3505.62, 3505.64 and 3505.65 address applications to extend prospecting permits for additional time. We require that an application for extension be in writing and include the first year's rental and a filing fee. We require no specific form, but the application for extension must include evidence that the permittee explored with reasonable diligence but was unable to establish the existence or workability of a mineral deposit or that the permittee was prevented from diligently exploring by conditions outside of the control of the permittee. The applicant must also describe the exploration conducted and the amount of time needed to complete prospecting.

We need this information in order to determine the merits of the request for extension and to establish that the permittee has met the requirements for an extension under the provisions of the MLA.

Section 3505.70 allows permittees to relinquish prospecting permits with BLM's approval. We require no special form. If a permittee only relinquishes part of the permit, the permittee must clearly describe the exact acreage that the permittee wishes to relinquish. Under certain conditions a prospecting permittee may be entitled to a mineral lease. We need clear land descriptions for partial relinquishments, because with the relinquishment the permittee gives up any entitlement to a lease for the land described in the relinquishment.

f. Subpart 3506 - Exploration Licenses

Sections 3506.11 and 3506.13 describe the information we require applicants to submit for exploration licenses. Section 3506.25 describes information we require licensees to submit. BLM issues exploration licenses under the authority of Section 302(a) of FLPMA. The BLM issues exploration licenses to private parties so they can explore known, unleased mineral deposits and obtain geologic and environmental data. We require no specific application form. We require applicants to publish a notice at least three times in a newspaper of general circulation in the area where exploration will be conducted inviting others to participate in the exploration on a pro rata cost sharing basis. The notice of exploration contains the name and address of the applicant and a description of the lands and is prepared by the BLM. Once the application is approved, the licensee is required to furnish exploration data to the BLM so we can update records relating to the extent and quality of the publicly owned mineral resources in the exploration area. The information is necessary for the BLM in carrying out its multiple use management activities.

g. Subpart 3507- Preference Right Lease Applications

Sections 3507.15, 3507.16, 3507.17, and 3507.18 address the procedures for application for a preference right lease for phosphate, sodium, potassium, sulphur, gilsonite and hardrock minerals. BLM will use form 3520-7 if we issue the lease. Preference right leases are not available for asphalt.

Applicants must submit three copies of an application for a preference right lease to the proper BLM office no later than 60 days after the associated prospecting permit has expired. We do not require any specific application form but the application must include the following information:

A current statement of qualifications including acreage holdings;

Three copies of a map showing:

Utility systems;

The location of any proposed development or mining operations and incidental facilities;

The approximate locations and the extent of the areas you will use for pits, overburden, and tailings; and

The location of water sources or other resources which you may use in the proposed operations or incidental facilities;

A narrative statement addressing:

The anticipated scope, method, and schedule of development operations including the type of equipment you will use;

The method of mining anticipated, including the best available estimate of the mining sequence and production rate; and

The relationship, if any, between the planned mining operations and facilities on adjacent Federal or non-Federal land;

Financial information that will enable the BLM to determine if the applicant found a valuable deposit, including at least an estimate of projected mining and processing costs, saleable products and markets, and projected selling prices;

Complete and accurate description of the lands as found in the associated prospecting permit if the application is for less than the lands covered by the original prospecting permit; and

Other data the BLM may require. BLM may request supplemental data from the applicant to determine the following:

The extent and character of the deposit;

The anticipated mining and processing methods and costs;

The anticipated location, kind, and extent of necessary surface disturbance;

The measures planned to reclaim the disturbance;

An estimate of the profitability of mineral development; and

Whether there is a reasonable prospect of success in developing a profitable mine.

BLM needs the qualification and acreage holding information to determine if the applicant is qualified to receive a lease. BLM needs a complete and accurate legal description of the land to determine the availability of the lands under application and to update Federal land records. BLM needs the map and narrative statement to assess potential impacts of the proposed activities on the environment, so that any necessary measures can be made lease terms. We use the information on the financial aspects of the proposed mining operation to determine if the prospecting permittee has made the showing of a valuable deposit.

#### h. Subpart 3508 - Competitive Lease Applications

Sections 3508.12, 3508.15 and 3508.21 address:

How a person can nominate an area for competitive leasing;  
What a person must do to submit a bid; and

The information that a successful bidder must provide the BLM in order to receive a competitive lease.

A person can nominate an area for competitive sale by notifying the BLM. No specific form is required. BLM can also decide to offer a competitive sale. BLM leases lands that are known to contain a valuable deposit only through a competitive sale except for certain limited situations when we can issue a fringe lease or include additional lands in a lease through a lease modification. Once BLM publishes a notice of competitive lease sale, anyone interested in obtaining a lease can submit a bid. A bidder must include a statement of their qualifications and one fifth of the bid amount with their bid. BLM is not required to issue the lease to the highest qualified bidder. The bid must exceed the BLM's estimate of the fair market value of the parcel. BLM will use Form 3520-7 if we issue the lease.

If BLM decides that it will issue a competitive lease, the highest qualified bidder must:

Sign and return the lease form;  
Pay the balance of the bonus bid;  
Pay the first year's rental;  
Pay the publication costs; and  
Furnish the lease bond.

BLM needs this information so that we may comply with the requirements.

i. Subpart 3509 – Fractional and Future Interest Lease Applications

Sections 3509.16, 3509.17, and 3509.18 address the information BLM needs from persons who wish to obtain a future interest lease. Sections 3509.46, 3509.47 and 3509.48 address information BLM needs from persons who wish to obtain a fractional interest lease. BLM may issue these kinds of leases on lands where the Federal Government owns either a future interest or a partial interest of the mineral estate of specific parcels of land. BLM may also issue fractional interest prospecting permits for all commodities leased under this rule except asphalt in Oklahoma. These kinds of leases and permits are issued noncompetitively or through a modified competitive process when we determine it is in the public interest to do so. BLM will use Form 3520-7 if we choose to issue the lease.

Section 3509.16 requires applicants for future interest leases to include a \$25 filing fee with their application. No specific form is required.

Section 3509.17 lists the information that a person must file with their application, including the following:

A land description;

A certification of qualifications to hold a Federal mineral lease;  
Evidence of present ownership or other interest in the mineral estate. BLM may only issue a future interest lease to someone who has a present mineral interest in the land;  
and  
The names of any others with a present interest in the mineral estate.

Section 3509.46 requires applicants for fractional interest leases or permits to include a \$25 filing fee with their application. No specific form is required.

Section 3509.47 lists the information that a person must file with their application, including the following:

A land description;  
A certification of qualifications to hold a Federal mineral lease;  
Evidence of a fractional ownership or other interest in the mineral estate. BLM may only issue a fractional interest lease or permit to someone who has a fractional mineral interest in the same land; and  
The names of any others with a fractional interest in the mineral estate.

Section 3509.48 requires BLM to notify other parties who have a fractional interest in the same mineral estate and provide them an opportunity to file an application for the fractional interest lease or permit. Should others qualified parties apply, BLM will issue the lease or permit competitively. We will issue the lease or permit noncompetitively if no other qualified parties apply. In any case, issuing a lease or permit is discretionary and BLM will issue the lease or permit only if we determine it is in the public interest to do so.

BLM needs this information in order to comply with the requirements. We also have a fundamental duty to treat all persons fairly. Therefore, we require applicants to submit information on other people who have an interest in the subject property so that these other parties will have an equal opportunity to participate in the leasing or permitting process.

j. Subpart 3510 - Noncompetitive Leasing: Fringe Acreage Leases and Lease Modifications

Sections 3510.12 and 3510.20 describe the requirements for filing an application to obtain a noncompetitive fringe acreage lease or lease modification. Fringe acreage leases are issued for lands known to contain a mineral deposit that is contiguous to an existing Federal lease or privately held lands. BLM may authorize modifications to existing Federal leases for lands that are contiguous to that lease. We require three copies of applications for either of these kinds of authorizations, but require no specific form. Section 3510.12 requires the application to contain the following materials and information:

A \$25 filing fee;  
The first year's rental;  
The serial number of any adjoining Federal mineral leases;  
Information about the mineral deposit showing that it extends from adjoining lands that you control to the lands for which you are making application; and

Proof that you own or control the mineral deposit in the adjoining lands if they are not under a Federal lease.

Section 3510.20 requires an applicant to pay a bonus in an amount determined by BLM to acquire a fringe acreage lease or a lease modification. BLM will use Form 3520-7 if it chooses to grant a fringe acreage lease.

BLM needs this information to comply with the requirements.

k. Subpart 3511 - Lease Terms and Conditions

Section 3511.26 addresses information that a person must file if he or she object to the terms of a readjusted lease. Section 3511.27 addresses the information that a person must supply to the BLM in order to renew a lease. Section 3511.30 allows a person to pay royalties and rentals at the original rate if he or she appeals BLM's decision on new terms for royalty or rental. Phosphate, potash and gilsonite leases are subject to readjustment at the expiration of their primary term and at the end of each subsequent 20-year period. Section 3511.26 requires that a person object to the proposed readjusted lease terms within 60 days of receiving the proposed readjusted terms. If BLM does not receive the objection with 60 days, then the proposed readjusted terms will be in effect.

Lessees can renew sodium, sulphur, hard rock, and asphalt leases for a 10-year period at the end of their primary term (generally 20 years) and each following 10-year period. Section 3511.27 requires that a person apply for lease renewal at least 90 days before the lease term expires. No specific form is required, but BLM must receive three copies of the application together with a \$25 filing fee and an advance rental payment of \$1 per acre or fraction of an acre.

BLM's decisions on new royalty and rental rates are subject to appeal. Section 3511.30 allows a person to pay royalties and rentals at the original rate if they appeal BLM's decision on new terms for royalty or rental. If the new increased charges are sustained on appeal, the lessee will have to pay the accrued balance plus interest at the rate determined by the Minerals Management Service (MMS) for late payments.

BLM needs this information in order to comply with the requirements. BLM includes appeal provisions in these regulations so that we may comply with the Administrative Procedure Act.

l. Subpart 3512 - Assignments and Subleases

Any prospecting permit or lease may be assigned or subleased in whole or in part to any person, association, or corporation qualified to hold a lease or permit. Assignment agreements and subleases are not valid unless BLM approves them. Section 3512.13 describes the assignment approval process. Section 3512.16 describes the sublease approval

process. BLM must also approve transfers of operating rights. This approval process is described in section 3512.17. A lessee must notify the BLM of the transfer of an overriding royalty, but we do not approve these transfers. Section 3512.19 describes this notification process.

Section 3512.13 lists the information BLM must receive in order to process an application for assignment. BLM requires information from both the assignor and the assignee. The assignor must submit three copies of the assignment document that must contain:

- The assignee's name and address;
- The interest held by the assignor that is included in the assignment;
- The serial number of the affected permit or lease;
- The amount of overriding royalties that will be retained; and
- The date and original signatures on each copy.

The assignee must also send BLM a request for approval of assignment that must contain:

- The assignee's qualification statement, including a statement of holdings;
- The original signature of the assignee and the date on the assignment; and
- A \$25 fee.

Section 3512.16 lists the information BLM must receive in order to approve a sublease of a lease. An applicant for approval of a sublease must provide BLM with the following:

- One copy of the sublease agreement;
- A request for approval of the sublease signed by the sublessee; and
- A \$25 filing fee.

Section 3512.17 describes the approval process for the transfer of operating rights on a permit of lease. An applicant for approval of a transfer of operating rights must provide BLM with the following:

- One copy of the agreement to transfer operating rights;
- A request for approval of the transfer signed by the transferee; and
- A \$25 filing fee.

Section 3512.19 requires that anyone transferring overriding royalty rights on a Federal lease submit a copy of the transfer document, a statement of the transferee's qualifications to hold a Federal lease, and a \$25 fee.

BLM needs this information to ensure that only persons qualified may obtain an interest in a Federal mineral lease. We also need the information in order to maintain accurate and complete records on Federal mineral leases.

m. Subpart 3513 - Waiver, Suspension or Reduction of Rental and Minimum Royalties

In accordance with Section 39 of the MLA, BLM may waive, suspend, or reduce rental, minimum royalty or royalty payments whenever it is determined by the Secretary that such



action is necessary to promote development, or that the lease cannot be successfully operated under the lease terms. In order to properly identify the lease in question, the BLM requires that an application for any of these benefits contain the serial number of the lease, the name of the record title holder, the operator or sublessee and a description of the lands by legal subdivision. These requirements are listed in section 3513.15. No specific application form is required. Additional information collection requirements in section 3513.15 include:

A map showing the serial number and location of each mine or excavation and the extent of the mining operation;

A statement of leasable minerals mined each month for at least the 12 months preceding the date the application was filed, with a statement of the average mined per day for each month;

If the application is for relief from minimum production requirements, the lessee must provide information explaining why minimum production was not achieved;

A detailed statement of expenses and costs of operating the entire lease and the income from the sale of any leased products;

All facts showing why the lessee cannot successfully operate the mines under the royalty or rental fixed in the lease and other lease terms;

If the application is for reduction of royalty, full information about any royalties the lessee pays to anyone other than the United States and a description of the efforts the lessee has made to reduce the other royalties;

Documents showing that the total amount of overriding royalties the lessee will pay will not exceed one-half the proposed reduced royalties due the United States; and

Any other information the BLM needs to determine whether the request satisfies the standards in section 3513.12.

Section 3513.22 requires that a lessee submit two copies of an application for a suspension (conservation concerns) explaining why it is in the interest of conservation to suspend operations and production on the lease. Section 3513.32 requires that a lessee submit two copies of an application for a suspension (economic concerns) showing why the lease cannot be operated except at a loss. No specific form is needed for either application.

BLM needs this information in order to accurately assess the merits of the applications and to determine if applicants have provided evidence showing statutory requirements of Section 39 of the MLA.

n. Subpart 3514 - Lease Relinquishments and Cancellations

Section 3514.11 requires that a lessee show that it is not against the public interest in order to relinquish a lease. Section 3514.12 requires the lessee provide the BLM a complete legal description of any land in a partial relinquishment of a lease. Section 3514.32 provides a 30-day period for a lessee to cure any violation of the regulations or the lease terms before BLM will ask the Attorney General to institute court proceedings to cancel the lease or take other adverse action. Section 3514.40 allows bona fide purchasers to identify themselves and be dismissed from any legal proceedings to cancel the lease.

BLM needs to information to comply with the requirements.

o. Subpart 3515 – Mineral Lease Exchanges

Section 3515.23 requires permittees and lessees who propose to exchange their leases for other Federal leases to provide BLM with the geologic and economic data BLM needs so that the fair market value of the offered preference right to lease or lease can be determined. The BLM requires permittees and lessees to obtain fair market value in exchanges of land or interest in land. BLM needs this data in order to meet its obligations under the FLPMA. Section 3515.25 requires that BLM publish a notice of the proposed exchange requesting public comments on the merits of the proposed exchange. We do not require anyone to comment, but do consider the comments we receive. BLM needs this information to comply with the requirements.

p. Subpart 3516 - Use Permits

Sections 3516.15 and 3516.16 describe the procedures to follow in order to obtain a use permit. Use permits are only available to phosphate and sodium permittees and lessees. BLM may grant a phosphate or sodium permittee or lessee a right to use the surface of unappropriated, unentered public land administered by the BLM if the surface is needed for the proper evaluation or extraction of the mineral deposit. Use permits can be no larger than 80 acres. BLM requires no specific form for the application. The applicant must submit three copies of the application with the first year's rental and a \$25 filing fee. The applicant must agree to pay the annual rental. The application must contain the following information:

A legal description of the lands needed;

The purpose for which the applicant needs the lands and specific reasons why the requested lands are needed for this purpose;

Any information demonstrating that the lands are suitable and appropriate for use; and

Evidence that the lands are unoccupied and unappropriated.

BLM needs this information to assess the merits of the application and to determine the

location and availability of the requested lands. Once BLM approves an application, we complete and execute the use permit on Form 3510-2. BLM then sends the form to the applicant.

q. Subpart 3517 - Hardrock Mineral Development Contracts; Processing and Milling Arrangements

Section 3715.15 describes the procedures for applying to BLM for approval of a mineral development contract and processing and milling arrangements. These contracts or agreements are made by one or more lessees with one or more individuals, associations, or corporations to develop necessary economies of scale in the discovery, development, production or transportation of leasable hardrock ores. BLM requires no specific form. Applicants must submit three copies of an application that includes the following:

Copies of the contract affecting the Federal leases or permits;

A statement showing the nature and reasons for the requested approval;

A statement showing all of the interests held in the contract area by the designated contractor; and

The proposed or agreed upon plan of operations or development of the leased lands.

BLM needs this information to assess the proposed activities and to determine if conservation of the natural resources or the public interest would best be served by BLM's approval of the contract.

r. Subpart 3581 - Gold, Silver, or Quicksilver in Confirmed Private Land Grants

This subpart applies to lands in private land claims patented as a result of decrees of the Court of Private Land Claims, where the grant did not convey the rights to gold, silver or quicksilver and where the grantee has not otherwise become entitled to the deposits. BLM may issue leases to the original grantee or his or her successor in title. No specific form is required, but the application must include the following:

The name and address of the applicant and the legal land description of the subject lands, or if the application includes the entire land grant, the name of the grant and the date of the patent;

The proposed mining methods;

The estimate of the investment needed for successful operation of the mine;

The estimated amount of production;

Any other information the applicant considers important including what he or she considers to be a reasonable royalty rate; and

A duly authenticated abstract of title.

BLM needs this information to:

Identify the location and availability of the lands;

Verify the applicant's title to the lands;

Enable correspondence with the applicant; and

Assess the proposed mining activities to ensure that we adequately protect the environment.

If BLM approves the application it will send a lease to the prospective lessee on form 3520-7 and notify the applicant that they must furnish a bond, sign the lease and return it to the proper BLM office in 30 days.

s. Subpart 3583 - Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area

This subpart addresses hardrock mineral leasing in the Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area. BLM requires no specific form for this lease application. Applicants must send BLM three copies of an application that includes the following:

The applicant's name and address;

A statement of the applicant's acreage holdings;

A legal description of the lands;

A statement that the mineral deposit described in the application can be developed in paying quantities and information that supports this statement; and

Any available facts relating to the known occurrence of the mineral and its probable value.

BLM needs this information to assess the merits of the application and to validate the likelihood that the mineral under application can be successfully developed. BLM must also determine the availability of the requested lands and determine that the applicant is qualified

to hold a Federal mineral lease. BLM must also correspond with the applicant.

t. Subpart 3585 - White Mountains National Recreation Area – Alaska

This subpart governs leasing procedures for lands in the White Mountain National Recreation Area in Alaska that have been opened to mineral leasing and development through the findings of the land use plan for the area. Preference right lease applications may be filed by holders of unperfected mining claims in this area. No specific form is required. Any application for this kind of lease filed with BLM must be filed within two years of the date the lands are opened for mineral leasing and development. The application must contain:

The applicant's name, address and signature in ink;

The serial number of each claim in the application;

The name of the mineral or minerals; and

A separate map showing each claim.

This information is needed by the BLM to address the merits of the application and to identify the location of the mining claim or claims involved, to update the land status records, and to enable correspondence with the applicant.

Section 3585.5 addresses the procedures private parties must use to obtain an exploration license to explore for minerals in this area. These procedures are the same as those used generally to apply for an exploration license. Please see the discussion under item 8 above that describes the procedures for obtaining an exploration license.

u. Subpart 3592 - Plans and Maps

Section 3592.1 describes the information that must be provided to the BLM for all operations before ground disturbing activities can begin on a permit or lease. Section 3592.2 describes the maps that operators must prepare for both underground and surface operations on permits and leases. Section 3592.3 describes the requirements for operators to prepare maps showing where production has taken place on leases. Section 3592.1 requires that permittees and lessees file plans and have those plans approved before beginning operations on a permit or lease. The requirements for exploration plans are presented in item 7 above. The requirements for mining plans are discussed here. BLM requires two copies of a mine plan if BLM is the surface managing agency. If another Federal agency manages the surface, we require three copies of the plan. No specific form for the plan is required but the plan must contain the following information:

The names, addresses and telephone numbers of the people responsible for the

operations;

BLM will send any notices and orders concerning the plan to these people.

The plan must also include the names and addresses of the lessees and any surface and mineral owners of record of land in the operations area;

The Federal lease serial numbers;

A general description of the geologic conditions and mineral resources, with appropriate maps, within the area to be mined;

A copy of a suitable map or aerial photograph showing the topography of the area, cultural features and the drainage pattern away from the area;

A statement of proposed methods of operating including a description of the surface or underground mining methods, the proposed roads, the size and location of proposed structures and facilities, mining sequence, production rate, estimated recovery factors, stripping ratios and number of acres in the Federal or Indian leases, licenses or permits;

An estimate of the quantity and quality of the mineral resources, proposed cutoff grade and any proposed blending procedures for all the leases covered by the plan;

An explanation of how applicant will achieve the ultimate maximum recovery of the resource under Federal or Indian leases. If a mineral deposit or portion thereof is not mined or is rendered unable to mine by the operation, the operator or lessee must submit appropriate justification to the BLM for approval.

Appropriate maps and cross sections showing:

Federal or Indian lease boundaries and serial numbers;

Surface ownership and boundaries;

Locations of existing and abandoned mines;

Typical structure cross sections;

Location of shafts or mining entries, strip pits, waste dumps and surface facilities,  
and

Typical mining sequence with appropriate time frames.

A narrative addressing the environmental aspects associated with the proposed mine including the following:

An estimate of the quantity of water needed and pollutants that may enter receiving waters;

A design for the necessary impoundment, treatment or control of all runoff water and

drainage from workings to reduce soil erosion and sedimentation and to prevent pollution of receiving waters; and

A description of measures to be taken to prevent or control fire, soil erosion, subsidence, pollution of surface and ground water, pollution of air, damage to fish or wildlife or other natural resources and hazards to public health and safety.

A reclamation schedule and the measures to be taken for surface reclamation of the Federal or Indian leases, licenses or permits. The mining plan must also address the following aspects of re-vegetation:

Proposed methods of preparation and fertilizing the soil prior to replanting;

Types and mixtures of shrubs, trees or tree seedlings, grasses or legumes to be planted; and

Types and methods of planting, including the amount of grasses or legumes per acre, or the number and spacing of trees or tree seedlings, or combinations of grasses and trees.

The method of abandonment of operations on Federal or Indian leases, licenses, or permits proposed to protect the unmined recoverable reserves and other resources, including the method proposed to fill in, fence or close all surface openings that are a hazard to people or animals; and

Any additional information that the BLM needs to approve the plan.

No special form is required for mine plans.

Section 3592.2 requires operators to prepare and maintain accurate maps of underground workings and surface operations. The BLM may also require operators to prepare cross section drawings and vertical projections. The BLM may require operators to submit copies of these maps and cross sections. No special form is required, but BLM may specify the level of accuracy and the scale it requires.

Section 3592.3 requires operators to prepare production maps for each royalty period showing mineral production and measuring points for production. Operators must send BLM these production maps for each royalty reporting period or such other period BLM determines. No special form is required, but BLM may specify a level of accuracy and the scale it requires.

BLM requires the information in this subpart to comply with the requirements and the National Environmental Policy Act. Most of the information required from permittees and lessees by this subpart is prepared by permittees and lessees for their own internal use or to meet their obligations to State governments and is not unique to Federal requirements.

Without this information, BLM would be unable to meet its statutory obligations.

v. Subpart 3593 - Bore Holes and Samples

Section 3593.1 requires permittees and lessees to give BLM a signed copy of all of the records of core or test holes made on the lands covered by the lease, license, or permit. These records must include the position and direction of the hole, a log of all strata encountered, the level water, gas or unusual conditions were encountered and a record of all analyses made on samples. BLM may also require samples of the strata, drill cuttings, and mill products. Operators must retain core samples for at least 1 year and allow the BLM to inspect these cores and obtain portions of these core samples.

BLM needs this information to meet its obligations of the requirements. The records we require in this section are routinely prepared by operators for their own purposes.

w. Subpart 3597 - Production Records. Section 3597.1 discusses the record keeping requirements for producing Federal and Indian leases. Section 3597.2 discusses BLM's requirements to make these records available and to submit portions of these documents.

Section 3597.1 requires operators to maintain records that show the amount of ore and rock mined, the amount of ore processed, the amount of mineral products produced, and the amount of mineral products sold. These records will also record relevant quality information and the percentage of mineral products recovered or lost. Operators must record most of this information for their own internal use and these requirements are not unique to BLM. BLM requires no special form for these recording requirements.

Section 3597.2 requires operators to allow BLM to review production records during regular business hours and allows BLM to require operators to submit portions of the production records that the operator has not already submitted to the Mineral Management Service.

BLM needs this information to meet its obligations under the MLA and the FLPMA. The records we require in this section are routinely prepared by operators for their own purposes.

x. Forms

The specific information collection requirements, detailed in the regulations at 43 CFR parts 3500 through 3590 and discussed above involve the submission of data, both with and without the use of BLM-approved forms. Since the information collection requirements addressed in this package note when the use of a BLM-approved form is required, we request that OMB clearance for this package include approval for use of the specific BLM forms identified below. With the exception of a signature and date, these forms do not require that an applicant, permittee or lessee provide any information in addition to that identified in specific regulatory provisions discussed above.



<b>BLM Form Number</b>	<b>Title or Description</b>
3504-1	Personal Bond and Power of Attorney
3504-3	Lease Bond for Mining Deposits
3504-4	Statewide or Nationwide Mineral Bond
3510-1	Prospecting Application and Permit
3510-2	Phosphate or Sodium Use Permit
3520-7	Mineral Lease

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements.]**

We use the Legacy Rehost 2000 case file system and the Combined Billing System to compile the information. The use of the various data bases allows BLM to track and compile the information without having to go out with additional requests to the public or the field offices. The requested information is unique to each applicant or operator and to each operation. With the exception of a signature and date, the BLM-approved forms do not require that an applicant, permittee, or lessee provide any information in addition to that identified in the regulations.

In accordance with the Government Paperwork Elimination Act (GPEA), the public can fill out and download forms; however, they cannot submit electronically at this time.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

BLM uses the information we collect to maintain an accurate account of operations being conducted on public land and to identify responsible parties if there is damage to the land. No duplication of information occurs. Each action is specific to an individual case and therefore there is no duplication. We have no similar information available. The information we request can only be supplied by the entity proposing to conduct operations on the land involved and is not available from any other data source.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

There are no small businesses or small entities affected by this collection of information. The information required is limited to the minimum necessary to authorize and conduct operations on the lands.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If BLM failed to collect the requested information, we would not know where operations were conducted and who was responsible for these operations. We would not be able to collect the rentals and royalties required by statute. We would not be able to identify the responsible party should environmental damage occur. The information is required only when an entity desires to obtain the right to conduct operations on the public lands. Less frequent collection would mean no collection at all.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- \* **requiring respondents to report information to the agency more often than quarterly;**
- \* **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- \* **requiring respondents to submit more than an original and two copies of any document;**
- \* **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- \* **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- \* **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- \* **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- \* **requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no special circumstances that require us to collect the information in a manner inconsistent with the guidelines. We do not exceed the guidelines in 5 CFR 1320.5. However, we require respondents to provide detailed financial information, potential trade secrets, and geologic and geophysical information concerning wells. BLM needs this

information to protect the public interest. We have regulations at 43 CFR 2.13 which allow us to protect this information from release under a Freedom of Information Act request. Each BLM office that collects this kind of information maintains it in secured and locked facilities.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

As required in 5 CFR 1320.8(d), the BLM published the required 60-day notice in the Federal Register on April 21, 2005 (70 FR 20767), soliciting comments from the public and other interested parties. The comment period closed on June 20, 2005. The BLM did not receive any comments from the public in response to this notice or unsolicited comments from respondents covered under these regulations. A copy of the notice is attached.

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

During the approval period, we consulted with the following respondents to solicit comments on the burden hour and cost estimates, availability of data, frequency of collection, and clarity of instructions. Based on these discussions, the burden estimates in Question 12 reflect their input.

Lori Hamann  
Engineer  
J. R. Simplot Company  
P.O. Box 912  
Pocatello, ID 83204  
Telephone Number: (208) 235-5670

- Hours to prepare bid for competitive lease sale

20

- Hours to provide info for exploration license application 4
- Hours to provide exploration plan for exploration license 120
- Time required to provide information for mine plan 6 months
- Hours to review/sign a Mineral Lease Form 2

David Williams  
 Managing Partner  
 Williams Family Partnership  
 970 W Hano Circle  
 Irvins, UT 84738  
 Telephone Number: (435) 674-4988

- Hours to complete Lease Bond (Surety) 2
- Hours to review/sign lease readjustment document 4
- Hours to provide information to process lease assignment 6

Susan Wartman  
 Risk Management Assistant  
 J. R. Simplot Company  
 P.O. Box 27  
 Boise, ID 83707  
 Telephone Number: (208) 389-7522

- Hours to complete a Statewide Bond 1

Russell Crawford  
 Permittee  
 P.O. Box 979  
 Superior, MT 59872  
 Telephone Number: (406) 822-4208

- Hours to complete Personal Bond 1
- Hours to complete Prospecting Permit Application 2
- Hours to complete exploration plan for prospecting permit 20

David Perkins  
 Lessee  
 5067 Hertford Way  
 Boise, ID 83703  
 Telephone Number: (208) 345-8600

- Hrs to provide information for prospecting permit extension 10
- Hrs to provide information for preference right lease 300

**9. Explain any decision to provide any payment or gift to respondents, other than**

**remuneration of contractors or grantees.**

We do not provide payments or gifts to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

BLM will consider all data identified as proprietary by the applicant confidential and will not make public the information until the areas involved are leased or BLM determines that the information is not exempt from disclosure under the Freedom of Information Act, whichever occurs first. Some of the information we collect is exempt from disclosure under the Freedom of Information Act under the exemption for:

- Trade secrets;
- Commercial or financial information; and
- Geological and geophysical information and data, including maps, concerning wells.

43 CFR 3503.41 through 43 CFR 3503.46 identify how the BLM will handle confidential information. All information submitted to the BLM is subject to 43 CFR part 2.

Under the privacy provisions of the E-Government Act of 2002, respondents were informed as to whether or not providing the information is mandatory to obtain a benefit. BLM has firewalls to protect website access, strong security and password protection of the information in the data base, and other measures to protect electronic information.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

We do not require respondents to answer questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices**

- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

The BLM’s estimate of the time it takes a respondent to supply the information was verified by consultations with several respondents (see item #8 of the supporting statement). We estimate the cost per hour to the public increased from \$28 to \$31 per hour. The projected total hours and resulting costs are potentially higher than actual requirements due to the difficulty in separating time required for normal mine activities from specific time required to provide information to the BLM. The Table below shows the burden hours estimated for each request.

<b>43 CFR 3500 Citation</b>	<b>Type of Application</b>	<b>Number of Responses</b>	<b>Hours / Response</b>	<b>Total Hours</b>	<b>Cost to Public</b>
3502	Qualification Statement	10	1	10	\$ 310
3503	Area avail. for Leasing	10	1	10	\$ 310
3504	Bond	36	4	144	\$ 4,464
3505	Prospecting Permit	46	10	460	\$14,260
3506	Exploration License	2	3	6	\$ 186
3507	Preference Right Lease	2	300	600	\$ 18,600
3508	Competitive Lease Bid	5	20	100	\$ 3,100
3509	Fractional, Future Interest Lease	1	20	20	\$ 620
3510	Fringe Acreage Lease or Lease Modification	5	20	100	\$ 3,100
3511	Lease Renewals or Adjustment	22	1	22	\$ 682
3512	Assignment or	28	6	168	\$

	Sublease				5,208
3513	Royalty Rental Reduction	1	40	40	\$ 1,240
3514	Relinquishment and Cancellations	1	40	40	\$ 1,240
3515	Lease Exchanges	1	40	40	\$ 1,240
3516	Use Permit	1	1	1	\$ 31
3517	Development Contract	1	1	1	\$ 31
3581	Gold, Silver Land Grants	1	40	40	\$ 1,240
3583	Shasta Trinity Units	1	20	20	\$ 620
3585	White Mtn. Alaska	1	20	20	\$ 620
3592	Mine Plan	30	150	4,500	\$ 139,500
3593	Bore Holes / Samples	23	1	23	\$ 713
3597	Production Records	80	2	160	\$ 4,960
	Total	308	-----	6,522	\$202,275.00

**13. Provide an estimate of the total annual [non-hour] cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

- \* **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- \* **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden**

**estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**

- \* Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Some of the annual filings require a \$25 filing fee. These filing fees and a small amount of recordkeeping cost add up to an annual burden cost each year of \$7,611. Since this information collection has been in place for many years, respondents incur no annual capital or start up costs to prepare for or respond to the information collection.

**14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

In the previous collection, we estimated the average work month cost of \$7,040. The total estimated annual costs to the Federal Government for this information collection is approximately \$2.6 million. We estimate the average work month cost of \$7,740. The Table shows the costs below:

<b>Type of Application</b>	<b>Number of Responses</b>	<b>Total Work Months</b>	<b>\$/Per Work Month</b>	<b>Total Cost</b>
Prospecting Permit	22	11	\$7,740	\$ 85,140
Exploration Plan for Prospecting Permit	19	19	\$7,740	\$ 147,060
Prospecting Permit Extension	5	1.25	\$7,740	\$ 9,675
Preference Right Lease	2	40	\$7,740	\$ 309,600



Competitive Lease Bid	5	50	\$7,740	\$ 387,000
Fringe Acreage Lease or Lease Modification	5	50	\$7,740	\$ 387,000
Assignment or Sublease	28	14	\$7,740	\$ 108,360
Lease Renewals or Adjustment	22	22	\$7,740	\$ 170,280
Use Permit	1	1	\$7,740	\$ 7,740
Exploration License	1	1	\$7,740	\$ 7,740
Exploration Plan for Exploration License	1	1	\$7,740	\$ 7,740
Development Contract	1	1	\$7,740	\$ 7,740
Bond	36	9	\$7,740	\$ 69,660
Mine Plan	30	120	\$7,740	\$ 928,800
Total	178	----- -	-----	\$ 2,633,535

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

(a)	Number of filings increased from 264 to 308 filings
(c)	Total annual hours required increased from 3,652 hours to 6,522 hours
(f)(2)	Explanation of difference is an adjustment in an increase of 2,870 hours

Based on the reported numbers, it was determined that an analysis of a five-year period was deemed to provide a more accurate projection of future workloads than an analysis of just the previous three years. We determined the average number of actions filed for the previous

five-year period taking into account anomalous actions such as the large amount of bonds filed one year and the small amount of mine plan related actions reported. We then used the results as the basis for this burden hour estimate. The calculation of time involved in submitting mine plan-related information and non-form related information is different than past approvals primarily due to the small number of anticipated mine plans submitted (which require a vast amount of time) and a large increase in the projected number of mine plan modifications (which require much less time to prepare). The hour requirement is further complicated by the difficulty of separating time normally spent on mine plans for operational purposes and time spent devoted to specifically providing information for BLM purposes. The time anticipated by the BLM to process a mine plan and mine plan modification actions will decrease slightly. Even though the number of actions is expected to increase, this is also due to the increased number of mine plan modifications, which require less time to process. There was a slight overestimation of the work months needed in previous years. We believe our new estimate more closely represents the burden of the program. Additionally, the number of public responses and the hours required to prepare those responses is somewhat inflated due to the fact that not all information is collected on a regular basis. Some information requests are required in specific circumstances and therefore are necessary but these circumstances do not occur with any regularity.

There is a major difference between the number of responses provided by the public and the number of responses that the BLM processed. The numbers in the question 14 Table represent BLM's workload. The information provided by the public usually is contained in one package and therefore, there might be four or five information responses in one package. The Table combines these responses into logical groups because processing time is for the package. The table represents as much as possible what BLM worked on over the last five years and is a reasonable estimation of BLM's cost to process the information requests.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

The information collected is not for publication and BLM has no plans to publish the information.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

We are not seeking approval to not display the expiration date for OMB approval.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.**

## **B. Collections of Information Employing Statistical Methods**

**The agency should be prepared to justify its decision not to use statistical methods in any case where such methods might reduce burden or improve accuracy of results. When Item 17 on the OMB Form 83-I is checked "Yes", the following documentation should be included in the Supporting Statement to the extent that it applies to the methods proposed:**

- 1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g., establishments, State and local government units, households, or persons) in the universe covered by the collection and in the corresponding sample are to be provided in tabular form for the universe as a whole and for each of the strata in the proposed sample. Indicate expected response rates for the collection as a whole. If the collection had been conducted previously, include the actual response rate achieved during the last collection.**
- 2. Describe the procedures for the collection of information including:**
  - \* Statistical methodology for stratification and sample selection,**
  - \* Estimation procedure,**
  - \* Degree of accuracy needed for the purpose described in the justification,**
  - \* Unusual problems requiring specialized sampling procedures, and**
  - \* Any use of periodic (less frequent than annual) data collection cycles to reduce burden.**
- 3. Describe methods to maximize response rates and to deal with issues of non-response. The accuracy and reliability of information collected must be shown to be adequate for intended uses. For collections based on sampling, a special justification must be provided for any collection that will not yield "reliable" data that can be generalized to the universe studied.**
- 4. Describe any tests of procedures or methods to be undertaken. Testing is encouraged as an effective means of refining collections of information to minimize burden and improve utility. Tests must be approved if they call for answers to identical questions from 10 or more respondents. A proposed test or set of tests may be submitted for approval separately or in combination with the main collection of information.**
- 5. Provide the name and telephone number of individuals consulted on statistical aspects of the design and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.**

The information collection does not employ statistical methods.