

# 1 Supporting Statement A

## Leasing of Solid Minerals Other Than Coal and Oil Shale (43 CFR Parts 3500, 3580, and 3590)

OMB Control Number 1004-0121

**Terms of Clearance:** None.

### Justification

**Introduction:** The Bureau of Land Management (BLM) is amending its regulations to revise the process for lessees to seek and for the BLM to grant reductions of rental fees, royalty rates, and/or minimum production requirements associated with all non-energy solid leasable minerals under 43 CFR part 3500. This final rule (RIN 1004-AE58) streamlines the process for such reductions for non-energy solid minerals leased by the Federal Government and codifies the BLM's authority to issue an area- or industry-wide reduction on its own initiative.

### 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Bureau of Land Management (BLM) seeks to renew the control number (1004-0121) pertaining to the leasing of solid minerals other than coal and oil shale other than coal and oil shale on Federal land, and the development of those lease. The following authorities necessitate this collection of information:

- (1) Sections 206 and 209 of the Federal Land Policy and Management Act, 43 U.S.C. 1716 and 1719;
- (2) General Mining Law, 30 U.S.C. Chapter 2;
- (3) Mineral Leasing Act, 30 U.S.C. Chapter 3A, Subchapter I – General Provisions;
- (4) Mineral Leasing Act, 30 U.S.C. 209;
- (5) Mineral Leasing Act, 30 U.S.C. Chapter 3A, Subchapter III – Phosphates;
- (6) Mineral Leasing Act, 30 U.S.C. Chapter 3A, Subchapter VII – Sodium;
- (7) Mineral Leasing Act, 30 U.S.C. Chapter 3A, Subchapter VIII – Sulphur;
- (8) Mineral Leasing Act, 30 U.S.C. Chapter 3A, Subchapter IX – Potash;
- (9) Mineral Leasing Act for Acquired Lands, 30 U.S.C. Chapter 7;
- (10) Multiple Mineral Development Act, 30 U.S.C. Chapter 12;
- (11) Reorganization Plan No. 3 of 1946, 5 U.S.C. Appendix; and
- (12) 43 CFR parts 3500, 3580, and 3590.

The regulations at 43 CFR part 3500 apply to certain types of leasable minerals (i.e., solid minerals other than coal and oil shale), but not to Indian lands or minerals except where expressly noted. The regulations at 43 CFR part 3580 apply to gold, silver, and quicksilver in

confirmed private land grants, and to leasable minerals in specified locations. The regulations at 43 CFR part 3590 apply to operations for discovery, testing, development, mining, reclamation, and processing.

At present, 32 information collection activities are authorized under control number 1004-0121. This information collection request pertains to a final rule in which the BLM will revise control number 1004-0121 by dividing one previously approved information collection activity into two activities. One activity will be limited to applications for suspension of operations, and the other activity will include applications for reductions of rental, royalties, and minimum production. The net result of this revision will be that control number 1004-0121 will include 33 information collection activities.

**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 statutes listed above govern the leasing of minerals other than coal and oil shale on Federal land, and the development of those leases. Accordingly, the respondents affected by this information collection request are those who desire to obtain lease for Federal minerals other than coal and oil shale, and operators of such leases.

The final rule will remove the previously approved information collection activity labeled “Application for Waiver, Suspension, or Reduction of Rental or Minimum Royalties, or for a Reduction in the Royalty Rate” as relative to subpart 3513. The final rule will replace this activity with two activities:

- Application for Reduction of Rental, Royalties, or Minimum Production Requirements; and
- Application for Suspension.

In some circumstances, section 39 of the Mineral Leasing Act (30 U.S.C. 209) authorizes the Secretary to:

- Waive, suspend, or reduce the rental or minimum royalty; or
- Reduce the royalty on an entire leasehold or on any tract or portion thereof segregated for royalty purposes.

The statute authorizes such action whenever necessary to promote mineral development, or whenever the lessee cannot operate the lease successfully under the terms provided therein. The BLM’s regulations at 43 CFR subpart 3513 implement section 39 of the Mineral Leasing Act for the types of minerals that the BLM regulates under 43 CFR part 3500. Section 39 appears in the subchapter of the Mineral Leasing Act that applies to coal, but when the BLM promulgated the

regulations at subpart 3513, it stated that it was relying on both section 39 and on the Secretary's general rule making authority in the Mineral Leasing Act (30 U.S.C. 189).

*Application for Waiver, Suspension, or Reduction of Rental or Minimum Royalties, or for a Reduction in the Royalty Rate (43 CFR 3513.11 through 3513.32)*

Section 3513.12 provides that the BLM will determine if approval of the application is in the interest of conservation, will encourage the greatest ultimate recovery of the resource, and is necessary either to promote development of the mineral resources or because the operator cannot successfully operate the lease under existing terms.

Section 3513.16 requires a processing fee, the amount of which will be determined on a case-by-case basis as described in 43 CFR 3100.11.

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 a 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.

In order to properly identify the lease in question, 43 CFR 3513.15(a) through (e) currently require that an application for reduction of rental, royalties, or minimum production include:

- (a) The serial number of the lease;
- (b) The name of the record title holder(s);
- (c) The name of the operator and operating rights owners if different from the record title holder(s);
- (d) A description of the lands by legal subdivision; and
- (e) A map showing the serial number and location of each mine or excavation and the extent of the mining operations.

The final rule revises section 3513.15(e) by requiring a description of the lands by legal subdivision only if the application is for an area of land other than what is described in the lease.

In addition, the final rule will:

- Remove current section 3513.15(f), which at present requires a tabulated statement of the leasable minerals mined for each month covering at least the last twelve months before the filing of the application, and the average production mined per day for each month;
- Move current paragraph (g) to new paragraph (f), but make no other changes to that paragraph, which requires that an application for relief from the minimum production include complete information why minimum production was not attained;
- Remove paragraph (h), which currently requires a detailed statement of expenses and costs of operating the entire lease, and the income from the sale of any leased products;

- Revise current paragraph (i) by requiring “justification” rather than “all facts” showing why the operator cannot successfully operate the mines under the royalty or rental fixed in the lease and other lease terms;
- Move current paragraph (i) to new paragraph (g);
- Remove current paragraph (j), which at present requires that an application for reduction of royalty must include 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;
- Remove current paragraph (k), which requires documents demonstrating that the total amount of overriding royalties the lessee will pay will not exceed one-half the proposed reduced royalties due the United States;
- Revise current paragraph (l) to require “any other information BLM needs to determine whether the request satisfies the standards in [43 CFR] 3504.25 or [43 CFR] 3513.12.”;
- Move current paragraph (l) to new paragraph (h).

The remainder of the collection of information activities in this control number include the following. These collections of information activities are unchanged.

BLM regulations at 43 CFR parts 3500, 3580, and 3590 include several sections that provide for the collection of information. The regulations require an applicant, a permittee or a lessee to submit the following information that enables the BLM to:

- Determine if applicants, permittees, and lessees meet 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; and
- Oversee and manage the leasing of solid minerals other than coal or oil shale.

The following information collection (IC) activities are in control number 1004-0121.

#### Subpart 3501 Leasing of Solid Minerals Other Than Coal or Oil Shale

##### *Request for Effective Date (43 CFR 3501.20)*

Section 3501.20 establishes the effective date of leases, licenses, permits, transfers, and assignments under 43 CFR part 3500 as the first day of the month *after* BLM signs it, unless a specific regulation provides otherwise. The holder of one of these use authorizations may submit a written request for an effective date of the first day of the month in which BLM signs it.

#### Subpart 3502 Qualification Requirements

Subpart 3502 identifies the information that an applicant for a permit or lease must submit in order for BLM to determine whether or not the applicant is qualified to hold all or part of a

prospecting permit or lease, and to ensure that applicants do not exceed acreage limits. The information that is required depends on whether the applicant is:

- An individual or household, a guardian or trustee, or an heir or devisee;
- An association or partnership; or
- A corporation.

In addition to the specific requirements (described below) for each of these categories of applicants, the following requirements may apply in some circumstances:

Section 3502.33 provides that an attorney-in-fact for any applicant must submit evidence of authority to act on behalf of the applicant. In addition, a statement of the applicant's qualifications and acreage holdings is required if the attorney-in-fact is empowered to make this statement. Otherwise, the applicant must provide this information separately.

Section 3502.34 is applicable if the applicant is not the sole party in interest in an application for a permit or lease. In that case, the applicant must include with the application the names of all other parties who hold or will hold any interest in the application or in the permit or lease when the BLM issues it. All interested parties must show they are qualified to hold permit or lease interests.

*Qualification Requirements / Individuals, Households, Guardians, Trustees, Heirs, and Devisees (43 CFR 3502.27, 3502.29, 3502.33, 3502.34, and 3502.40)*

If the applicant is an individual or household, the required signed statement must show:

- The applicant is a U.S. citizen; and
- The applicant's acreage holdings do not exceed the limits in section 43 CFR 3503.37 of this part. This includes the applicant's holdings through a corporation, association or partnership in which the applicant is the beneficial owner of more than 10 percent of the stock or other instruments of control.

If the applicant is the guardian or trustee, the required signed statement must show:

- The beneficiary's citizenship;
- The guardian / trustee's 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; and
- A copy of the court order or other document authorizing or creating the trust or guardianship.

If the applicant or successful bidder dies before issuance of a permit or lease, the following provisions apply, the BLM will issue the permit or lease to the heirs or devisees, or to their

guardian, if probate of the estate has been completed or is not required, provided that the BLM receives the following information:

- 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 if the BLM receives the following information:

- 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.

*Qualification Requirements / Associations and Partnerships (43 CFR 3502.28, 3502.33, and 3502.34)*

If the applicant is an association or partnership, the required signed statement must show:

- 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.

*Qualification Requirements / Corporations (43 CFR 3502.30, 3502.33, and 3502.34)*

If the applicant is a corporation, a corporate officer or authorized attorney-in-fact must send the BLM a signed statement showing:

- 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 in the application do not exceed the acreage limitations in 43 CFR 3503.37.

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.

#### Subpart 3503 - Areas Available for Leasing

*Surface Owner Consultation / State or Local Government (43 CFR 3503.21(b))*

and

*Surface Owner Consultation / Educational, Religious, or Charitable Organization (43 CFR 3503.21(b))*

After receiving an application for a permit or lease, the BLM will notify owners of lands included in a permit or lease application if the surface owner is a State or local government or if the surface owner is an educational, religious or charitable organization.

Within 90 days of receiving such notification, these categories of surface owners may suggest any lease stipulations to protect existing surface improvements or uses, or to object to the permit or lease. This information assists the BLM in deciding 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.

#### *Applicant's Land Description (43 CFR 3503.30 through 3503.32)*

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

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 has assigned a tract number to the tract, the applicant may describe the lands by the tract number and include a map that 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 the information that is required by sections 3503.30 through 3503.32 to conduct needed administrative and environmental reviews of the applications.

### Subpart 3504 Fees, Rental, Royalty and Bonds

Section 3504.10 lists required fees for applications. The other provisions in this subpart that pertain to IC activities are sections 3504.50 through 3504.71. In accordance with these regulations, filing a bond is required in order to receive a permit or lease, except where the BLM has entered into an agreement with the relevant State government to accept that State's bond as sufficient to satisfy all of the BLM's reclamation requirements.

#### *Bonding (43 CFR 3504.50 through 3504.71)*

The BLM establishes required bond amounts for each permit or lease. Permittees and lessees may select the type of bond coverage they prefer. Prior to the issuance of a prospecting permit or lease, the BLM requires an applicant to file a surety or personal bond on 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; or
- BLM Form 3504-4, Statewide or Nationwide Personal Mineral Bond.

Each bond form requires:

- The serial numbers and States of location of the permits or leases being covered by the bond;
- The bond number;
- The name and address of the principal;
- Signature of the principal and surety; and
- Signatures of the witnesses.

This information collection (IC) activity ensures that a permittee or lessee complies with the terms and conditions of the permit or lease as well as applicable regulatory and statutory requirements.

### Subpart 3505 Prospecting Permits

As described at section 3501.10, a prospecting permit authorizes exploration for leasable mineral deposits on lands where the BLM has determined that prospecting is needed to determine the existence of a valuable deposit. The BLM has the authority to issue prospecting permits for areas in which mineral deposits are not known. The holder of a prospecting permit has the exclusive right to prospect on and explore for leasable mineral deposits, and to remove enough material to demonstrate the existence of a valuable mineral.

#### *Application for a Prospecting Permit (43 CFR 3505.12 and 3505.13)*

An applicant must file three copies of Form 3510-1 and any pertinent maps to apply for a prospecting permit. This form is also used as the permit if BLM approves it. BLM requires the first year's rental, and a filing fee that is determined on a case-by-case basis in accordance with



43 CFR 3000.11. 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.

*Amendment or Withdrawal of an Application for a Prospecting Permit (43 CFR 3505.30 and 3505.31)*

The following requirements apply if an applicant wants to amend an application for a prospecting permit:

- A written request;
- The rental for any added land; and
- The appropriate processing fee (see 43 CFR 3000.12).

A request to withdraw an application for a prospecting permit must be in writing.

*Exploration Plan (43 CFR 3505.40, 3505.45, and 3592.1(a))*

An exploration plan shows how the applicant intends to determine the existence and workability of a valuable deposit. The BLM requires an exploration plan after initial review of the application for a prospecting permit, but before issuance of a prospecting permit. Along with an exploration plan, the applicant must submit a bond that complies with 43 CFR part 3504, especially 43 CFR 3504.50. The IC activities for bonds are described above.

The BLM does not require a specific form for an exploration plan. The plan must be filed in triplicate. Section 3505.45 requires the following information in an exploration plan:

- The names, addresses and telephone numbers of persons responsible for operations under the plan and to whom BLM will deliver notices and orders;
- A brief description of the environment the plan may affect, including maps, with a focus on the affected geologic, water and other physical factors, the distribution and abundance of vegetation and habitat of fish and wildlife (particularly threatened and endangered species), and the present land use in and adjacent to the area;
- The method of exploration and types of equipment that will be used;
- The measures that will be taken 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 that will be taken 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 will be planted;
- 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;
- The estimated timetable for each phase of the work and for final completion;
- 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 the BLM may require.

The BLM needs this information to:

- Assess the potential impacts of mineral development on the lands included in the application;
- Ensure that adequate protective measures are taken to maintain the physical and biological balance of the surrounding environment; and
- Determine if the plan discloses the existence of a valuable deposit of minerals if one is present in the lands.

*Application to Extend a Prospecting Permit (43 CFR 3505.60 through 3505.66)*

The initial duration of a prospecting permit is two years. Based on an adequate showing in an application for extension, prospecting permits for phosphate and hardrock minerals may be extended for up to an additional 4 years. Permits for potassium and gilsonite may be extended up to two years. Sodium and sulphur permits may not be extended.

An application for extension must be in writing and include the rental for the first year of the extension and a \$110 processing fee, in accordance with 43 CFR 3000.12 and 3504.10. No specific form is required. An application for extension must include evidence supporting one of two alternative findings.

One alternative is to show that the permittee explored with “reasonable diligence” and was unable to establish the existence or workability of a valuable mineral deposit. “Reasonable diligence” means that the permittee drilled a sufficient number of holes or performed other comparable prospecting to explore the permit area within the time allowed.

The other alternative is to show that the permittee’s failure to perform diligent prospecting activities was due to conditions beyond the permittee’s control. The applicant must also describe the exploration conducted and the amount of time needed to complete prospecting.

The BLM uses 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 Mineral Leasing Act.

### Subpart 3506 Exploration Licenses

As described at section 3501.10, an exploration license authorizes exploration in areas with known, unleased deposits of a mineral in order to obtain geological, environmental, and other pertinent data. An exploration license does not bestow any preference or other right to a lease.

#### *Application for an Exploration License (43 CFR 3506.11 through 3506.25)*

An exploration plan must be submitted along with an application for an exploration license. Exploration plans are described above under the heading “Exploration Plan (43 CFR 3505.40, 3505.45, and 3592.1(a)).”

An application for an exploration license must include:

- The applicant’s name and address;
- A description of the lands; and
- The address of the BLM where the exploration plan will be available for inspection.

The BLM will prepare a notice of exploration using this information, plus an invitation to the public to participate in the exploration under the proposed license on a pro rata cost-sharing basis. The BLM will post the notice and the exploration plan in an appropriate BLM office for 30 days. The applicant must publish the notice of exploration once a week for three consecutive weeks in at least one newspaper of general circulation in the area in which the lands are located. Section 3506.25 requires licensees to share with the BLM all data obtained during exploration.

This information enables the BLM to update records relating to the extent and quality of the publicly owned mineral resources in the exploration area. The information is necessary for BLM in carrying out its multiple use management activities.

### Subpart 3507 Preference Right Lease Applications

As described at section 3501.10, a preference right lease may be granted without competition only to a holder of a prospecting permit who has demonstrated the discovery of a valuable deposit of the leasable mineral for which the BLM issued the permit, and who has met other requirements described below.

#### *Application for a Preference Right Lease (43 CFR 3507.11 through 3507.19)*

BLM’s regulations at Subpart 3507 address applications for a preference right lease for phosphate, sodium, potassium, sulphur, gilsonite and hardrock minerals. The BLM will use Form 3520-7 if a lease is issued.

Preference right leases are not available for asphalt. Prospecting permits for minerals BLM administers under the Reorganization Plan No. 3 of 1946 do not entitle the permittee to a preference right lease. However, the BLM may grant a noncompetitive lease for Reorganization Plan minerals if the permittee discovers a valuable deposit during the permit term.

Sections 3507.15 through 3507.18 require an applicant for a preference right lease to submit three copies of an application. The application is due no later than:

- 60 days after the associated prospecting permit has expired; or
- The date the BLM denies a request by the permittee for an extension, whichever is later.

The first year's rent, and a processing fee determined in accordance with 43 CFR 3000.11, are also required. The BLM does not require any specific application form for an application. The following information is required:

- 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 that will be used for pits, overburden, and tailings, and the location of water sources or other resources which may be used 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 that will be used, 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, for example:
  - 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; or
  - Whether there is a reasonable prospect of success in developing a profitable mine.

The BLM needs the map and narrative statement to assess potential impacts of the proposed activities on the environment, and make any necessary changes to the lease terms. The BLM

uses 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.

### Subpart 3508 Competitive Lease Applications

As described at section 3501.10, the BLM may grant a competitive lease via competitive bidding for known deposits of a leasable mineral. A competitive lease is the only way the BLM leases lands known to contain a valuable mineral deposit, except for certain limited situations when a fringe acreage lease or lease modification is appropriate. IC activities for fringe acreage leases and lease modifications are described below (see 43 CFR Subpart 3510).

Before issuing a competitive lease, the BLM may grant an exploration license, but not a prospecting permit. However, the BLM may offer competitive leases for lands where no prospecting or exploratory work is needed to determine the existence or workability of a valuable mineral deposit. In addition, the BLM may offer competitive leases for asphalt on any lands available for asphalt leasing, whether or not a valuable mineral deposit is known to exist.

#### *Application for a Competitive Lease (43 CFR 3508.12 through 3508.22)*

The BLM may designate certain lands for competitive leasing, or a person other than the BLM may nominate lands for competitive leasing. Before the BLM publishes a notice of lease sale, the applicant must pay a processing fee. The amount of the processing fee is determined on a case-by-case basis in accordance with 43 CFR 3000.11, 3508.14, and 3508.21.

If someone other than the applicant is the successful bidder, the BLM will refund the amount paid for processing. If there is no successful bidder, 43 CFR 3508.12 provides that the applicant is responsible for all processing fees.

Once the BLM determines which lands are available for leasing, it will publish a notice of lease sale at least once a week for three consecutive weeks in a newspaper of general circulation in the area where the lands are situated. In addition, that notice will be available in the public room of the BLM office that administers the lands.

The notice will include:

- The time and place of sale;
- The bidding method, including opening and closing dates for bidding;
- A description of the mineral deposit being offered;
- The minimum bid the BLM will consider; and
- Information on where anyone may obtain a copy of the proposed lease and a detailed statement of the lease sale terms and conditions.

If the tract being offered for competitive sale was nominated by an applicant, the notice also will include a statement of the total cost recovery fee paid to the BLM under 43 CFR 3508.12 up to 30 days before the competitive lease sale.

The BLM will open and announce all bids at the time and date specified in the notice of lease sale, but the BLM will not accept or reject bids at that time. The BLM will not consider any bids not received by the deadline in the sale notice. Any bid may be withdrawn or modified before the time specified in the sale notice.

If the applicant is the highest qualified bidder and the BLM determines that the applicant's bid meets or exceeds fair market value, the BLM will send the applicant copies of the lease on the form attached to the detailed statement of terms and conditions. Within the time specified by the BLM, the applicant must:

- Sign and return the lease form;
- Pay the balance of the bonus bid;
- Pay the first year's rental;
- Pay the publication costs;
- Furnish the required lease bond;
- Pay all processing costs the BLM incurs after the date of the sale notice.

A successful bidder who was not the applicant must pay the cost recovery fee specified in the lease sale notice.

Once the BLM publishes a notice of competitive lease sale, anyone interested in obtaining a lease may submit a bid. A bidder must include a statement of qualifications and one fifth of the bid amount. The bid must exceed the BLM's estimate of the fair market value of the parcel. The BLM will use Form 3520-7 if the lease is granted.

If the 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 and the first year's rental, pay the publication costs and furnish the lease bond.

#### Subpart 3509 Fractional and Future Interest Lease Applications

Fractional interest prospecting permits and leases are for parcels where the United States holds less than 100 per cent of the mineral interest of the parcel. Fractional interest leases allow development of the shared mineral interests. The BLM may not grant a fractional interest lease for asphalt in Oklahoma.

Future interest lease are for holders of present mineral interests that will revert to the Federal Government at some future date. Future interest leases allow the present interest holder to continue using a present mineral right once the Federal Government acquires it.

No specific form is required for the application. The BLM will use Form 3520-7 if the lease is granted.

A processing fee is required for each application. The amount of the amount is determined on a case-by-case basis in accordance with 43 CFR 3000.11, 3509.16, and 3509.46.

*Application for a Fractional or Future Interest Lease (43 CFR 3509.10 through 3509.51)*

Section 3509.17 lists the following information that a person must file in order to apply for a future interest lease:

- A land description;
- A certification of qualifications to hold a Federal mineral lease;
- Evidence of present ownership or other interest in the mineral estate; and
- The names of any others with a present interest in the mineral estate.

Section 3509.47 lists the following information that a person must file in order to apply for a fractional interest permit or lease:

- 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; and
- The names of any others with a fractional interest in the mineral estate.

Section 3509.48 requires the 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 other qualified parties submit an application for a fractional interest, the BLM will issue the lease or permit through a modified competitive process. The BLM will issue the lease or permit noncompetitively if no other qualified parties apply.

Subpart 3510 Noncompetitive Leasing: Fringe Acreage Leases and Lease Modifications

As described at section 3501.10, a fringe acreage lease or lease modification enables Federal lessees to acquire, without competition, new leases for adjoining Federal lands, if such lands are available for leasing. The process for obtaining this access is noncompetitive.

Fringe acreage leases are new leases for known deposits of leasable minerals adjacent to existing deposits. The BLM will use Form 3520-7 to grant a fringe acreage lease.

Lease modifications add adjacent acreage to an existing Federal lease, where that acreage either:

- Contains known deposits of the same mineral as the original Federal lease, or
- Will be used for surface activities that are necessary for recovery of the mineral in the Federal lease; and
- The original Federal lease would have been reasonably compact had the acreage been included at the time of that lease's issuance.

*Application for a Fringe Acreage Lease or Lease Modification (43 CFR 3510.12)*

The BLM requires three copies of applications for either of these kinds of authorizations, but requires no specific form. Section 3510.12 requires the application to include a \$30 filing fee and the first year's rental.

An application for a fringe acreage lease must contain the following information:

- The serial number of the lease if the lands specified in the application adjoin an existing Federal lease;
- A complete and accurate description of the lands desired;
- A showing that the mineral deposit specified in the application extends from the adjoining lease or from adjoining private lands that the applicant owns or controls; and
- Proof that the applicant owns or controls the mineral deposit in the adjoining lands if they are not under a Federal lease.

An application for a lease modification must contain the following information:

- The serial number of the applicant's existing Federal lease;
- A complete and accurate description of the lands desired that adjoin the Federal lease for which modification is sought; and
- One of the following showings:
  - 1) The adjoining acreage to be added contains known deposits of the same mineral deposit that can be mined only as part of the mining operations on the original Federal lease; or
  - 2) The acreage to be added:
    - a) Does not contain known deposits of the same mineral deposit;
    - b) Will be used for surface activities that are necessary for the recovery of the mineral deposit on the original Federal lease; and
    - c) The original Federal lease would have been reasonably compact had the acreage been included at the time of that lease's issuance.

Before the BLM issues a new fringe acreage lease or modifies an existing lease, the applicant must pay a bonus in an amount determined by BLM based on an appraisal or other appropriate means.

#### Subpart 3511 Lease Terms and Conditions

Terms and conditions pertaining to the duration and expiration of leases may result in IC activities.

#### *Objection to Proposed Readjustment of Lease Terms and Conditions (43 CFR 3511.25 and 3511.26)*

Leases for phosphate and potassium are indeterminate, but are subject to "readjustment" at the end of each 20-year period. Leases for gilsonite have a duration of 20 years and for as long thereafter as gilsonite is produced in paying quantities. If the BLM adjusts a lease for one of



these minerals, the lessee may submit a written objection within 60 days of receiving notice of a proposed readjustment from the BLM. No specific form is required.

#### *Request for Renewal of a Lease (43 CFR 3511.27)*

Leases for sodium, sulphur, and asphalt are for 20 years. Leases for hardrock minerals initially are for a term not to exceed 20 years. The BLM has the authority to renew leases for these minerals for 10 years at the end of the initial term and subsequently in 10-year increments. A lessee may request renewal at least 90 days before the lease term expires. No specific form is required, but BLM must receive three copies of the application for renewal together with a \$525 filing fee and an advance rental payment of \$1 per acre or fraction of an acre.

#### Subpart 3512 Assignments and Subleases

A holder of any prospecting permit or lease may assign or sublease it in whole or in part to any person, association, or corporation qualified to hold a permit or lease. Assignment agreements and subleases are not valid unless BLM approves them.

#### *Assignment, Sublease, or Transfer (43 CFR 3512.11 through 3512.17)*

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 send BLM a request for approval of the proposed assignment that must include a \$30 fee and the following information:

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

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 a \$30 filing fee and the following information:

- One copy of the sublease agreement; and
- A request for approval of the sublease signed by the sublessee.

Section 3512.17 describes the approval process for the transfer of operating rights on a permit or lease. An applicant for approval of a transfer of operating rights must provide BLM with a \$30 filing fee and the following information:

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

#### Subpart 3514 - Lease Relinquishments and Cancellations

An IC activity is involved in a lease relinquishment. There is no IC activity, within the meaning of the PRA, in a lease cancellation, since that is an action taken by BLM for non-compliance with statutory or regulatory requirements, or lease terms, covenants, or stipulations.

##### *Lease Relinquishment (43 CFR 3514.11 through 3514.21)*

Section 3514.11 provides that a lessee may relinquish an entire lease or any legal subdivision of it upon showing, to the BLM's satisfaction, that the public interest will not be impaired. Section 3514.12 requires the lessee to provide the BLM a complete legal description of any land to be included in a partial relinquishment of a lease. A cost recovery fee of \$40 is required.

#### Subpart 3515 Mineral Lease Exchanges

The BLM or a lessee may initiate a mineral lease exchange. In either case, the BLM must determine whether the exchange is in the public interest before taking any action.

A lessee may initiate a mineral lease exchange by relinquishing the existing leasing rights in accordance with 43 CFR 3514.11 through 3514.21, and by submitting a preference right application in accordance with 43 CFR 3507.11 through 3507.19, as described above.

The BLM may initiate a mineral lease exchange by determining that operations are not in the public interest on a lease or on lands for which a lessee has a preference right, and then notifying the lessee of that determination. In such a case, the lessee relinquishes the existing leasing rights in accordance with 43 CFR 3514.11 through 3514.21, as described above. In connection with the relinquishment, the BLM may consider a mineral lease exchange that may involve a preference right application from the lessee.

##### *Mineral Lease Exchange (43 CFR 3515.23 through 3515.27)*

In addition to the information pertaining to relinquishment and a preference right application, the BLM needs geologic and economic data from the lessee in order to determine the fair market value of the preference right or lease. No specific format is required.

After the lessee and the BLM agree on the lands for exchange, the BLM will publish a notice in the Federal Register and in a newspaper in the county where the lands are located. The notice

announces the time and place of a public hearing, and seeks public comments. After the public hearing and consideration of public comments, the BLM determines whether the proposed exchange is in the public interest, and takes any action that is consistent with that determination.

### Subpart 3516 Use Permits

As described at section 3501.10, a use permit is available to holders of phosphate and sodium leases so that they may use the surface of unappropriated and unentered public lands for the proper extraction, treatment, or removal of the phosphate or sodium deposits. Use permits are not prospecting permits.

A phosphate use permit authorizes the holder to conduct activities on up to 80 acres for extraction, treatment, or removal of the mineral deposits. A sodium use permit authorizes the holder to occupy up to 40 acres for use as camp sites, for development of refining works, and for other purposes connected with, and necessary to, the proper development and use of the mineral deposits.

#### *Application for a Use Permit (43 CFR 3516.15 through 3516.30)*

The BLM requires no specific form for the application, which must include:

- 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.

If the BLM decides to grant the application, the permittee must fill in Form 3510-2, and submit the original and four copies of the form along with the first year's rental and a \$30 filing fee. In addition, the permittee must agree to pay the annual rental.

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

Hardrock minerals generally are those regulated under the General Mining Law (30 U.S.C. 21 through 54) as locatable minerals that are subject to an entry-and-location scheme. Hardrock minerals include precious minerals such as gold and silver, as well as industrial minerals such as molybdenum, zinc, copper, and uranium.

Arrangements for discovering, developing, producing, processing, milling, or transporting ores are affected via contracts or agreements between one or more lessees and one or more other persons. These contracts and agreements are exempt from state and nationwide acreage limitations. The BLM does not count them toward maximum acreage holdings. However, individual hardrock mineral leases committed to a development contract or lease may not exceed 2560 acres in size.

*Application for Approval of a Hardrock Mineral Development Contract or Processing or Milling Arrangement (43 CFR 3517.15)*

Section 3517.15 describes the procedures for applying to the BLM for approval of a hardrock mineral development contract and processing and milling arrangement. These contracts or agreements are between one or more lessees and one or more individuals, associations, or corporations to develop necessary economies of scale in the discovery, development, production or transportation of leasable hardrock ores. The 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

A cost recovery fee of \$35 is required.

The BLM needs this information to assess the proposed activities and to determine if approval of such a contract or arrangement would be consistent with conservation of the natural resources, and in the public interest.

Subpart 3581 – Gold, Silver, or Quicksilver in Confirmed Private Land Grants

This subpart applies to lands in private land claims patented in accordance with decrees of the Federal Court of Private Land Claim between 1891 and 1904. The land claims involved are limited to those guaranteed by the Treaty of Guadalupe Hidalgo in the territories that later became the states of New Mexico, Arizona, and Utah, and in the states of Nevada, Colorado, and Wyoming.

In some cases, the court's grant did not convey the rights to gold, silver or quicksilver. Where the grantee did not otherwise become entitled to the deposits by law or equity, the grantee or his or her successor in title may apply for a lease.

*Application for a Gold, Silver, or Quicksilver Lease in Confirmed Private Land Grants (43 CFR 3581.3 and 3581.4)*

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

A cost recovery fee of \$35 is required.

If the BLM approves the application, it will send a lease to the prospective lessee on Form 3520-7 and notify the applicant that a bond is required. The lease becomes effective if the applicant signs it and returns it to the proper BLM office within 30 days.

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. The U.S. Forest service manages that area.

*Application for a Hardrock Mineral Lease in the Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area (43 CFR 3583.3)*

The 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.

A cost recovery fee of \$30 is required.

Subpart 3585 White Mountains National Recreation Area, Alaska

This Subpart governs mineral leasing procedures for lands in the White Mountains 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. A holder of an unperfected mining claim in this area may file an application for a preference right lease. This application is due within two years of the date the lands are opened for mineral leasing and development.

*Application for a Mineral Lease in the White Mountains National Recreation Area (43 CFR 3585.3-2)*

No specific form is required. 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

A cost recovery fee of \$35 is required.

Section 3585.5 addresses the procedures private parties must use to obtain an exploration license to explore for minerals in this area, which are the same procedures described under Section 3506 above.

### Subpart 3592 Plans and Maps

Before conducting any operations under any lease, license, or permit, the operator must submit an exploration or mining plan and have that plan approved before beginning operations on a permit or lease. Subpart 3592 and this discussion are limited to mining plans. Subpart 3505, and the discussion of that subpart (above) address the requirements for exploration plans.

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

The information required by this subpart is not necessarily unique. Permittees and lessees prepare most of the required information for their own internal use. In addition, some state governments require this information.

### *Mining Plan (43 CFR 3592.1 through 3592.3)*

Two copies of a mining plan are required if the BLM is the surface managing agency. Three copies are required if another Federal agency manages the surface. No specific form is required. The following information is required:

- The names, addresses and telephone numbers of the people responsible for the operations, 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 the applicant will achieve the ultimate maximum recovery of the resource under Federal or Indian leases;
- Appropriate justification if a mineral deposit or portion thereof is not mined or is cannot be mined;
- Appropriate maps and cross sections showing:
  - 1) Federal or Indian lease boundaries and serial numbers;
  - 2) Surface ownership and boundaries;
  - 3) Locations of existing and abandoned mines;
  - 4) Typical structure cross sections;
  - 5) Location of shafts or mining entries, strip pits, waste dumps and surface facilities;
- Typical mining sequence with appropriate time frames;
- A narrative addressing the environmental aspects associated with the proposed mine including the following:
  - 1) An estimate of the quantity of water needed and pollutants that may enter receiving waters;
  - 2) 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;
  - 3) 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;
  - 4) A reclamation schedule and the measures to be taken for surface reclamation of the Federal or Indian leases, licenses or permits;
  - 5) Proposed methods of preparation and fertilizing the soil prior to replanting;

- 6) Types and mixtures of shrubs, trees or tree seedlings, grasses or legumes to be planted; and
  - 7) 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 take the appropriation action. 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 or such other period BLM determines showing mineral production and measuring points for production. No special form is required, but BLM may specify a level of accuracy and the scale it requires.

#### *Modification of a Exploration or Mining Plan (43 CFR 3592.1(d))*

Approved exploration and mining plans may be modified at any time to adjust to changed conditions or to correct an oversight. To obtain approval of a modification, the operator/lessee must submit a written statement of the proposed modification and the justification for such modification. Any proposed modification may not be implemented until approved by the BLM.

In addition to modifications initiated by the operator/lessee, the BLM may require modification of an approved exploration or mining plan if conditions warrant.

#### Subpart 3593 - Bore Holes and Samples

##### *Data on Bore Holes and Samples (43 CFR 3593.1)*

Section 3593.1 requires permittees and lessees to give the 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 water level, gas or unusual conditions 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 one year and allow the BLM to inspect these cores and obtain portions of these core samples.



The records required in this section are routinely prepared by operators for their own purposes.

### Subpart 3597 - Production Records

#### *Production Records (43 CFR 3597.1 and 3597.2)*

Section 3597.1 requires operators/lessees to maintain records that show the amount of ore and rock mined, the amount of ore processed, the amount of mineral products produced, the amount of mineral products sold, 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 and reporting requirements. Production records must be made available for examination by the BLM during regular business hours. For the purpose of verifying production, the BLM may request, and the operator/lessee must submit, a copy of any portion of the production records not submitted to the Office of Natural Resources Revenue (formerly Minerals Management Service) as part of the operator's/lessee's production reporting.

Section 3597.2 provides that an audit of the operator's/lessee's accounts and books may be made or directed by the Office of Natural Resources Revenue (formerly the Minerals Management Service). The BLM may ask the Office of Natural Resources Revenue to conduct an audit if, during the process of verifying production, it is determined that an irregularity exists between reported production and production calculated by the BLM. Such audits must be requested when the irregularity cannot be resolved between the operator/lessee and the BLM.

- 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.**

The forms currently approved under this control number are electronically available to the public in fillable, printable format on BLM's Forms Web site at <http://www.blm.gov/noc/st/en/business/eForms.html>. In the electronic format, respondents may complete and then print the application. A respondent choosing to submit a form electronically may do so by scanning and then emailing it to the appropriate BLM office.

- 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.**

The BLM uses the information to maintain an accurate account of operations being conducted on public land and to identify responsible parties if there is damage to the land. 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.**

The pertinent statutes' applicability does not depend on whether or not respondents are small businesses or other small entities. All parties must submit the same information to enable both the BLM and the respondents to comply with those statutes. Therefore, the BLM does not collect information as to whether any particular respondent qualifies as a small business or small entity, and the BLM does not have the option to use any special methods to minimize the information collection burden on small businesses or other small entities. The collection procedures are the same whether the owner is an individual, a partnership, or a corporation. We collect only the minimum information necessary.

**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.**

This collection of information is required only when an entity desires to obtain the right to conduct mineral operations for solid leasable minerals other than coal or oil shale on the public lands. If the 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 account for the rentals and royalties required by statute or identify the responsible party should environmental damage occur. Most of this information is required to be submitted once, and periodic submittals have been reduced to the minimum required to adequately monitor operations.

**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.**

The IC activity for Application for a Use Permit (43 CFR 3516.15 through 3516.30) requires, among other things, that if the BLM decides to grant a use permit, the permittee must fill in Form 3510-2, and submit the original and four copies of the form along with the first year's rental and a \$30 filing fee.

The IC activity for Production Records (43 CFR 3597.1 and 3597.2) requires operators/lessees to maintain production records, but does not limit the amount of time that those records must be kept. Since operators/lessees maintain production records for their own use, the BLM believes this is a justifiable requirement.

Otherwise, there are no special circumstances that require us to collect the information in the current regulations or under the final rule in a manner inconsistent with the guidelines. We do not exceed the guidelines in 5 CFR 1320.5.

While respondents must on occasion provide detailed financial information, potential trade secrets, and geologic and geophysical information concerning mineral deposits, the BLM needs this information to protect the public interest. Regulations at 43 CFR 2.13 protect this information from release in response to a Freedom of Information Act (FOIA) 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.**

**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.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three 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.**

On October 18, 2019, we published a proposed rule (RIN 1004-AE58, 84 FR 55873) which solicited comments on the new/revised information collection requirements described in this supporting statement for a period of 30 days, ending December 17, 2019. We received no comments concerning the information collection in response to the proposed rule. Additional comments are being solicited through publication of the final rule.

**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's regulations at 43 CFR 3503.41 through 3503.46 identify how the BLM will handle confidential information submitted under regulations at 43 CFR Part 3500. All information submitted to the BLM is subject to 43 CFR Part 2.

The BLM protects personally identifiable information collected under control number 1004-0121 in accordance with the Privacy Act, 5 U.S.C. 552a. The pertinent system of records is the Land & Minerals Authorization Tracking System – Interior, LLM-32. The system of records notice is at 56 FR 5104 (1991).

BLM will treat as confidential all data identified as proprietary by an applicant and will not disclose the information until the areas involved are leased or BLM determines that the information is not exempt from disclosure under FOIA, whichever occurs first. Some of the information we collect is exempt from disclosure under FOIA exemption 4 (trade secrets and commercial or financial information that is privileged or confidential) or exemption 9 (geological or geophysical information and data, including maps, concerning wells).

**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.
- \* 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.

Under this control number revision, the BLM estimates that the following:

507 responses;  
 27,296 annual burden hours; and  
 \$1,774,240 in dollar equivalent.

The following table shows the BLM’s estimate of the hourly cost burdens for respondents. The mean hourly wages were determined using national Bureau of Labor Statistics data at [https://www.bls.gov/oes/current/oes\\_nat.htm](https://www.bls.gov/oes/current/oes_nat.htm).

The benefits multiplier of 1.4 is supported by information at <http://www.bls.gov/news.r/ecec.nr0.htm>.

**Table 12-1 – Hourly Cost Calculation**

<b>A. Position and BLS Occupation Code</b>	<b>B. Mean Hourly Wage</b>	<b>C. Hourly Rate with Benefits (Column B x 1.4)</b>	<b>D. Percent of Collection Time Completed by Each Occupation</b>	<b>E. Weighted Avg. (Column C x Column D)</b>
General Office Clerk 43-9061	\$17.48	\$24.48	10%	\$2.45
Mining Engineer 17-2151	\$46.65	\$65.31	80%	\$52.25
Supr. Mining Engineer 11-9041	\$73.52	\$103	10%	\$10.30
Totals	—	—	100%	\$65.00

Hour and cost burdens to respondents include time spent for researching, preparing, and submitting information. Table 12-2, below, shows our estimates of the annual hour and hour-

related cost burdens. The estimated hourly cost was calculated as shown in Table 12-1. The frequency of response for each of the information collections is “on occasion.”

**Table 12-2 - Estimates of Annual Hour Burdens**

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours Per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$65)</b>
Request for Effective Date 43 CFR 3501.20	10	1	10	\$650
Qualification Requirements / Individuals or Households, Guardians or Trustees, Heirs, and Devises 43 CFR 3502.27, 3502.29, 3502.33, 3502.34, and 3502.40	3	2	6	\$390
Qualification Requirements / Associations and Partnerships 43 CFR 3502.28, 3502.33, and 3502.34	3	2	6	\$390
Qualification Requirements / Corporations 43 CFR 3502.30, 3502.33, and 3502.34	44	2	88	\$5,720
Surface Owner Consultation / State or Local Government 43 CFR 3503.21(b)	1	2	2	\$130
Surface Owner Consultation / Educational, Charitable, or Religious Organization 43 CFR 3503.21(b)	2	2	4	\$260
Applicant’s Land Description 43 CFR 3503.30 through 3503.32	50	2	100	\$6,500
Bonding 43 CFR 3504.50 through 3504.71 Forms 3504-1, 3504-3, and 3504-4	40	4	160	\$10,400
Application for a Prospecting Permit 43 CFR 3505.12 and 3505.13 Form 3510-1	55	10	550	\$35,750
Amendment or Withdrawal of an Application for Prospecting Permit 43 CFR 3505.30 and 3505.31	10	5	50	\$3,250

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours Per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$65)</b>
Exploration Plan 43 CFR 3505.40, 3505.45, and 3592.1(a)	25	400	10,000	\$650,000
Application to Extend a Prospecting Permit 43 CFR 3505.60 through 3505.66	5	40	200	\$13,000
Application for an Exploration License 43 CFR 3506.11 through 3506.25	5	10	50	\$3,250
Application for a Preference Right Lease 43 CFR 3507.11 through 3507.19 Form 3520-7	30	300	9,000	\$585,000
Application for a Competitive Lease 43 CFR 3508.12 through 3508.22 Form 3520-7	5	20	100	\$6,500
Application for a Fractional or Future Interest Lease 43 CFR 3509.10 through 3509.51 Form 3520-7	1	80	80	\$5,200
Application for a Fringe Acreage Lease or Lease Modification 43 CFR 3510.12	10	20	200	\$13,000
Objection to Proposed Readjustment of Lease Terms and Conditions 43 CFR 3511.25 and 3511.26	20	2	40	\$2,600
Request for Renewal of a Lease 43 CFR 3511.27	20	2	40	\$2,600
Assignment, Sublease, or Transfer 43 CFR 3512.11 through 3512.17	30	6	180	\$11,700
Application for Reduction of Rental, Royalties, or Minimum Production 43 CFR 3513.15 and 3513.16	1	90	90	\$5,850
Application for Suspension 43 CFR 3513.16, 3513/22 through 3513.32	1	100	100	\$6,500
Lease Relinquishment 43 CFR 3514.11 through 3514.21	10	40	400	\$26,000
Mineral Lease Exchange 43 CFR 3515.23 through 3515.27	1	40	40	\$2,600

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours Per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$65)</b>
Application for a Use Permit 43 CFR 3516.15 through 3516.30 Form 3510-2	1	10	10	\$650
Application for Approval of a Hardrock Mineral Development Contract or Processing or Milling Arrangement 43 CFR 3517.15	1	20	20	\$1,300
Application for a Gold, Silver, or Quicksilver Lease in a Confirmed Private Land Grant 43 CFR 3581.3 and 3581.4 Form 3520-7	1	20	20	\$1,300
Application for a Hardrock Mineral Lease in the Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area 43 CFR 3583.3	1	20	20	\$1,300
Application for a Mineral Lease in the White Mountains National Recreation Area 43 CFR 3585.3-2	1	20	20	\$1,300
Mining Plan 43 CFR 3592.1 through 3592.3	5	800	4,000	\$260,000
Modification of an Exploration or Mining Plan 43 CFR 3592.1(d)	10	150	1,500	\$97,500
Data on Bore Holes and Samples 43 CFR 3593.1	25	2	50	\$3,250
Production Records 43 CFR 3597.1 and 3597.2	80	2	160	\$10,400
Totals	507	—	0	0

**13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)**

**\* 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 for form processing). 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.**

The estimated annual nonhour costs remain at \$2,050,695.

No capital and startup costs are involved because the information requested is either available in the BLM public reading rooms or maintained by the respondents for their own use. Respondents are familiar with the regulatory requirements.

Cost recovery fees are shown at 43 CFR 3504.10, a regulation that incorporates by reference two other regulations (§§ 3000.11 and 3000.12), in which the BLM established or revised certain fees and service charges, and established a method by which those fees and charges are adjusted annually.

The BLM promulgated the regulations at 43 CFR 3000.11, 3000.12, and 3504.10 in accordance with Section 304 of the Federal Land Policy and Management Act (43 U.S.C. 1734), and the Independent Offices Appropriation Act (31 U.S.C. 9701), which authorize the BLM to charge processing costs. Moreover, OMB Circular No. A-25, titled "User Charges," provides that the Federal policy is to assess a charge against each identifiable recipient for special Federal benefits beyond those received by the general public.

The fees listed at 43 CFR 3000.11 are determined on a case-by-case basis. The case-by-case fees that are shown in the table below are averages of fees charged during the past three years, based on criteria at 43 CFR 3000.11.

The fees listed at 43 C.F.R. 3000.12 are fixed, and are adjusted annually according to the change in the Implicit Price Deflator for Gross Domestic Product. The most recent adjustments were published on September 28, 2018 (83 FR 48957).

In the table below, the notation “N/A” for the following information collection activities signifies that the information collection is part of a larger application for a lease, license, or permit, and an overall processing fee is charged for that application:

- Application for Reduction of Rental, Royalties, or Minimum Production (43 CFR 3513.15 and 3513.16)
- Application for Suspension (43 CFR 3513.16, 3513.22 and 3513.32)
- Qualification Requirements / Individuals, Households, Guardians, Trustees, Heirs, and Devises (43 CFR 3502.27, 3502.29, 3502.33, 3502.34, and 3502.40)
- Qualification Requirements / Associations and Partnerships (43 CFR 3502.28, 3502.33, and 3502.34);
- Qualification Requirements / Corporations (43 CFR 3502.30, 3502.33, and 3502.34);
- Applicant’s Land Description (43 CFR 3503.30 through 3503.32);
- Mine Plans (3592); and
- Mine Plan Modifications (3592).

The remaining information collection activities are designated “N/A” because there is no processing fee.

**Table 13 – Processing Fees**

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Amount of Fee Per Response</b>	<b>D. Total Fees (Column B x Column C)</b>	<b>E. Type of Fee</b>
Request for Effective Date 43 CFR 3501.20	10	\$40.00	\$400.00	Fixed
Qualification Requirements / Individuals, Households, Guardians, Trustees, Heirs, and Devises 43 CFR 3502.27, 3502.29, 3502.33, 3502.34, and 3502.40	3	\$0.00	\$0.00	N/A
Qualification Requirements / Associations and Partnerships 43 CFR 3502.28, 3502.33, and 3502.34	3	\$0.00	\$0.00	N/A

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Amount of Fee Per Response</b>	<b>D. Total Fees (Column B x Column C)</b>	<b>E. Type of Fee</b>
Qualification Requirements / Corporations 43 CFR 3502.30, 3502.33, and 3502.34	44	\$0.00	\$0.00	N/A
Surface Owner Consultation / Surface Owner Consultation / State or Local Government 43 CFR 3503.21(b)	1	\$0.00	\$0.00	N/A
Surface Owner Consultation / Educational, Charitable, or Religious Organization 43 CFR 3503.21(b)	2	\$0.00	\$0.00	N/A
Applicant's Land Description 43 CFR 3503.30 through 3503.32	50	\$0.00	\$0.00	N/A
Bonding 43 CFR 3504.50 through 3504.71 Forms 3504-1, 3504-3, and 3504-4	40	\$0.00	\$0.00	N/A
Application for a Prospecting Permit 43 CFR 3505.12 and 3505.13 Form 3510-1	55	\$2,500.00	\$137,500.00	Case-By-Case
Amendment or Withdrawal of an Application for Prospecting Permit 43 CFR 3505.30 and 3505.31	10	\$70.00	\$700.00	Fixed
Exploration Plan 43 CFR 3505.40, 3505.45, and 3592.1(a)	25	\$0.00	\$0.00	N/A
Application to Extend a Prospecting Permit 43 CFR 3505.60 through 3505.66	5	\$115.00	\$575.00	Fixed
Application for an Exploration License 43 CFR 3506.11 through 3506.25	5	\$40.00	\$200.00	Fixed

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Amount of Fee Per Response</b>	<b>D. Total Fees (Column B x Column C)</b>	<b>E. Type of Fee</b>
Application for a Preference Right Lease 43 CFR 3507.11 through 3507.19 Form 3520-7	30	\$53,000.00	\$1,590,000.00	Case-by-case
Application for a Competitive Lease 43 CFR 3508.12 through 3508.22 <sup>1</sup> Form 3520-7	5	\$53,000.00	\$265,000.00	Case-by-case
Application for a Fractional or Future Interest Lease 43 CFR 3509.10 through 3509.51 Form 3520-7	1	\$26,500.00	\$26,500.00	Case-by-case
Application for a Fringe Acreage Lease or Lease Modification 43 CFR 3510.12	10	\$30.00	\$300.00	Fixed
Objection to Proposed Readjustment of Lease Terms and Conditions 43 CFR 3511.25 and 3511.26	20	\$0.00	\$0.00	N/A
Request for Renewal of a Lease 43 CFR 3511.27	20	\$550.00	\$11,000.00	Fixed
Assignment, Sublease, or Transfer 43 CFR 3512.11 through 3512.17	30	\$30.00	\$900.00	Fixed
Application for Reduction of Rental, Royalties, or Minimum Production 43 CFR 3513.15 and 3513.16	1	\$8,500	\$8,500	Case-by-case

<sup>1</sup> Only successful applicants pay the processing costs associated with these applications. We estimate that five successful applications are submitted annually.

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Amount of Fee Per Response</b>	<b>D. Total Fees (Column B x Column C)</b>	<b>E. Type of Fee</b>
Application for Suspension 43 CFR 3513.16, 3513.22 and 3513.32	1	\$8,500	\$8,500	Case-by-case
Lease Relinquishment 43 CFR 3514.11 through 3514.21	10	\$40.00	\$400.00	Fixed
Mineral Lease Exchange 43 CFR 3515.23 through 3515.27	1	\$40.00	\$40.00	Fixed
Application for Use Permit 43 CFR 3516.15 through 3516.30 Form 3510-2	1	\$30.00	\$30.00	Fixed
Application for Approval of Hardrock Mineral Development Contract or Processing or Milling Arrangement 43 CFR 3517.15	1	\$40.00	\$40.00	Fixed
Application for Gold, Silver, or Quicksilver Lease in a Confirmed Private Land Grant 43 CFR 3581.3 and 3581.4 Form 3520-7	1	\$40.00	\$40.00	Fixed
Application for a Hardrock Mineral Lease in the Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area 43 CFR 3583.3	1	\$30.00	\$30.00	Fixed
Application for a Mineral Lease in the White Mountains National Recreation Area 43 CFR 3585.3-2	1	\$40.00	\$40.00	Fixed
Mining Plan 43 CFR 3592.1 through 3592.3	5	\$0.00	\$0.00	N/A
Modification of an Exploration or Mining Plan 43 CFR 3592.1(d)	10	\$0.00	\$0.00	N/A

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Amount of Fee Per Response</b>	<b>D. Total Fees (Column B x Column C)</b>	<b>E. Type of Fee</b>
Data on Bore Holes and Samples 43 CFR 3593.1	25	\$0.00	\$0.00	N/A
Production Records 43 CFR 3597.1 and 3597.2	80	\$0.00	\$0.00	N/A
Totals	507	—	\$2,050,695	—

**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.**

The total estimated Federal cost per year is \$4,950,020.

The estimated hourly cost to the Federal Government, which is shown in Table 14-1, is based on data at [https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/RUS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/RUS_h.pdf).

The benefits multiplier of 1.6 is implied by information at <http://www.bls.gov/news.release/ecec.nr0.htm>.

**Table 14-1 – Hourly Cost Calculation**

<b>A. Position and Pay Grade</b>	<b>B. Hourly Pay Rate</b>	<b>C. Hourly Rate with Benefits (Column B x 1.6)</b>	<b>D. Percent of the Information Collection Completed by Each Occupation</b>	<b>E. Weighted Avg. (\$/hour) (Column C x Column D)</b>
Clerical GS-5/5	\$18.96	\$30.34	10%	\$3.03
Mining Engineer GS-12/5	\$41.66	\$66.66	80%	\$53.33
Supr. Mining Engineer GS-13/5	\$49.54	\$79.26	10%	\$7.93
Totals	—	—	100%	\$64.29

Table 14-2, below, shows the annualized Federal costs for each aspect of the collection. The estimated processing time is based on the BLM's experience and includes conducting field inspections; on-the ground environmental analyses, which include monitoring endangered species sites and archeological sites; conducting archeological surveys; and determining reclamation measures. Table 14-1, above, shows how we calculated the estimated hourly wage with benefits.

**Table 14-2 — Estimated Annual Cost to the Government**

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours Per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$64.29)</b>
Request for Effective Date 43 CFR 3501.20	10	1	10	\$642.90
Qualification Requirements / Individuals, Households, Guardians, Trustees, Heirs, and Devisees 43 CFR 3502.27, 3502.29, 3502.33, 3502.34, and 3502.40	3	2	6	\$385.74
Qualification Requirements / Associations and Partnerships 43 CFR 3502.28, 3502.33, and 3502.34	3	2	6	\$385.74
Qualification Requirements / Corporations 43 CFR 3502.30, 3502.33, and 3502.34	44	2	88	\$5,657.52
Surface Owner Consultation / State or Local Government 43 CFR 3503.21(b)	1	2	2	\$129.84
Surface Owner Consultation / Educational, Charitable, or Religious Organization 43 CFR 3503.21(b)	2	2	4	\$257.16
Applicant's Land Description 43 CFR 3503.30 through 3503.32	50	2	100	\$6,429.00
Bonding 43 CFR 3504.50 through 3504.71 Forms 3504-1, 3504-3, and 3504-4	40	4	160	\$10,286.40

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours Per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$64.29)</b>
Application for Prospecting Permit 43 CFR 3505.12 and 3505.13 Form 3510-1	55	80	4,400	\$282,876.00
Amendment or Withdrawal of an Application for Prospecting Permit 43 CFR 3505.30 and 3505.31	10	5	50	\$3,214.50
Exploration Plan 43 CFR 3505.40, 3505.45, and 3592.1(a)	25	400	10,000	\$642,900.00
Application to Extend a Prospecting Permit 43 CFR 3505.60 through 3505.66	5	40	200	\$12,858.00
Application for an Exploration License 43 CFR 3506.11 through 3506.25	5	80	400	\$25,716.00
Application for a Preference Right Lease 43 CFR 3507.11 through 3507.19 Form 3520-7	30	1,000	30,000	\$1,928,700.00
Application for a Competitive Lease 43 CFR 3508.12 through 3508.22 Form 3520-7	5	1,000	5,000	\$321,450
Application for a Fractional or Future Interest Lease 43 CFR 3509.10 through 3509.51 Form 3520-7	1	500	500	\$32,145.00
Application for a Fringe Acreage Lease or Lease Modification 43 CFR 3510.12	10	1,000	10,000	\$642,900
Request for Renewal of a Lease 43 CFR 3511.27	20	80	1,600	\$102,864.00
Objection to Proposed Readjustment of Lease Terms and Conditions 43 CFR 3511.25 and 3511.26	20	80	1,600	\$102,864.00
Assignment, Sublease, or Transfer 43 CFR 3512.11 through 3512.17	30	40	1,200	\$77,148.00



<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours Per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$64.29)</b>
Application for Waiver, Suspension, or Reduction of Rental or Minimum Royalties, or for a Reduction in the Royalty Rate 43 CFR 3513.11 through 3513.32	2	160	320	\$20,572.80
Application for Reduction of Rental, Royalties, or Minimum Production 43 CFR 3513.15 and 3513.16	1	160	160	\$10,286.40
Application for Suspension 43 CFR 3513.16, 3513.22 and 3513.32	1	160	160	\$10,286.40
Lease Relinquishment 43 CFR 3514.11 through 3514.21	10	40	400	\$25,716.00
Mineral Lease Exchange 43 CFR 3515.23 through 3515.27	1	40	40	\$2,517.60
Application for Use Permit 43 CFR 3516.15 through 3516.30 Form 3510-2	1	160	160	\$10,286.40
Hardrock Mineral Development Contracts; Processing and Milling Arrangements (3517)	1	160	160	\$10,286.40
Application for Gold, Silver, or Quicksilver Lease in a Confirmed Private Land Grant 43 CFR 3581.3 and 3581.4 Form 3520-7	1	20	20	\$1,285.80
Application for a Hardrock Mineral Lease in the Shasta and Trinity Units of the Whiskeytown-Shasta-Trinity National Recreation Area 43 CFR 3583.3	1	20	20	\$1,285.80
Application for a Mineral Lease in the White Mountains National Recreation Area 43 CFR 3585.3-2	1	20	20	\$1,285.80

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours Per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$64.29)</b>
Mining Plan 43 CFR 3592.1 through 3592.3	5	1,000	5,000	\$321,450.00
Modification of an Exploration or Mining Plan 43 CFR 3592.1(d)	10	500	5,000	\$321,450.00
Data on Bore Holes and Samples 43 CFR 3593.1	25	2	50	\$3,214.50
Production Records 43 CFR 3597.1 and 3597.2	80	2	160	\$10,286.40
Totals	507	-----	76,996	0

**15. Explain the reasons for any program changes or adjustments in hour or cost burden.**

The net reduction of 10 burden hours per year will be a result of revisions of 43 CFR 3513.15 that will simplify applications for reduction of rental, royalties, or minimum production requirements. As described in the preamble for section 3513.15, the final rule will remove requirements for an applicant to submit redundant or unnecessary information.

- Applicants will no longer need to submit 2 copies of an application, since most applications are now submitted electronically;
- In paragraph 3513(d), applicant must only submit a description of the lands for which the reduction will apply when the application is for a portion of the lease or leases;
- This final rule will remove paragraphs (f) and (h) of the previous regulations, which required a tabulated statement of the leasable minerals mined for each month, covering at least the last twelve months before a lessee files an application; the average production mined per day for each month; a detailed statement of expenses and costs of operating the entire lease; and the income from the sale of any leased products. This information is not required under the final rule because the BLM already knows the quantity of leasable minerals that the lessees are mining on each lease. The BLM can extrapolate the average production mined per day from production records and mine plan reports that the lessee already submits to the BLM and Office of Natural Resources Revenue (formerly Mineral Management Service) for royalty payment purposes and to prove they are meeting minimum production requirements as indicated on their lease form in accordance with 43 CFR 3504.20;
- New paragraph 3513(g) (formerly (f)) is revised to require only “the information sufficient to demonstrate” the need for the reduction; and
- This final rule will also remove paragraphs (j) and (k) of section 3513.15, which required full information as to whether the lessee pays royalties or payments out of production to

anyone other than the United States, the amounts paid and efforts the lessee has made to reduce them, and documents demonstrating that the total amount of overriding royalties paid for the lease will not exceed one-half the proposed reduced royalties due the United States.

**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.**

We will not publish the results of this collection.

**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.**

BLM will display the expiration date of the OMB approval.

**18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."**

There are no exceptions to the certification statement.