

Supporting Statement A

30 CFR 772 - Requirements for Coal Exploration

OMB Control Number 1029-0112

Terms of Clearance: None

Introduction

We, the Office of Surface Mining Reclamation and Enforcement (OSMRE), are submitting this information collection clearance package to request renewed authority to collect information and require retention of records for 30 CFR 772 - Requirements for Coal Exploration. The Office of Management and Budget (OMB) previously reviewed and approved collections of information and recordkeeping requirements for this part and assigned it control number 1029-0112.

General Instructions

A completed Supporting Statement A must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below and must contain the information specified below. If an item is not applicable, provide a brief explanation. When the question "Does this ICR contain surveys, censuses, or employ statistical methods?" is checked "Yes," then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

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

The regulations at 30 CFR 772 implement section 512 of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act), 30 U.S.C. 1262, by establishing notice and permitting requirements and procedures for coal exploration operations that do not involve Federally-owned coal. Sections 772.11, 772.12, 772.14, and 772.15 contain information collection or recordkeeping requirements.

Section 512(a) of SMCRA provides that each state or Federal regulatory program

must include a requirement that a person intending to conduct coal exploration first file a notice of intent to explore with the regulatory authority. At a minimum, that notice must include a description of the exploration area and the period of planned exploration. The regulations at §772.11 include those provisions, as well as requirements for information identifying the person filing the notice, the person conducting the exploration, the method of exploration and the environmental protection and reclamation practices to be used.

Section 201(c)(2) of SMCRA, which provides that the Secretary shall promulgate such regulations as are necessary to carry out the purposes and provisions of the Act, authorizes collection of the information required by §772.11 that is not expressly required under section 512(a) of the Act. Collection of this information is necessary to ensure adherence to and enforce the reclamation requirements of section 512(a) of the Act, as well as to determine whether an exploration permit is required under section 512(d) of the Act.

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.***

Section 772.11: Section 512(a) of SMCRA provides that each state or Federal regulatory program must include a requirement that a person intending to conduct coal exploration first file a notice of intent to explore with the regulatory authority. At a minimum, that notice must include a description of the exploration area and the period of planned exploration. The regulations at §772.11 include those provisions, as well as requirements for information identifying the person filing the notice, the person conducting the exploration, the method of exploration and the environmental protection and reclamation practices to be used.

Section 201(c)(2) of SMCRA, which provides that the Secretary shall promulgate such regulations as are necessary to carry out the purposes and provisions of the Act, authorizes collection of the information required by §772.11 that is not expressly required under section 512(a) of the Act. Collection of this information is necessary to ensure adherence to and enforce the reclamation requirements of section 512(a) of the Act, as well as to determine whether an exploration permit is required under section 512(d) of the Act.

Section 772.12: Section 512(d) of SMCRA further provides that no person may remove more than 250 tons of coal pursuant to an exploration permit without the specific written approval of the regulatory authority. To implement these statutory provisions, the regulations at §772.12 require that any person planning to remove 250 or more tons of coal first obtain regulatory authority approval in the form of an exploration permit.

This type of exploration is much more likely to cause adverse environmental impacts than operations that remove fewer than 250 tons. Therefore, the regulations establish (1) more detailed information requirements for applications for coal exploration than those set forth in section 512(a) of the Act for notices of intent to explore, (2) newspaper notice requirements to encourage public involvement in the application review process, and (3) criteria and procedures for application approval and permit issuance, including a requirement that the regulatory authority prepare written findings and notify all interested parties of its decision.

Because of environmental concerns, the regulations also require an exploration permit (rather than a simple notice of intent) as a prerequisite for any type of coal exploration on lands designated as unsuitable for surface coal mining operations pursuant to section 522 of SMCRA. Applications for exploration on the lands listed in section 522(e) of SMCRA must include an explanation of how the proposed exploration activities have been designed to minimize interference with the values for which those lands were designated as unsuitable for surface coal mining operations. In addition, the application must include documentation of consultation with the owner of and, when applicable, the agency with primary jurisdiction over, the feature that caused the land to come under the protection of section 522(e) of the Act. Finally, the rules require that the regulatory authority make a finding as to whether the coal exploration activities have been designed to minimize interference with the values for which the land was designated unsuitable for surface coal mining operations.

Section 201(c)(2) of SMCRA, which provides that the Secretary shall promulgate such regulations as are necessary to carry out the purposes and provisions of the Act, authorizes collection of this information. We have determined that collection of the information required for §772.12, most of which is not specifically required by section 512 of SMCRA, is appropriate and necessary to fulfill the environmental protection and public participation purposes of the Act, as set forth in section 102 of SMCRA.

Section 772.14: OSMRE and State regulatory authorities under SMCRA use the information collected for §772.14 to prevent abuse of the coal exploration regulations and to ensure that disturbance of land and natural resources caused by activities conducted under exploration permits is limited to the amount necessary for legitimate exploration and testing purposes.

With certain exceptions, paragraph (a) of §772.14 prohibits the sale or commercial use of coal removed from a coal exploration permit unless the person first obtains a permit to conduct surface coal mining operations. Paragraph (b) of this section of the regulations provides an exception to this prohibition if, as part of the coal exploration permit application, the applicant

submits adequate documentation that the coal is needed for testing purposes and the regulatory authority grants written authorization. We adopted these additional restrictions and coal exploration permit application requirements to eliminate situations in which persons were conducting surface coal mining operations under the guise of coal exploration. Coal exploration permits are easier and cheaper to obtain than surface mining permits, and performance bonds are not required. In addition, coal exploration operations are subject to less restrictive performance standards than surface coal mining operations. Hence, the potential to cause environmental harm is significantly greater under a coal exploration permit than it is under a permit for surface coal mining operations.

Section 201(c)(2) of SMCRA, which provides that the Secretary shall promulgate such regulations as are necessary to carry out the purposes and provisions of the Act, authorizes collection of this information. We have determined that collection of the information required for §772.14 is appropriate and necessary to fulfill the environmental protection purposes of the Act, as set forth in section 102 of SMCRA. Without these requirements, OSMRE and State regulatory authorities would find it much more difficult to restrict disturbance under exploration permits to the minimum needed for legitimate exploration purposes.

Section 772.15: Section 512(b) of SMCRA provides that information submitted to the regulatory authority as confidential shall not be available for public examination when it concerns trade secrets or privileged commercial or financial information relating to the competitive rights of the person or entity intending to conduct exploration. Consistent with section 102(i) of the Act, which states that one of the purposes of the Act is to ensure that appropriate procedures are provided for public participation, we have interpreted this provision as requiring that all other coal exploration information be made available to the public. Accordingly, paragraph (a) of the implementing regulations at §772.15 requires that all non-confidential information submitted to the regulatory authority under 30 CFR part 772 be made available for public inspection and copying at the regulatory authority office closest to the proposed exploration site. Paragraph (b) of §772.15 specifies that the regulatory authority must keep certain information confidential if the person so requests in writing at the time of submission.

Section 201(c)(2) of SMCRA, which provides that the Secretary shall promulgate such regulations as are necessary to carry out the purposes and provisions of the Act, authorizes the recordkeeping requirements of §772.15(a) and collection of the information (written requests for confidentiality) required by §772.15(b). Although section 512(b) of the Act does not expressly include these requirements, it does strongly imply them and, as noted above, section 102(i) of the Act provides additional justification for the recordkeeping requirements of §772.15(a). Furthermore, the regulatory authority would have difficulty implementing the confidentiality provisions of section 512(b) of the Act in the

absence of the requirement in §772.15(b) that the person submitting the information request confidentiality and identify the information included in the request.

OSMRE and State regulatory authorities under SMCRA use the information collected under §772.15(b) to identify those portions of notices of intent to explore and exploration permit applications that must be kept confidential. The public uses the recordkeeping requirements of §772.15(a) to monitor and, in some cases, intervene in the coal exploration notice and permit application processes to ensure protection of the environment and private property.

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.***

Use of automated methods to collect the information required for 30 CFR 772 continues to increase in recent years. However, the state regulatory authorities are generally more focused on developing their respective e-data receipt/processing capabilities with respect to the full permit application for surface coal mining and reclamation operations. During the evaluation year, 80% of the notices for intent to conduct coal exploration activities were filed electronically. This percentage is likely to increase as the state regulatory authorities upgrade their e-data capabilities.

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 information requested in 30 CFR 772 is time-sensitive and unique to each site. Because it is collected infrequently (generally only once, at the time that a person submits a notice of intent to explore or an application for a coal exploration permit), duplication is minimal to nonexistent. Persons may cross-reference relevant materials that they previously submitted in a notice or application for a different site.

We are not aware of any other Federal agency that collects this information. OSMRE is the only Federal agency charged with implementation of section 512 of SMCRA for coal exploration involving non-Federal coal. To avoid any duplication for lands with federally-owned coal, 30 CFR 772.1 specifies that the

requirements of 30 CFR 772 do not apply to exploration on those lands, which is instead regulated by the Bureau of Land Management (BLM). We also have entered into an agreement with BLM delineating each agency's coal exploration duties to avoid overlap and conflict.

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

There are no special provisions for small businesses or other small entities. Special provisions are not appropriate because the requested information is the minimum needed to document (1) the location, extent and timing of any proposed disturbance or activity, and (2) the person's ability to comply with applicable performance standards. Both of these items are required of all operations by section 512(a) of SMCRA.

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.*

Because the information requested in 30 CFR 772 is collected only once for each site, a reduction in the frequency of collection is not possible.

Furthermore, the Act specifically requires exploration notices and permits. Failure to collect the information required by §§772.11, 772.12, and 772.14 would severely impair the ability of OSMRE and the state regulatory authorities to ensure that coal exploration is conducted in accordance with the reclamation requirements of section 512(a) of the Act. In the absence of any notice, OSMRE and the state regulatory authorities would likely be unaware of many coal exploration 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 collection of information under 30 CFR 772 is consistent with the guidelines at 5 CFR 1320.5(d)(2) as summarized in the instructions for this item of the supporting statement.

- 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.

Contacts were made with the following to obtain views on the information collection burden imposed by part 772 and the clarity of the regulations:

Montana Department of Environmental Quality
Coal and Opencut Mining Bureau
1216 East 6th Avenue
Helena, MT
59620-0901

Engineering Support Branch
Technical Services Division
OSMRE Interior Regions 1&2
Three Parkway Center
Pittsburgh, PA 15220

West Virginia Department of Environmental Protection
Division of Mining and Reclamation
601 57th St.
Charleston, WV 25304

Permit Coordinator/Assessor
OSMRE-Casper Area Office
100 East B Street
Casper, WY 82601

Comments received indicated there were no special concerns regarding regulations governing coal exploration notices and permits.

On January 17, 2024, OSMRE published in the Federal Register (89 FR 2978) a notice requesting comments from the public regarding the need for the collection of information, the accuracy of the burden estimate, ways to enhance the information collection. This notice gave the public 60 days in which to comment. However, no comments were received.

9. *Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.*

OSMRE provides no 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.

Section 512(b) of SMCRA and its implementing regulations at §772.15(b) require that OSMRE and state regulatory authorities keep certain types of information confidential. Specifically, persons submitting a notice of intent to explore or an application for coal exploration may request confidentiality for trade secrets or privileged commercial or financial information that relates to the competitive rights of the person who intends to conduct the exploration.

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.

There are no questions of a sensitive nature asked.

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. Instead, this cost should be included under "Annual Cost to Federal Government."**

a. Burden Hour Estimates for Respondents

Our estimate of annual notices of intent to explore is based on the past three years (2021-2023), showing the on-going downward trend by declining from 258 (previously) to an average of 87 per year. The reduction of exploration notices is consistent with data for new permit applications in general as the coal mining industry declines. Based on input from respondents OSMRE still anticipates 2 applications for exploration permits which allow operators to remove more than 250 tons of coal per year.

Total industry burden is 604 hours, a reduction from 1,459 hours. The decline is directly related to significantly less notices. State burden likewise falls from 238 hours to 153 hours. Total burden for industry and State's is 757 hours, a decline of 940 hours. Total responses are 195 (103 industry + 93 state).

Accordingly, sections 772.11, 772.12, 772.14, and 772.15(b) per response industry burden of 5, 70, 16 and 1 hours, respectively. Due to decline in exploration notices section §772.11 has the greatest decline totally 435 hours (87 x 5 hours/response), a reduction of 855 hours from the previous estimate.

Among these sections requiring the highest response burden, §772.12 would require 70 hours due to preparation of newspaper notice required by §772.12(c). Total annual information collection burden for persons filing applications for coal exploration is 140 hours (2 applications x 70 hours per application). According to the state regulatory authorities listed in item 8, the previous burden estimates are still accurate for §772.12.

Although nonrecurring annually we have assumed that there will be one application per year for exploration permits proposing the sale or commercial use of coal removed during the exploration process in accordance with §772.14. For this section we estimate that the applicant requires on an average 16 hours to collect and compile the requested information.

It is expected that the regulatory authority will e-mail notifications to various entities, which will take 1 additional hour of time. Preparation and posting of a decision notice in a public office in the vicinity of the proposed operation requires an average of 2 additional hours per application. The total estimated time for the state regulatory authority to implement this section would be 53 hours (45 hours per review + 5 hours for decision notification letters + 1 hour for e-mail notifications + 2 hours for decision notice per application).

Therefore, we estimate that the annual burden to the state regulatory authorities for compliance with the information collection requirements of §772.12 will be 106 hours (53 hours per permit applicant x 2 applications).

OSMRE anticipates that state regulatory authorities will receive an average of 87

notices of intent to explore and 2 applications for coal exploration permits each year for a total of 89. We estimate that State's preparation and mailing a decision notification letter would still require an average of 30 minutes section §772.15(a), with each application requiring an average of 10 decision notification letters (to the applicant, county/state/federal agencies, and commenters). Therefore, we estimate that the annual recordkeeping burden on state regulatory authorities under §772.15(a) is 45 hours (89 notices and permits received by state regulatory authorities x 0.5 hour per notice or permit).

Industry Burden Hours

	Industry responses	Hours per response	Total hours requested	Current burden hours	Change in burden hours
772.11	87	5	435	1,290	-855
772.12	2	70	140	140	0
772.14	1	16	16	16	0
772.15(a)	0	0	0	0	0
772.15(b)	13	1	13	13	0
Totals	103		604	1,459	-855

State Burden Hours

	State responses	Hours per response	Total hours requested	Current burden hours	Change in burden hours
772.11	0	0	0	0	0
772.12	2	53	106	106	0
772.14	1	2	2	2	0
772.15(a)	89	0.5	45	130	-85
772.15(b)	0	0	0	0	0
Totals	92		153	238.0	-85

b. Estimated Annual Wage Cost to Respondents

OSMRE has estimated wage costs for respondents for industry and state regulatory employees. These wages are derived from the Bureau of Labor Statistics (BLS) at: (http://www.bls.gov/oes/current/naics4_212100.htm for industry wages; and http://www.bls.gov/oes/current/naics4_999200.htm for state employee wages. Benefits included in wage calculations (table below) use a rate of 1.4 of the salary for industry personnel, and 1.6 for state employees per the BLS news release USDL-24-0485, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION—DECEMBER 2023, dated March 13, 2024 (<http://www.bls.gov/news.release/pdf/ecec.pdf>).

Based on industry hours needed by various staff (Administrative support, Engineering technician, Mining Engineer, and Operations Manager) with varying wage rates the total wage cost is estimated at \$32,451 (604 hours x \$53.73 per hour average).

Total Industry Wage Costs

	Administrative Support	Engineering Technician	Mining Engineer	Operations Manager	Total
Hourly rate (BLS)	\$23.09	\$34.11	\$42.54	\$72.77	
BLS wage w/benefit	\$32.33	\$47.75	\$59.56	\$101.88	
Estimated contribution %	7.0%	44.0%	46.0%	3.0%	
Hours	43	271.5	284	18.5	617
Total wage cost	\$1,390	\$12,965	\$16,914	\$1,885	\$33,154

Total state wage cost is based on the wage rate for a compliance officer or equivalent. Base on BLS occupation the base hourly rate is \$30.88 per hour. The average hour rate with benefit is \$49.41(30.88 x 1.6). Therefore, the total wage cost is \$7,560(153 hours x \$49.41/hour). Total wage cost for both industry

and state is **\$40,011** (\$32,451+ \$7,560)

- 13. Provide an estimate of the total annual non-hour cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden 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.**

Total Annual Non-Wage Cost Burden to Respondents

- a. Annualized Capital and Start-Up Costs

The information collection requirements of §772.11, §772.12, §772.14, and §772.15 do not involve any capital or start-up costs apart from expenditures

associated with customary business practices in the mining industry. None are directly attributable to the information collection requirements this section.

b. Operation and Maintenance Costs

There are no significant or distinct non-wage operation or maintenance costs associated with compliance with the information collection requirements of §772.11, §772.14, and §772.15.

The only distinct non-wage operation or maintenance cost associated with compliance with the information collection requirements of §772.12 is the newspaper notice that permit applicants must publish, and the decision notification letters that the regulatory authority must send for the coal exploration permit application. This requires a one-time publication of newspaper notice with an average cost of \$100 per notice. We estimate that the regulatory authority will incur an average of \$5 in copying and office supply costs and delivery charges for each decision notification letter. Therefore, we estimate that permit applicants will incur annual publication expenses of \$210 (2 applications per year x \$105 for each notice).

Similarly, we estimate that the state regulatory authorities will incur non-wage expenses of \$100 for decision notification letters (10 letters x 2 applications (sent by state regulatory authorities) x \$5 per letter).

For all respondents, we estimate that annual non-wage operation and maintenance costs will total \$310 (\$210 for permit applicants + \$100 for state regulatory authorities).

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.

OSMRE anticipates conducting oversight review of State compliance with the requirements of §772.11, §772.12, §772.14, and §772.15(b), requiring an estimated annual time of 72 hours.

Wage costs for OSMRE employees are calculated based on the Office of Personnel Management update wage and salaries: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/RUS_h.aspx

It is expected OSMRE would conduct an oversight review of these actions in one state program per year and that review would require on average hourly wage cost \$50.04 per hour conducted by GS-13/5 regulatory program specialist reviewing the program. With benefits hourly cost is \$80.06 (\$50.04 x 1.6) per hour for Federal employees per the BLS news release USDL-24-0485, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION—DECEMBER 2023, dated March 13, 2024, <http://www.bls.gov/news.release/pdf/ecec.pdf>.

The annual cost to for government for this oversight activity is estimated to be \$5,765(\$80.04/hour x 72 hours).

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

The current OMB-approved information collection burden for 30 CFR 772 is 1,697 hours. We are requesting 757 burden hours for these sections, a decrease of 940 hours. This is a direct result of a significant reduction (from 258 to 87) in the number exploration notices annually being consistent with overall declining permits.

1,697 hours currently approved by OMB
- 940 hours due to an adjustment (decrease in applications)
757 hours requested

- 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 have no plans to publish the information collected.

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

We are not seeking a waiver from the requirement to display the expiration date of the OMB approval of the information collection.

- 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 identified in the "Certification for Paperwork Reduction Act Submissions." The information collection requirements of §772.12 do not involve any capital or start-up costs apart from expenditures associated with (1) customary business practices concerning establishment and operation of a mining entity, or (2) general administration of a regulatory agency. None are directly attributable to the information collection requirements of §772.12.