

# SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Coal Management (43 CFR 3400-3480)

OMB CONTROL NUMBER 1004-0073

Forms 3400-12 and 3440-1

**Terms of Clearance:** None.

**1. Explain why you need to conduct the information collection. Identify any legal or administrative requirements that necessitate the collection. Include a description of any statute or executive order that requires the collection, and attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection. Provide some background information on the program and describe how the collection supports it. Detail any specific program problems you hope to resolve.**

The Bureau of Land Management (BLM) seeks to renew the previously approved information collection for the regulations at 43 CFR Parts 3400 through 3480. These regulations implement the following statutes:

- Mineral Leasing Act, 30 U.S.C. 201 *et seq.*;
- Mineral Leasing Act for Acquired Lands, 30 U.S.C. 351-359; and
- Federal Land Policy and Management Act, 43 U.S.C. 1701, *et seq.*

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

The BLM needs the required information to:

- Learn the extent and qualities of Federal coal resources;
- Evaluate the environmental impacts of coal leasing and development;
- Determine the qualifications of prospective lessees to acquire and hold Federal coal leases;
- Administer statutes applicable to coal mining, production, resource recovery and protection, operations under coal leases, and exploration under leases and licenses;
- Ensure lessee compliance with applicable statutes, regulations, and lease terms and conditions;
- Ensure that accurate records are kept of all Federal coal produced;
- Manage publicly owned coal through lease or exchange;
- Oversee the statutes related to exploration, development, production, resource recovery and protection, and certain abandonment procedures; and
- Require that licensees conduct their activities in an environmentally sound manner.

In most cases, we do not require a specific form to collect the required information.

### ***43 CFR Part 3410 Exploration Licenses***

Before the issuance of a coal lease, exploration for coal on the Federal mineral estate may be authorized by an exploration license for up to two years. Four collections of information pertain to exploration licenses.

1. Applications for an exploration license may be filed at the BLM State Office having jurisdiction over the lands that are involved, in accordance with 43 CFR 3410.2-1. No specific form is required. An application must include a description of the area involved, and three copies of an exploration plan.\

A fixed fee is required under 43 CFR 3473.2. The amount is set at 43 CFR 3000.12, as updated annually. The most recent update is at 74 FR 29334 (Sept. 28, 2009).

The BLM uses the information in the application to locate the proposed exploration site; determine if the lands are subject to entry for exploration; and make sure the plan is adequate to safeguard natural and socio-economic environment resource values, public and worker health, and safety. A filing fee must accompany the application. A bond is required before an exploration license may be issued. 43 CFR 3410.3-4.

2. A licensee may relinquish an exploration license for all or any portion of the lands covered by it. Under 43 CFR 3410.3-1(d), a relinquishment must be filed in the BLM State Office in which the original application was filed.

3. A licensee may request a modification of the exploration plan under 43 CFR 3410.3-1(f).

4. Under 43 CFR 3410.4, the BLM may require a licensee to collect ground and surface water data that are available to the licensee in the conduct of the approved exploration plan. The BLM uses this information to estimate coal resource values and to monitor any environmental impacts to water resources. All such data will be considered confidential and not made public until the areas involved have been leased or until the BLM determines that public access to the data would not damage the competitive position of the licensee, whichever comes first.

### ***43 CFR Part 3420 Competitive Leasing***

#### ***Subpart 3420 Competitive Leasing***

Competitive leasing under this subpart has become much less common than noncompetitive leasing under other provisions. For this reason, we have used minimal numbers of responses in our analysis of the burdens of each information collection under this subpart.

1. Voluntary responses to a call by the BLM for coal and other resource information may be submitted by individuals or households during the development of a land use plan or other land use analysis. 43 CFR 3420.1-2. The BLM uses the information in this responses to identify resources that may be sensitive to development of coal resources, and to identify any preliminary

interest or opposition to coal leasing in the planning unit. The BLM treats any proprietary data marked as confidential in accordance with the pertinent statutes and regulations.

2. Voluntary responses to a call by the BLM for coal and other resource information may be submitted by the private sector during the development of a land use plan or other land use analysis. 43 CFR 3420.1-2. The BLM uses the information in this responses to identify resources that may be sensitive to development of coal resources, and to identify any preliminary interest or opposition to coal leasing in the planning unit. The BLM treats any proprietary data marked as confidential in accordance with the pertinent statutes and regulations.

3. Voluntary responses to a call by the BLM for coal and other resource information may be submitted by governmental entities during the development of a land use plan or other land use analysis. 43 CFR 3420.1-2. The BLM uses the information in this responses to identify resources that may be sensitive to development of coal resources, and to identify any preliminary interest or opposition to coal leasing in the planning unit. The BLM treats any proprietary data marked as confidential in accordance with the pertinent statutes and regulations.

4. During the preparation of a comprehensive land use plan or land use analysis, the BLM is required to solicit information from all “qualified surface owners” whose lands overlie coal deposits. As defined at 43 CFR 3400.0-5, “qualified surface owners” include natural persons, i.e., individuals. This requirement is found at 43 CFR 3420.1-4(e)(4). The BLM uses the information to determine whether or not the lands in the planning unit will be considered for leasing using surface mining techniques.

5. During the preparation of a comprehensive land use plan or land use analysis, the BLM is required to solicit information from all “qualified surface owners” whose lands overlie coal deposits. As defined at 43 CFR 3400.0-5, “qualified surface owners” include corporations. This requirement is found at 43 CFR 3420.1-4(e)(4). The BLM uses the information to determine whether or not the lands in the planning unit will be considered for leasing using surface mining techniques.

6. During the preparation of a comprehensive land use plan or land use analysis, the BLM is required to solicit information from the Governor or State surface management agency charged with the responsibility for maintaining the State’s unsuitability program (43 CFR 3461.1), as well as any tribal government that administers areas within or near the boundaries of the land use plan or land use analysis being prepared by the BLM. This requirement is found at 43 CFR 3420.1-7.

The BLM uses the information to determine whether or not the lands in the planning unit will be considered for leasing using surface mining techniques.

7. If the BLM identifies lands that are acceptable for further consideration for leasing in a comprehensive land use plan or land use analysis, the BLM may issue a call for expressions of leasing interest. 43 CFR 3420.3-2. Expressions of leasing interest include geological and geographical information for specific areas to assist the BLM in determining whether or not coal leasing will occur. The BLM uses this information to determine the quantity and quality of

Federal coal resources and future leasing opportunities, and to determine whether or not to schedule a regional coal lease. All information submitted in response to this call is available for public inspection and copying upon request. Data which are considered proprietary will not be treated as confidential if they are submitted as part of an expression of leasing interest.

### ***Subpart 3422 Lease Sales***

1. Under 43 CFR 3422.1, the BLM solicits public comments on the fair market value appraisal and the maximum economic recovery of the tract or tracts proposed to be offered, and on factors that may affect these determinations by the BLM. The BLM uses the information to determine the criteria for evaluating bids in response to a notice of sale.
2. Bids in response to a BLM notice of sale must be submitted in accordance with 43 CFR 3422.3-2, and in accordance with the bidding instructions in the notice of sale (see 43 CFR 3422.2(c)). The BLM requires bidders to submit a sealed bid; a payment equal to one-fifth of the amount of the bonus; and information concerning citizenship and interests held. The BLM uses this information to determine the qualifications of the prospective lessees to acquire and hold Federal coal leases.
3. Under 43 CFR 3422.3-4 , the successful bidder must submit information relating to the bidder's coal holdings to the BLM for transmittal to the Attorney General, who determines coal leasing compliance with the Sherman Antitrust Act, 15 U.S.C. 1-7. The successful bidder submits its coal holding information to the BLM in a sealed envelope on a form approved by the Justice Department. The BLM forwards the sealed information to the Justice Department to determine whether issuing a coal lease to the successful bidder would create an anti-competitive situation.
4. The awarding of a lease is addressed at 43 CFR 3422.4. Form 3400-12 (Coal Lease) contains the standardized contractual text for a new lease. The BLM may add additional special stipulations as required. The form is completed by the BLM. The prospective lessee and the BLM authorized officer both need to sign Form 3400-12 to officially establish the lease. The components of Form 3400-12 are:
  - Name and address of the successful bidder;
  - Effective date of the lease;
  - The statutory authority for the lease (either the Mineral Leasing Act or the Mineral Leasing Act for Acquired Lands);
  - Description of the lands;
  - Number of acres;
  - Terms and conditions;
  - Special stipulations;
  - Company or lessee name;
  - Signature and title of lessee and of representative of the BLM; and
  - Date.

Note: Form 3400-12 is also used in awarding preference right leases under 43 CFR Part 3430.

### ***Subpart 3425 Application Nominating a Tract for a Competitive Lease Sale***

The objective of Subpart 3425 is to provide an application process through which the BLM may consider holding lease sales apart from the competitive leasing process set out in 43 CFR 3420.3 through 3420.5-2. The collection of information in this process begins with an **Application Nominating a Tract for a Competitive Lease Sale**. Three copies of the application, including data required by the regulations at Subpart 3425, must be filed in the BLM state office with jurisdiction over the lands that are involved. 43 CFR 3425.1-1.

Under 43 CFR 3425.1-2 and 3473.2, the application must be accompanied by a filing fee. The amount of the fee is determined on a case-by-case basis in accordance with the criteria at 43 CFR 3000.11.

Under 43 CFR 3425.1-3, all applicants must meet the qualifications specified in 43 CFR subpart 3472.

Under 43 CFR 3425.1-4, if an applicant wants the BLM to hold an emergency lease sale, the following information is required:

- Documentation that an emergency situation exists;
- Documentation that coal reserves applied for will be mined as part of a producing mining operation;
- Information about the existing mining operation; and
- The intended use of the coal.

The BLM uses this information to determine whether or not an emergency exists for leasing the Federal coal; evaluate the availability of the land area and its suitability for coal leasing; and determine the appropriateness of the mining proposal submitted.

Under 43 CFR 3425.1-5, if an applicant wants the BLM to hold a lease sale covering coal deposits outside coal production regions, the applicant must provide the BLM with sufficient information to evaluate the quality, quantity, maximum economic recovery, and fair market value of the Federal coal included in the tract; determine whether or not the proposed lease sale would be consistent with applicable land use plans; and analyze the environmental impacts. See 43 CFR 3425.1-7, 3425.2, and 3425.3.

### ***Subpart 3427 Split Estate Leasing***

There is only one information collection requirement in Subpart 3427. It is found at 43 CFR 3427.2(c) (Surface owner consent).

A prospective lessee and the qualified surface owner may execute consents or written

agreements on the split-estate tract allowing entry and commencement of surface mining operations. The BLM requires prospective lessees to submit a copy of any relevant agreements to us before we offer the split-estate tract for lease sale. The agreement must contain the following information:

- Present legal name and address of the qualified surface owner(s);
- The expressed consent allowing the right to enter and commence mining by the qualified surface owner;
- The name, ownership interest, and legal address of the party making the filing (generally this is the lease applicant); and
- A statement that all the rights and obligations of the holder of the consent are assumed or transferred to the successful bidder for development of the federal coal on the split estate land.

The BLM uses this information to notify the prospective lessees and surface owners concerning the split-estate coal lease tract, whether we offer the tract for a lease sale, and the most efficient mining method. Note: the surface owner consent requirements do not apply to preference right lease applications.

### ***43 CFR Part 3430 Noncompetitive Leases***

#### ***Subpart 3430 Preference Right Leases***

A holder of a prospecting permit may apply for a non-competitive preference right coal lease under Subpart 3430. The BLM first requires the applicant to make an initial showing under 43 CFR 3430.2-1. That showing includes coal quality and quantity data; a map of the area; and a narrative statement explaining the anticipated scope of the proposed operation, the mining method to be used and an estimate of the expected mining sequence and production rate, and the relationship, if any, between operations planned on the land applied for and existing or planned operations and facilities on adjacent lands. The BLM may request any other information necessary to conduct an environmental analysis of the proposed mining operation, formulate mitigating measures and lease terms, and determine commercial quantities. and submit a final showing (which includes cost and mining data, to demonstrate that the cost of mining does not exceed the value of the resources.)

After the applicant has completed the initial showing, the BLM prepares an environmental analysis (EA) or environmental impact statement (EIS), and requests a final showing by providing the applicant with a proposed lease (on Form 3400-12) that includes any proposed stipulations, and a copy of the EA or EIS. The applicant's final showing, under 43 CFR 3430.4-1, must include an estimate of revenues; an explanation of how the applicant proposes to comply with the proposed lease terms; the estimated costs of developing the mine, removing the coal, processing the coal to make it salable, transporting the coal, paying applicable royalties and taxes, and complying with all applicable statutes, regulations, lease terms, and special stipulations; and if the proposed mine would be part of a logical mining unit (see 43 CFR subpart 3487), the estimated costs and revenues of the combined mining venture.

The components of Form 3400-12 are:

- Name and address of the applicant;
- Effective date of the lease;
- The statutory authority for the lease (either the Mineral Leasing Act or the Mineral Leasing Act for Acquired Lands);
- Description of the lands;
- Number of acres;
- Terms and conditions;
- Special stipulations;
- Company or lessee name;
- Signature and title of lessee and of representative of the BLM; and
- Date

There is a cost recovery fee associated with this collection of information. 43 CFR 3473.2(g). The amount is calculated on a case-by-case basis in accordance with 43 CFR 3000.11.

The prospective lessee and the BLM authorized officer both need to sign Form 3400-12 to officially establish the lease.

The BLM uses this information to determine whether an applicant qualifies for a preference right coal lease.

Note: Form 3400-12 is also used in awarding leases under 43 CFR Part 3422.

### ***Subpart 3432 Lease Modifications***

Under 43 CFR 3432.1, a lessee may apply to the BLM to modify an existing lease to add contiguous lands. The BLM requires the lessee to supply information describing the additional lands, the need for the modification, and the reasons why the modification would serve the interests of the United States. The BLM uses this information to determine the public interest of the United States and to assist in determining the fair market value of the land covered by the proposed lease modification.

### ***43 CFR Part 3440 Licenses to Mine***

Under 43 CFR 3440.1-1, the BLM requires applicants to submit, on four copies of Form 3440-1 (Application and License to Mine Coal), information concerning the land applied for, the estimated tonnage to be mined annually, and the applicant's qualifications to hold a license to mine. The components of Form 3440-1 are:

- Name and address of applicant(s);
- Number of acres involved;
- The purpose for which the coal is to be used;
- Approximate number of tons that is required annually for such purpose;
- Indication of whether or not the required filing fee is attached (and if not, an

- explanation);
- Terms and conditions;
  - Special stipulations;
  - Certification that the purpose in obtaining the license is consistent with purpose set forth in 43 CFR Part 3440;
  - Signature(s) of applicant(s) and date; and
  - A box in which an official of the BLM checks off the statutory authority for issuing the license (either the Mineral Leasing Act or the Mineral Leasing Act for Acquired Lands), writes in the effective date of the license, and signs it.

A fixed fee is required under 43 CFR 3473.2. The amount is set at 43 CFR 3000.12, as updated annually. The most recent update is at 74 FR 29334 (Sept. 28, 2009). The BLM uses the information to verify the use of the resource and qualifications of applicants to hold a license to mine in a specified area.

### ***43 CFR Part 3450 Management of Existing Leases***

#### ***Subpart 3452 Relinquishment of a Lease***

Under 43 CFR 3452.1-1 and 3452.1-2, a lessee may request to relinquish an entire lease, a legal subdivision thereof, an aliquot part thereof (not less than 10 acres), or any bed of the coal deposit therein. The BLM lessee must file the request to relinquish in the BLM State Office having jurisdiction over the lands involved. The BLM uses the information in the application to determine whether or not to grant the relinquishment and to maintain accurate and complete knowledge of the extent and location of Federal coal holdings.

Note: In some circumstances, a request to relinquish a lease must include additional information set forth at 43 CFR 3472.2-1(e)(4)(iv). That information is discussed, and the burdens analyzed, under the heading, “43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Private Sector.”

#### ***Subpart 3453 Transfers by Assignment, Sublease or Otherwise.***

Under 43 CFR 3453.2-1, coal lessees may transfer record title interest to parties qualified to hold such leases. The BLM must approve the record title transfer application. The BLM requires the following information:

- Evidence of the transferee’s qualifications to hold a Federal coal lease;
- A statement of the transferee’s Federal coal lease acreage holdings; and
- Any value paid or promised for the lease.

A fixed fee is required under 43 CFR 3473.2. The amount is set at 43 CFR 3000.12, as updated annually. The most recent update is at 74 FR 29334 (Sept. 28, 2009).

The BLM uses the information to determine whether the transfer party meets the qualification

requirements and to provide coal resource value information to estimate the fair market value of the coal resources.

### ***43 CFR Part 3470 Coal Management Provisions and Limitations***

#### ***Subpart 3471 Coal Management Provisions and Limitations***

1. Under 43 CFR 3471.1-1, the BLM requires applicants to submit a complete description of the lands and any legal surveys before an exploration license, license to mine; lease or lease modification may be issued. The BLM uses the information to ensure that we know the exact location of leases and licenses for an exact accounting of the Federal coal resources.

2. Under 43 CFR 3471.4, interested entities may apply for a lease for lands in which the United States has a future interest. Under 43 CFR 3472.1-2(g), the applicant must submit documentation that the applicant holds, in fee or by lease, the present interest in the coal deposit subject to the application.

The application must be filed no more than two years before the date the lands will vest in the United States.

The BLM uses the information in the application to determine whether or not to allow coal leasing, to evaluate the land area's availability and suitability for coal leasing, and to assess the appropriateness of the mining proposal.

#### ***Subpart 3472 General Qualification Requirements***

The collections of information gathered under this heading apply generally to prospective lessees and licensees. The collections of information gathered under the headings "Other Qualification Requirements / Private Sector" and "Other Qualification Requirements / Public Bodies" apply to very limited categories of applicants and bidders in the private and public sectors, respectively.

Under 43 CFR 3472.1-2(a), prospective lessees must provide the BLM with a signed statement showing that, including the area applied or bid for, the applicant or bidder's interests in leases and lease applications, held directly or indirectly, do not exceed in the aggregate the acreage limitations at 43 CFR 3472.1-3.

Under 43 CFR 3472.1-2(e)(2), any entity seeking to obtain a lease or approval of a transfer of a lease must certify, in writing, that the entity is in compliance with the Mineral Leasing Act and the regulations pertaining to lease qualification requirements. The entity's self-certification statement must include:

- A statement that the entity is qualified to be issued a lease or to have a transfer approved in accordance with the presumption of control or the presumption of noncontrol requirements 43 CFR 3400.0-5(rr), and in accordance with the producing requirements at 43 CFR 3472.1-2(e)(6); and

- Justification rebutting the presumption of control requirements at 43 CFR 3400.0-5(rr), if the entity's instruments of ownership of the voting securities of another entity or of its voting securities by another entity are 20 through 50 percent.

Under 43 CFR 3472.2-1, prospective lessees and licensees must submit to the BLM a signed statement that the applicant or bidder either is or is not the sole party in interest. If the applicant or bidder is not or will not be the sole party in interest, the applicant or bidder must submit a list of the names of the other interested parties, and a separate or joint statement signed by them and the applicant or bidder setting forth the nature and extent of the interest of each in the application or bid, the nature of the agreement between them, if oral, and a copy of such agreement if written. Each interested party must furnish evidence of his/her/its qualification to hold such interest in the lease or license to mine including a statement regarding knowledge of written consent from any qualified surface owner for the area involved.

Applicants and bidders must give the BLM information about their citizenship and the extent of their coal holdings, as follows:

- Under 43 CFR 3472.2-2(a), if an applicant or bidder is an individual, he/she must submit a signed statement setting forth his/her citizenship with each application or bid.
- Under 43 CFR 3472.2-2(b), if the applicant or bidder is an association or partnership, the application or bid must be accompanied by a certified copy of the articles or association or partnership, together with a statement showing that the association or partnership is authorized to hold a lease or license to mine, that the member or partner executing the lease or license to mine is authorized to act on behalf of the association or partnership in such matters, the names and addresses of all members owning or controlling more than 10 percent of the association or partnership and their citizenship and holdings.
- Under 43 CFR 3472.2-2(c), if the applicant or bidder is a corporation, it must submit statements showing the state of incorporation, that the corporation is authorized to hold leases or licenses to mine, the names of the officers authorized to act on behalf of the corporation, the percentage of the corporation's voting stock and all of the stock owned by aliens or those having addresses outside of the United States, and the name, address, citizenship, and acreage holdings of any stockholder owning or controlling 10 percent or more of the corporate stock of any class. If more than 10 percent of the stock is owned or controlled by or on behalf of aliens, or persons who have addresses outside of the United States, the corporation must provide their names and addresses, the amount of stock held by each such person, and to the extent known to the corporation or which can be reasonably ascertained by it, the facts as to the citizenship of each such person. Applications on behalf of a corporation executed by other than an officer must be accompanied by proof of the signatory's authority to execute the instrument. The applicant or bidder must submit the same information as is required for any of its corporate stockholders holding, owning, or controlling 10 percent or more its stock of any class.

Under 43 CFR 3472.2-3, an application or bid for a lease or license to mine must be signed by the applicant or bidder, or by the attorney-in-fact. If executed by an attorney-in-fact the

application or bid must be accompanied by the power of attorney and the applicant's or bidder's own statement as to citizenship and acreage holdings unless the power of attorney specifically authorizes and empowers the attorney-in-fact to make such statement or to execute all statement which may be required by the BLM. If the application or bid is signed by an attorney-in-fact or agent, it must be accompanied by a statement over the signature of the attorney-in-fact or agent, and a separate statement personally signed by the applicant or bidder stating whether there is any agreement or undertaking, written or oral, whereby the attorney-in-fact or agent has or is to receive any interest in the lease, if issued.

### ***Subpart 3472 Other Qualification Requirements / Private Sector***

The following information collection requirements apply in limited circumstances and are in addition to the generally applicable qualification requirements discussed above.

Under 43 CFR 3472.1-2(c), each applicant or bidder that is a common carrier railroad must submit a statement that it needs the coal for which it seeks a lease solely for its own railroad use, that it operates main or branch lines in the state in which the lands involved are located, that the aggregate acreage in the leases and applications in which it holds an interest, directly or indirectly, does not exceed 10,240 acres, and that it does not hold more than one lease for each 200 miles of its railroad lines served or to be served from such coal deposits.

Under 43 CFR 3472.1-2(e)(4)(iv), an entity that wishes to relinquish a lease obtained in a transfer approved under 43 CFR subpart 3453, where the transferor has retained a right-of-first-refusal, may file for relinquishment under 43 CFR part 3452, and must submit the following additional information:

- Sufficient documentation to enable the BLM to determine that, in fact, such a right-of-first-refusal exists and prevents approval or disapproval of the pending relinquishment by the BLM;
- A statement recognizing that action by the BLM on the pending relinquishment will be conditioned on the execution, or lack thereof, of the assignment under the right-of-first-refusal, as well as on the approval or disapproval of the assignment, if executed, under 43 CFR subpart 3453;
- An application for arm's-length lease assignment signed by the entity as well as proof that it has been submitted to the transferor that retained the right-of-first-refusal (for example, copy of certified mail delivery); and
- The name(s) and address(es) of the transferor(s) that retained the right-of-first-refusal.

Following receipt of this information, the BLM may approve or disapprove the requested relinquishment, depending on the circumstances.

Under 43 CFR 3472.2-2(d), if a bidder wants to qualify as a small business for the purpose of bidding on any tract to be offered as part of a special opportunity lease sale for small businesses, the bidder must submit evidence demonstrating qualification under 13 CFR part 121.

Under 43 CFR 3472.2-2(e), where there is a legal guardian or trustee, the following information must be provided:

- A copy of the court order or other document authorizing the guardian or trustee to act as such and to fulfill on behalf of the ward or beneficiary all obligations of the lease or other obligations arising thereunder; the person submitting any such document must in some manner indicate its authenticity;
- A statement by the guardian or trustee as to his or her citizenship and holdings of acreage in Federal coal leases both individually and for the benefit of any person;
- A statement by each ward and beneficiary as to his or her citizenship and holdings; if the ward or beneficiary is a minor, the statement must be executed for the minor by the guardian or trustee; and
- Any supplementary information that is needed to accredit acreage.

Under 43 CFR 3472.4, if an applicant or bidder dies before issuance of a license to mine or lease, the license or lease will be issued to the heirs or devisees, but only if the following information has been filed:

- Where probate has not been completed, evidence that the person who acts as executor or administrator has the authority to act in that capacity and to act on the application or bid, evidence that the heirs or devisees are the heirs or devisees of the deceased applicant or bidder, and are the only heirs or devisees of the deceased, and a statement over the signature of each heir or devisee concerning citizenship and holdings.
- Where the executor or administrator has been discharged or not probate proceedings are required, a certified copy of the will or decree of distribution, if any, and if not, a statement signed by the heirs that they are the only heirs of the applicant or bidder, and citing the provisions of the law of the deceased's last domicile showing that no probate is required, and a statement over the signature of each of the heirs or devisees with reference to citizenship and holdings, except that if the heir or devisee is a minor, the statement shall be over the signature of the guardian or trustee.

The BLM uses the information described above to determine the qualifications of the prospective lessees to acquire and hold Federal coal leases.

### ***Subpart 3472 Other Qualification Requirements / Public Bodies***

The collections of information described here apply in the limited circumstances in which “public bodies” apply or bid for a coal lease or license to mine. For purposes of coal leasing, the term “public bodies” means Federal and state agencies; political subdivisions of a state, including counties and municipalities; rural electric cooperative and similar organizations; and nonprofit corporations controlled by any such entities. 43 CFR 3400.0-5. Most information collections (including those in this submission) are not within the scope of the Paperwork Reduction Act if they are imposed on agencies, instrumentalities, or employees of the United States. See 44 U.S.C. 3502(3). Therefore, although we may collect information from “public bodies” that happen to be Federal agencies, our analysis of the burdens under this heading is

limited to our collection of information from state and local governments. The following descriptions of relevant information collections are in addition to the generally applicable qualification requirements discussed above.

Under 43 CFR 3472.2-5(a), to qualify to bid for a lease on a tract offered for sale under 43 CFR 3420.1-3, a public body must submit:

- Evidence of the manner in which it is organized;
- Evidence that it is authorized to hold a lease;
- A definite plan as described at 43 CFR 3420.1-3(b) to produce energy within 10 years of issuance of the prospective lease solely for its own use or for sale to its members of customers (except for short-term sales to others); and
- Evidence that the definite plan has been duly authorized by its governing body.

Under 43 CFR 3472.2-5(b), in order to obtain a license to mine, a public body that is a municipality must submit with its application:

- Evidence of the manner in which it is organized;
- Evidence that it is authorized to hold a license to mine; and
- Evidence that the action proposed has been duly authorized by its governing body.

Under 43 CFR 3472.2-5(c), in order to qualify to bid for a lease on a tract of acquired land set apart for military or naval purposes, a governmental entity must submit:

- Evidence of the manner in which it is organized, including the State in which it is located;
- Evidence that it is authorized to hold a lease;
- Evidence that the action proposed has been duly authorized by its own governing body; and
- Evidence that it is producing electricity for sale to the public in the state where the lands to be leased are located.

Note: Some of these requirements are reiterated at 43 CFR 3472.1-2(f).

### ***Subpart 3474 Bonds***

Under 43 CFR 3410.3-4, 3453.2-4, 3474.1, and 3474.2, a successful bidder for a lease must provide the BLM and MMS sufficient information that the bidder has a history of timely payment of noncontested royalties, advance royalties and bonus bid installments to allow the BLM to waive the requirement to bond for one annual payment of deferred bonus. Once the bond amount has been determined by the BLM the successful bidder, lessee, or licensee must furnish proof of a bond to the BLM before a lease, exploration license, or license to mine, may be issued or transferred. The BLM reviews and approves the bond information to indemnify the United States against default on payments due or other obligations. The BLM may also adjust the bond amount to reflect a change in conditions. We will terminate the bond when all

requirements are satisfied.

### ***43 CFR Part 3480 Coal Exploration and Mining Operations Rules***

#### ***Subpart 3481 Accident / Unsafe Conditions Report***

Under 43 CFR 3481.1(d), the operator/lessee must submit to the BLM an immediate report of conditions or accidents causing severe injury or loss of life that could affect mining operations conducted under the approved mining plan. Within 30 days of an accident, the operator/lessee must submit a detailed report of the damage caused and of the corrective action(s) taken. The BLM uses the information to ensure mining operations are conducted in a manner which poses no imminent danger to the public health and safety or the safety and welfare of the miners, and that any unsafe or potentially hazardous conditions are corrected in an appropriate manner.

#### ***Subpart 3482 Exploration and Resource Recovery and Protection Plans***

1. Under 43 CFR 3482.1(a), an applicant for an exploration license (see 43 CFR subpart 3410) must file an exploration plan, containing the following information:

- The exact location of the affected lands and the surface owner;
- The name and address of the party conducting and responsible for the exploration; and
- A description of the proposed methods and extent of exploration and reclamation.

The BLM uses the information to determine whether or not the prospective licensee would explore for and reclaim the exploration area in an environmentally sound manner and would not unduly damage the coal or other resources.

2. Under 43 CFR 3482.1(b) and 3482.2(c), the BLM requires a resource recovery and protection plan (R2P2) before a lessee or licensee conducts Federal coal development or mining operations. The following information is required in an R2P2:

- Names and addresses of the operator and the person or persons to whom correspondence should be sent;
- A general description, with appropriate maps, of the geological conditions and mineral resources, including the results of any coal analyses, within the lease area;
- A description of the proposed mining operation, mining and abandonment methods, equipment to be utilized and the mining sequence;
- A general reclamation schedule for the life of the mine; and
- An explanation of how maximum economic recovery of the coal resource would be achieved.

The BLM uses this information to ensure that lessees mine Federal coal in an environmentally acceptable manner and comply with the statutory requirement for maximum economic recovery. The BLM uses no specific form to collect the information.

3. Under 43 CFR 3482.2, coal lessees and licensees may voluntarily request changes in previously approved exploration plans and R2P2s. The request must be in writing. The BLM uses the information to determine whether or not to grant the requested changes applied for and to provide an accurate accounting of exploration or mining activities on Federal coal.

4. Under 43 CFR 3482.3, coal lessees must submit to the BLM current maps of surface and underground mines involving Federal coal leases. The maps must include the following information:

- The name of the mine and of the operator and lessee;
- All lease and mining permit boundaries;
- All lease, license, and permit numbers;
- The strike and dip of all coal beds being mined;
- The map scale and orientation;
- The location, depth, and diameter of all auger mining holes; and
- The topography and geologic conditions, including the extent of mine development to date and all areas of active mining.

Lessees may also provide to the BLM vertical projections and cross-sections of the mine workings. The BLM uses the information for production reporting. The BLM uses no specific form to collect the information.

#### ***Subpart 3483 Diligence Requirements***

1. Under 43 CFR 3483.3, coal lease operators and lessees may apply to the BLM for a suspension of the operation and production requirements. The BLM coal lease operators and lessees must submit sufficient financial and technical information to justify a suspension of the operation and production requirements. The BLM uses this information to determine whether the situation meets the lease suspension criteria and whether granting the BLM suspension would be in the public interest.

2. Under 43 CFR 3483.4, coal lessees may apply to pay to the BLM advance royalties in lieu of continued operations. A coal lessee is eligible for this benefit only after meeting diligent development requirements. Advance royalties are allowed for no more than 20 years to meet the continued operation requirement. In accordance with the Interim Guidance for Implementation of the Energy Policy Act of 2005 for Federal Coal Lease Advance Royalty Information Memorandum 2006-127, coal lessees must apply in writing to the BLM to pay advance royalty within 30 days after the start of the continued operation year the lessee is seeking to pay advance royalty in lieu of continued operation of the lease. The BLM uses this information to determine the lessee's eligibility to begin payment, or to continue payment of advance royalties, and to provide a proper accounting of the lessee's status. The lessee may not pay advance royalty until the BLM authorizes such payment.

#### ***Subpart 3484 Performance Standards***

1. In conjunction with performance standards for exploration, the BLM requires lessees and

licensees to retain for one year all drilling and geophysical records or logs, and make them available for inspection. 43 CFR 3484.1(a)(4). The BLM may also require retention of representative core samples from exploratory drilling for one year. The records, logs, and samples provide information necessary to determine the nature and extent of coal resources on Federal lands and to monitor and adjust the extent of coal reserves contained therein. The BLM uses this information to evaluate the maximum economic recovery and fair market value of the tract.

2. Under 43 CFR 3484.1(b)(3), the BLM requires lessees to report promptly any unexpected wells or drill holes that are encountered during mining activities on a lease and which could adversely affect the recovery of coal during mining operations, and must not take any further action that would disturb such drill holes without the approval of the BLM. The BLM uses the information to help ensure the maximum economic recovery of the coal resource.

### ***Subpart 3485 Reports, Royalties, and Records***

1. Under 43 CFR 3485.2(c), coal lessees may apply to the BLM for temporary waivers, suspensions, or reductions of the rental and royalty rates specified in the lease terms. See also 43 CFR 3473.3-2(e) (authorizing the Secretary to waive, suspend, or reduce the rental, or reduce the royalty upon application by a lessee). The lessee must submit information to the BLM to justify this benefit, and include sufficient technical and financial information to determine whether or not such a reduction, suspension, or waiver would:

- Encourage the greatest ultimate recovery of the coal resource;
- Conserve the resource;
- Promote the development of the resource; or
- Allow continued operation on a lease that could not otherwise successfully operate.

The application must be accompanied by a filing fee. See 43 CFR 3473.2(d). The amount of the fee is determined on a case-by-case basis in accordance with the criteria at 43 CFR 3000.11.

The BLM uses the information to determine whether or not to grant temporary waivers, suspensions, or reductions of rental and royalty rates.

2. Under 43 CFR 3485.1 (a) through (c), operators or lessees must file exploration reports annually within 30 days after the end of each calendar year and within 1 year after the completion of drilling operations. These reports contain maps and narrative descriptions of the location, number, nature of exploration, and reclamation activities conducted on the license or lease. The final report must contain any estimate of the coal reserves generated from the drilling. The BLM uses this information to determine the characteristics and extent of site-specific coal resources.

3. Under 43 CFR 3485.1(d) and 3485.3, coal lessees and holders of logical mining units (see 43 CFR subpart 3487) must report to the Department of Interior (DOI) all coal mined and the basis for computing the production royalty owed within 30 days after the production reporting

period. Holders of licenses to mine must report production to the DOI on a semi-annual basis. The BLM uses this information to manage Federal coal resources and to determine the amount of coal removed from the license area.

Lessees and LMU holders must maintain current and accurate production and contract price records and provide access to them for a period of time to be determined on a case-by-case basis. The BLM uses this information to determine whether the lessees are complying with various statutory and regulatory requirements, including whether the lessees are paying all royalties and rentals owed and diligently producing coal.

### ***Subpart 3486 Inspection, Enforcement, and Appeals***

1. Under 43 CFR 3486.2, lessees and licensees must provide the BLM with the current names and addresses of the lease operators on coal mining operations. The BLM uses this information to contact the operators of the coal mining operations.
2. Under 43 CFR 3486.3, the BLM will issue a notice of noncompliance to the operators, lessees, or licensees in the event of violations on coal mining operations. Upon receipt of such a notice, an operator or lessee must submit a written report to the BLM when the violations are corrected. The BLM uses this information to enforce the statutory provisions for maximum economic recovery, diligent development, continued operations, and resource recovery and protection plans.

### ***Subpart 3487 Application for Formation or Modification of Logical Mining Unit***

Under this subpart, an operator or lessee may apply to develop coal resources within a logical mining unit consisting of one or more Federal leases. A logical mining unit may also include intervening or adjacent lands in which the United States does not own the coal.

Applicants must submit the following information for the BLM to determine whether or not a logical mining unit would meet the statutory and regulatory requirements:

- A description of the lands and coal reserves (both Federal and non-Federal) to be included in the LMU;
- A description of the methods and a schedule for mine development;
- Certification that the lands are under the control of a single operator; and
- Sufficient data to determine whether or not maximum economic recovery of the Federal resource would be achieved by mining operations within the LMU.

Under 43 CFR 3425.1-2 and 3473.2, the application must be accompanied by a filing fee. The amount of the fee is determined on a case-by-case basis in accordance with the criteria at 43 CFR 3000.11.

The BLM uses this information to determine whether or not to allow formation of logical mining units.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological 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].**

Respondents are lessees, licensees, or designated operators who apply to conduct mineral exploration or extraction activities. The information requested is unique to each applicant and to each specific lease or license. Due to the unique characteristics of each lease or license, the BLM has adopted various means of information collection on non-form required information because the respondents are required to supply this information on an as-needed basis and attach very lengthy attachments. The BLM will accept non-form information in various forms such as e-mails and computer diskettes from respondents who wish to submit the information electronically. The BLM maintains this information in detailed case files for each lease or license.

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

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

The information we collect is specific to a particular location, lease, license, or applicant. The BLM sometimes shares information about mining operations with the Forest Service and Office of Surface Mining Reclamation and Enforcement, and information related to royalty payment and production verification with the Minerals Management Service. In addition, the BLM sometimes needs to obtain information that is required by the Mine Safety and Health Administration (MSHA) concerning ground control and ventilation restrictions.

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

We estimate that 75 percent of the private-sector respondents qualify as small businesses. The information required from all respondents is limited to the minimum necessary to maintain a complete and accurate record of who is conducting mining operations on the public lands and what they do while on the public lands.

**6. Describe the consequence to the 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 the burden.**

The BLM manages and carries out the responsibilities of the Federal Coal Management Program. If we fail to collect the requested information, it would preclude the BLM from knowing who is

conducting mining operations and where the mining operations are located. Verification of production helps to ensure that royalty is paid for all the coal produced and sold. Reducing the burden will hinder or preclude the collection of sufficient information to determine if applicants meet the statutory, regulatory, and contractual requirements. Reducing the burden will also severely limit the BLM's ability to track and audit coal production, thereby impairing the MMS's ability to ensure that royalty receipts for coal produced from the public lands have been properly paid.

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

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

There are no special circumstances that require the collection to be conducted in a manner inconsistent with the requirements in 5 CFR 1320.5.

**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. [Please list the names, titles, addresses, and phone**

**numbers of persons contacted.]**

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

As required in 5 CFR 1320.8(d), the BLM published a 60-day notice in the Federal Register on January 5, 2010 (75 FR 425), soliciting comments from the public and other interested parties. The comment period closed on March 8, 2010. The BLM did not receive any comments from the public in response to this notice.

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

- **Coal Subcommittee, Mineral Management Service Royalty Policy Committee** - The Coal Subcommittee has members representing many Federal coal lessees, the general public, state governments, the BLM, and MMS. The Coal Subcommittee strives to meet at least twice a year. This information collection burden analysis has been discussed in meetings of the Coal Subcommittee on several occasions and members were urged to provide comments. Contact person for the Coal Subcommittee is Mr. William Hartzler, Foundation Coal Corporation, 391 Inverness Parkway, Suite 333, Englewood, Colorado, 80112 Telephone: (303) 749-8445. The BLM did not receive any comments from this group or any of its member companies through this channel.
- A contact was made with The BLM National Mining Association seeking comments from their membership in April and May 2006. Our contact person at The BLM National Mining Association was Ms. Katie Sweeney, National Mining Association, 101 Constitution Avenue, NW, Suite 500 East, Washington, D.C. 20001, Telephone: (202) 463-2600. The BLM did not receive any comments from this group or any of its member companies through this channel.
- A contact was made with Mr. Doug Nolte of Mountain Coal Company in Somerset, Colorado, and we discussed with him coal exploration and production reporting requirements as well as reporting burdens for royalty rate reductions. Based on these discussions, the BLM has increased the burden hours for production reporting and increased the average burden cost per hour. Mr. Nolte can be reached at the West Elk Mine, P.O. Box 591, Somerset, Colorado 81434, Telephone: (970) 929-2223.
- A contact was also made with Mr. Robin Herring of Trapper Mining Company near Craig, Colorado. Discussions with Mr. Herring centered on the requirements for production reporting. Mr. Herring indicated that the burden hours and costs for production reporting are probably low. The BLM has made adjustments to reflect these suggestions. Mr. Herring can be reached at Trapper Mining Inc., P.O. Box 187, Craig, Colorado 81625, Telephone: (970) 824-4401.

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

**remuneration of contractors and grantees.**

We do not provide payments or gifts to the respondents.

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

The BLM collects some information considered confidential and proprietary (43 CFR 2.21). The BLM may require respondents to provide confidential or proprietary information on exploration actions (30 U.S.C. 201(b)(3) and 43 CFR 3410.4). The BLM treats any proprietary data marked as confidential, which is submitted under 43 CFR 3420.1-2 (Call for coal resource and other resource information), in accordance with pertinent statutes and regulations. The BLM considers any information related to the BLM's assessment of the fair market value of a prospective coal lease as confidential and proprietary data (30 U.S.C. 201(a)(1) and 43 CFR 3422.1). The respondents must clearly identify all confidential and proprietary information under regulation (43 CFR 3481.3(b)). For actions where a respondent provides information to the BLM considered confidential and proprietary, it is the respondent's responsibility to identify the information. In addition, we protect the applicant's confidentiality to the extent such action is consistent with the Freedom of Information Act (5 U.S.C. 552).

Under the privacy provisions of the E-Government Act of 2002, respondents were informed as to whether or not providing the information is mandatory to obtain a benefit. The BLM provides no promises to applicants that the application is protected under the Privacy Act.

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

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

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

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

***Table 12-1 – Hourly Cost Calculations / Private Sector and Individuals:*** As shown at Table 12-1, below, the weighted average respondent cost is \$53 per hour for the private sector and individuals. This cost was determined using national Bureau of Labor Statistics data at: [http://www.bls.gov/oes/current/oes\\_nat.htm](http://www.bls.gov/oes/current/oes_nat.htm). The benefits multiplier of 1.4 is implied by information at Table A of USDL 09-1501, December 9, 2009, at <http://www.bls.gov/news.release/pdf/ecec.pdf>.

<b>Position</b>	<b>Hourly Pay Rate (\$/hour)</b>	<b>Hourly Rate with Benefits (x 1.4)</b>	<b>Percent of time spent on collection</b>	<b>Weighted Avg. (\$/hour)</b>
General Office Clerk	\$12.90	\$18.06	10%	\$2.00
Mining Engineer	\$38.42	\$53.80	80%	\$43.00
Supr. Mining Engineer	\$57.97	\$81.16	10%	\$8.00
TOTAL				\$53.00

***Table 12-2 – Hourly Cost Calculations / State, Local, and Tribal Governments:*** As shown at Table 12-2, below, the weighted average respondent cost is \$47.15 per hour for state, local, and tribal governments. This cost was determined using national Bureau of Labor Statistics data at Table 3 of USDL 09-1501, December 9, 2009, at <http://www.bls.gov/news.release/pdf/ecec.pdf>. The benefits multiplier of 1.5 is supported by information at Table A of the same news release.

<b>Position</b>	<b>Hourly Pay Rate (\$/hour)</b>	<b>Hourly Rate with Benefits (x 1.5)</b>	<b>Percent of time spent on collection</b>	<b>Weighted Avg. (\$/hour)</b>
General Office Clerk	\$16.87	\$25.30	10%	\$2.53
Mining Engineer	\$33.02	\$49.53	80%	\$39.62
Supr. Mining Engineer	\$33.35	\$50.03	10%	\$5.00
TOTAL				\$47.15

***Table 12-3 – Estimates of Hour and Cost Burdens:*** The estimated hour and cost burdens shown

in Table 12-2, below, include time spent for researching, preparing, and submitting information. The weighted average hourly wage associated with these information collections is shown at Table 12-1 or Table 12-2, above. The BLM’s estimate of the time it takes a respondent to supply the information was verified by consultations with respondents (see Item 8, above).

The frequency of response for most of the information collections is “on occasion.” The frequency of response for a few of the information collections is “annually.” As shown below, the total number of responses is 3549, the total hour burden is 54,079 hours, and the dollar equivalent of the hour burden is \$2,866,158.

<b>A. Type of Response</b>	<b>B. Number of Responses Annually</b>	<b>C. Hours per Response</b>	<b>D. Annual Hour Burden (B x C)</b>	<b>E. Hourly Wage</b>	<b>F. Annual Cost (D x E)</b>
43 CFR Part 3410 Application for an Exploration License	10	36	360	\$53	\$19,080
43 CFR Part 3410 Relinquishment of an Exploration License	5	12	60	\$53	\$3,180
43 CFR Part 3410 Modification of an Exploration Plan	1	1	1	\$53	\$53
43 CFR Part 3410 Collection and Submission of Data	5	18	90	\$53	\$4,770
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / Individuals	1	3	3	\$53	\$159
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / Private Sector	1	3	3	\$53	\$159

43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / State, Local, and Tribal Governments	1	3	3	\$47.15	\$141.45
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Individuals	1	1	1	\$53	\$53
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Private Sector	1	1	1	\$53	\$53
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / State, Local, and Tribal Governments	1	1	1	\$47.15	\$47.15
43 CFR Part 3420, Subpart 3420 Expressions of Leasing Interest	1	7	7	\$53	\$371
43 CFR Part 3420, Subpart 3422 Fair Market Value and Maximum Economic Recovery	1	7	7	\$53	\$371
43 CFR Part 3420, Subpart 3422 Bids in Response to Notice of Sale	1	56	56	\$53	\$2968
43 CFR Part 3420, Subpart 3422 Consultation with the Attorney General	1	4	4	\$53	\$212

43 CFR Part 3420, Subpart 3422 Award of Lease Form 3400-12	3	25	75	\$53	\$3,975
43 CFR Part 3420, Subpart 3425 Application Nominating a Tract for a Competitive Lease Sale	3	300	900	\$53	\$47,700
43 CFR Part 3420, Subpart 3427 Surface Owner Consent	1	1	1	\$53	\$53
43 CFR Part 3430, Subpart 3430 Preference Right Leases Form 3400-12 and non-form data	1	800	800	\$53	\$42,400
43 CFR Part 3430, Subpart 3432 Lease Modifications	8	12	96	\$53	\$5,088
43 CFR Part 3440 Licenses to Mine Form 3440-1	1	21	21	\$53	\$1,113
43 CFR Part 3450, Subpart 3452 Relinquishment of a Lease	2	18	36	\$53	\$1,908
43 CFR Part 3450, Subpart 3453 Transfers by Assignment, Sublease, or Otherwise	8	10	80	\$53	\$4,240
43 CFR Part 3470, Subpart 3471 Land Description Requirements	21	3	63	\$53	\$3,339

43 CFR Part 3470, Subpart 3471 Future Interest Lease Applications	1	16	16	\$53	\$848
43 CFR Part 3470, Subpart 3472 General Qualification Requirements	9	3	27	\$53	\$1,431
43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Private Sector	1	1	1	\$53	\$53
43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Public Bodies	1	1	1	\$47.15	\$47.15
43 CFR Part 3470, Subpart 3474 Bonds	147	8	1,176	\$53	\$62,328
43 CFR Part 3480, Subpart 3481 Accident / Unsafe Conditions Report	1	1	1	\$53	\$53
43 CFR Part 3480, Subpart 3482 Exploration Plans	460	16	7,360	\$53	\$390,080
43 CFR Part 3480, Subpart 3482 Resource Recovery and Protection Plans	980	20	19,600	\$53	\$1,038,800
43 CFR Part 3480, Subpart 3482 Modification of Exploration Plans and Resource Recovery and Protection	79	16	1,264	\$53	\$66,992

Plans					
43 CFR Part 3480, Subpart 3482 Mining Operations Maps	311	20	6,220	\$53	\$329,660
43 CFR Part 3480, Subpart 3483 Lease Suspensions	6	21	126	\$53	\$6,678
43 CFR Part 3480, Subpart 3483 Request for Payment of Advance Royalty in Lieu of Continued Operation	12	22	264	\$53	\$13,992
43 CFR Part 3480, Subpart 3484 Drill and Geophysical Logs	22	1	22	\$53	\$1,166
43 CFR Part 3480, Subpart 3484 Unexpected Wells or Drill Holes	6	1	6	\$53	\$318
43 CFR Part 3480, Subpart 3485 Waivers, Suspensions, and Reductions of Rents / Royalty Rate Reductions	6	24	144	\$53	\$7,632
43 CFR Part 3480, Subpart 3485 Exploration Reports	100	16	1,600	\$53	\$84,800
43 CFR Part 3480, Subpart 3485 Production Reports and Payments and Maintenance of and Access to Records	1323	10	13,230	\$53	\$701,190
43 CFR Part 3480, Subpart 3486 Address of Responsible Party	2	1	2	\$53	\$106
43 CFR Part 3480, Subpart	1	10	10	53	\$530

3486 Correction Report					
43 CFR Part 3480, Subpart 3487 Application for Formation or Modification of Logical Mining Unit	2	170	340	\$53	\$18,020
TOTALS	3,549		54,079		\$2,866,158

**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 shown in Items 12 and 14). The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**

**If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**

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

Since this information collection has been in place for many years, respondents incur no annual capital or start up costs to prepare for or respond to the information collection unless they are new lessees. We estimate a total non-hour burden of \$625,793. The components of this estimate are discussed below.

Several of the responses require payment of cost recovery fees in accordance with 43 CFR 3473.2, which incorporates by reference 43 CFR 3000.11 and 3000.12. These regulations were promulgated 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 recover costs of processing applications and other documents relating to the public lands. Moreover, OMB Circular 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.

Some of the fees are fixed, and others are determined on a case-by-case basis. Estimating the amount of the BLM’s case-by-case processing costs is difficult because there can be considerable variation in the processing costs. For the purposes of this information collection analysis, we are using average case-by-case cost recovery amounts, based on the criteria at 43 CFR 3000.11. The fixed fees can be found at 43 CFR 3000.12, as updated annually. The most recent update is at 74 FR 29334 (Sept. 28, 2009).

**Table 13 – Cost Recovery Fees**

<b>A.</b> <b>Type of Response</b>	<b>B.</b> <b>Number of Responses</b>	<b>C.</b> <b>Amount of Fee Per Response</b>	<b>D.</b> <b>Total Fees (B x C)</b>	<b>E.</b> <b>Type of Fee</b>
43 CFR Part 3410  Application for an Exploration License	10	\$310	\$3,100	Fixed
43 CFR Part 3420, Subpart 3425	3	\$172,323	\$516,969	Case-by-case

Application Nominating a Tract for a Competitive Lease Sale				
43 CFR Part 3430, Subpart 3432  Lease Modifications	8	\$9,208	\$73,664	Case-by-case
43 CFR Part 3440  Application for a License to Mine  Form 3440-1	1	\$10	\$10	Fixed
43 CFR Part 3450, Subpart 3453  Transfers by Assignment, Sublease, or Otherwise	8	\$60	\$480	Fixed
43 CFR Part 3480, Subpart 3485  Waivers, Suspensions, and Reductions of Rents / Royalty Rate Reductions	6	\$3,946	\$23,676	Case-by-case
43 CFR Part 3480, Subpart 3487  Application for Formation or Modification of Logical Mining	2	\$3,947	\$7,894	Case-by-case

Unit				
TOTAL			\$625,793	

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

***Table 14-1 — Weighted Average Federal Wage Cost***

The hourly cost to the Federal Government is based on the U.S. Office of Personnel Management Salary Table 2010-RUS located at [http://www.opm.gov/oca/10tables/html/RUS\\_h.asp](http://www.opm.gov/oca/10tables/html/RUS_h.asp). The benefits multiplier of 1.5 is implied by information in Table A of Bureau of Labor Statistics News Release USDL 09-1501, December 9, 2009, at <http://www.bls.gov/news.release/ecec.nr0.htm>.

<i>Position</i>	<i>Pay Grade</i>	<i>Hourly Pay Rate (\$/hour)</i>	<i>Hourly Rate with Benefits (x 1.5)</i>	<i>Percent of time spent on these collections</i>	<i>Weighted Avg. (\$/hour)</i>
Clerical	GS-5/5	\$17.00	\$25.50	10%	\$2.55
Land Law Examiner	GS-9/5	\$25.77	\$38.66	80%	\$30.93
Geological or Mining Engineer	GS-12/5	\$37.37	\$56.06	10%	\$5.61
<b>Weighted Average Hourly Pay Rate (\$/hour)</b>					<b>\$39.09</b>

The total Federal burden for this information collection is 91,151 hours and \$3,515,790. The Table below shows the annualized Federal costs for each component of this information collection. The estimated time spent to process the information collections is based on the BLM's experience. The weighted average hourly wage associated with these information collections is shown at Table 14-1, above.

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

<b>A.</b>	<b>B.</b>	<b>C.</b>	<b>D.</b>	<b>F.</b>
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<b>Type of Response</b>	<b>Number of Responses Annually</b>	<b>Hours per Response</b>	<b>Annual Hour Burden (B x C)</b>	<b>Annual Cost (D x \$39.09)</b>
43 CFR Part 3410 Application for an Exploration License	10	36	360	\$12,960
43 CFR Part 3410 Relinquishment of an Exploration License	5	12	60	\$720
43 CFR Part 3410 Modification of an Exploration Plan	1	5	5	\$195
43 CFR Part 3410 Collection and Submission of Data	5	18	90	\$3,518
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / Individuals	1	3	3	\$117
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / Private Sector	1	3	3	\$117
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / State and Local Governments	1	3	3	\$117
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Individuals	1	1	1	\$39.09
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Private Sector	1	1	1	\$39.09
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / State, Local, and Tribal	1	1	1	\$39.09

Governments				
43 CFR Part 3420, Subpart 3420 Expressions of Leasing Interest	1	4559	4559	\$178,211
43 CFR Part 3420, Subpart 3422 Fair Market Value and Maximum Economic Recovery	1	7	21	\$821
43 CFR Part 3420, Subpart 3422 Bids in Response to Notice of Sale	1	4	4	\$156
43 CFR Part 3420, Subpart 3422 Consultation with the Attorney General	1	4	4	\$156
43 CFR Part 3420, Subpart 3422 Award of Lease Form 3400-12	3	25	75	\$2,932
43 CFR Part 3420, Subpart 3425  Application Nominating a Tract for a Competitive Lease Sale	3	4559	13676	\$534,595
43 CFR Part 3420, Subpart 3427 Surface Owner Consent	1	1	1	\$39.09
43 CFR Part 3430, Subpart 3430 Preference Right Leases Form 3400-12	1	800	800	\$31,272
43 CFR Part 3430, Subpart 3432 Lease Modifications	8	12	96	\$3,753
43 CFR Part 3440 Licenses to Mine Form 3440-1	1	21	21	\$821
43 CFR Part 3450, Subpart 3452	2	18	36	\$1,407

Relinquishment of a Lease				
43 CFR Part 3450, Subpart 3453 Transfers by Assignment, Sublease, or Otherwise	8	10	80	\$3,127
43 CFR Part 3470, Subpart 3471 Land Description Requirements	21	3	63	\$2,463
43 CFR Part 3470, Subpart 3471 Future Interest Lease Applications	1	16	16	\$625
43 CFR Part 3470, Subpart 3472 General Qualification Requirements	9	3	27	\$1,055
43 CFR Part 3470, Subpart 3472 Other Qualification Statements / Private Sector	1	1	1	\$39.09
43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Public Bodies	1	1	1	\$39.09
43 CFR Part 3470, Subpart 3474 Bonds	147	8	1,176	\$4,534
43 CFR Part 3480, Subpart 3481 Accident / Unsafe Conditions Report	1	1	1	\$39.09
43 CFR Part 3480, Subpart 3482 Exploration Plans	460	16	7,360	\$287,702
43 CFR Part 3480, Subpart 3482 Resource Recovery and Protection Plans	980	32	31,360	\$1,225,862
43 CFR Part 3480, Subpart 3482 Modification of Exploration Plans and Resource Recovery and Protection Plans	79	16	1,264	\$49,410
43 CFR Part 3480, Subpart 3482 Mining Operations Maps	311	20	6,220	\$243,140
43 CFR Part 3480, Subpart 3483	6	21	126	\$4,925

Lease Suspensions				
43 CFR Part 3480, Subpart 3483 Request for Payment of Advance Royalty in Lieu of Continued Operation	12	22	264	\$10,320
43 CFR Part 3480, Subpart 3484 Drill and Geophysical Logs	22	1	22	\$860
43 CFR Part 3480, Subpart 3484 Unexpected Wells or Drill Holes	6	1	6	\$235
43 CFR Part 3480, Subpart 3485 Waivers, Suspensions, and Reductions of Rents / Royalty Rate Reductions	6	24	144	\$5,629
43 CFR Part 3480, Subpart 3485 Exploration Reports	100	16	1,600	\$62,544
43 CFR Part 3480, Subpart 3485 Production Reports and Payments and Maintenance of and Access to Records	1,323	16	21,168	\$827,457
43 CFR Part 3480, Subpart 3486 Address of Responsible Party	2	1	2	\$78
43 CFR Part 3480, Subpart 3486 Correction Report	1	90	90	\$391
43 CFR Part 3480, Subpart 3487 Application for Formation or Modification of Logical Mining Unit	2	170	340	\$13,291
<b>TOTALS</b>	<b>3,549</b>		<b>91,151</b>	<b>\$3,515,790</b>

**15. Explain reasons for any program changes or adjustments reported.**

In addition to a number of adjustments due to changes in burden estimates, we are making the following program changes:

- We are removing 43 CFR Part 3400 from this submission because it does not include any

information collection requirements.

- We are removing 43 CFR 3425, Leasing on Application, from this submission, and replacing it with 43 CFR Part 3425, Subpart 3425, Application Nominating a Tract for a Competitive Lease Sale, to improve the precision of this submission.
- We are adding the following components to this submission because they were erroneously omitted from the previous submission:
  - A. 43 CFR Part 3410, Relinquishment of an Exploration License;
  - B. 43 CFR Part 3410, Modification of an Exploration Plan;
  - C. 43 CFR Part 3410, Collection and Submission of Data;
  - D. 43 CFR Part 3420, Subpart 3420, Response to Call for Coal Resources and Other Resource Information / Private Sector;
  - E. 43 CFR Part 3420, Subpart 3420, Response to Call for Coal Resources and Other Resource Information / State, Local, and Tribal Governments;
  - F. 43 CFR Part 3420, Subpart 3420, Surface Owner Consultation / Individuals;
  - G. 43 CFR Part 3420, Subpart 3420, Surface Owner Consultation / Private Sector;
  - H. 43 CFR Part 3420, Subpart 3420, Surface Owner Consultation / State, Local, and Tribal Governments
  - I. 43 CFR Part 3420, Subpart 3420, Expressions of Leasing Interest;
  - J. 43 CFR Part 3420, Subpart 3422, Fair Market Value and Maximum Economic Recovery;
  - K. 43 CFR Part 3420, Subpart 3422, Bids in Response to Notice of Sale;
  - L. 43 CFR Part 3420, Subpart 3422, Consultation with the Attorney General;
  - M. 43 CFR Part 3470, ?Subpart 3471, Future Interest Lease Applications;
  - N. 43 CFR Part 3470, Subpart 3472, Other Qualification Requirements/ Individuals, associations, and Corporations;
  - O. 43 CFR part 3470, Subpart 3472, Other Qualification Requirements / Public Bodies;
  - P. 43 CFR Part 3480, Subpart 3482, Exploration Plans;
  - Q. 43 CFR Part 3480, Subpart 3482, Resource Recovery and Protection Plans;
  - R. 43 CFR Part 3480, Subpart 3482, Lease Suspensions;
  - S. 43 CFR Part 3480, Subpart 3484, Unexpected Wells or Drill Holes;
  - T. 43 CFR Part 3480, Subpart 3485, Production Reports and Maintenance of and Access to Records; and
  - U. 43 CFR Part 3480, Subpart 3486, Correction Report.

The adjustments and program changes are itemized in the tables below.

***Table 15-1 — Changes in Estimated Responses***

<b>A.</b> <b>Type of Response</b>	<b>B.</b> <b>Responses Approved Previously</b>	<b>C.</b> <b>Responses Requested Now</b>	<b>D.</b> <b>Net Difference</b>	<b>E.</b> <b>Explanation</b>
43 CFR 3400	11	0	-11	Program change due to

Coal Management				erroneous inclusion of these regulations in the previous submission.
43 CFR Part 3410 Application for an Exploration License	21	10	11	Adjustment due to a decrease in the estimated number of responses.
43 CFR Part 3410 Relinquishment of an Exploration License	0	5	+5	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3410 Modification of an Exploration Plan	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3410 Collection and Submission of Data	0	5	+5	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / Individuals	1	1	Unchanged	Burden estimate unchanged, but component is modified to show that respondents are individuals.
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / Private Sector	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Response to Call for Coal Resource and Other Resource Information / State and Local	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.

Governments				
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Individuals	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Private Sector	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / State, Local, and Tribal Governments	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Expressions of Leasing Interest	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3422 Fair Market Value and Maximum Economic Recovery	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3422 Bids in Response to Notice of Sale	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3422 Consultation with the Attorney General	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420,	10	3	-7	Adjustment due to a

Subpart 3422 Award of Lease Form 3400-12				decrease in the estimated number of responses.
43 CFR Part 3420, Subpart 3425 Application Nominating a Tract for a Competitive Lease Sale	0	3	+3	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3427 Surface Owner Consent	43	1	-42	Adjustment due to a decrease in the estimated number of responses.
43 CFR Part 3430, Subpart 3430 Preference Right Leases Form 3400-12 and non- form data	1	1	Unchanged	Unchanged
43 CFR Part 3430, Subpart 3432 Lease Modifications	5	8	+3	Adjustment due to an increase in the estimated number of responses.
43 CFR Part 3440 Licenses to Mine Form 3440-1	1	1	Unchanged	Unchanged
43 CFR Part 3450, Subpart 3452 Relinquishment of a Lease	4	2	-2	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3450, Subpart 3453 Transfers by Assignment, Sublease, or Otherwise	9	8	-1	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3470, Subpart 3471	9	21	+12	Adjustment due to an increase in the

Land Description Requirements				estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3470, Subpart 3471 Future Interest Lease Applications	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3470, Subpart 3472 General Qualification Requirements	10	9	-1	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Private Sector	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Public Bodies	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission
43 CFR Part 3470, Subpart 3474 Bonds	141	147	+6	Adjustment due to an increase in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3480, Subpart 3481 Accident / Unsafe Conditions Report	1	1	Unchanged	Unchanged
43 CFR Part 3480, Subpart 3482 Exploration Plans	0	460	+460	Program change due to the erroneous omission of this collection of information from the previous submission.

43 CFR Part 3480, Subpart 3482 Resource Recovery and Protection Plans	0	980	+980	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3482 Modification of Exploration Plans and Resource Recovery and Protection Plans	0	79	+79	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3482 Mining Operations Maps	460	311	-149	Adjustment due to a decrease in the estimated number of responses.
43 CFR Part 3480, Subpart 3483 Lease Suspensions	0	6	+6	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3483 Request for Payment of Advance Royalty in Lieu of Continued Operation	7	12	+5	Adjustment due to an increase in the estimated number of responses.
43 CFR Part 3480, Subpart 3484 Drill and Geophysical Logs	19	22	+3	Adjustment due to an increase in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3480, Subpart 3484 Unexpected Wells or Drill Holes	0	6	+6	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3485 Waivers, Suspensions, and Reductions of	10	6	-4	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response (24)

Rents / Royalty Rate Reductions				unchanged.
43 CFR Part 3480, Subpart 3485 Exploration Reports	457	100	-357	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response (16) unchanged.
43 CFR Part 3480, Subpart 3485 Production Reports and Payments and Maintenance of and Access to Records	0	1,323	+1,323	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3486 Address of Responsible Party	5	2	-3	Adjustment due to a decrease in the estimated number of responses.
43 CFR Part 3480, Subpart 3486 Correction Report	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3487 Application for Formation or Modification of Logical Mining Unit	2	2	Unchanged	Unchanged

***Table 15-2 — Changes in Estimated Hour Burdens***

<b>A. Type of Response</b>	<b>B. Hours Approved Previously</b>	<b>C. Hours Requested Now</b>	<b>D. Net Difference (Hours)</b>	<b>E. Explanation</b>
43 CFR Part 3400 Coal Management	11	0	-11	Program change due to erroneous inclusion of these regulations in the

				previous submission.
43 CFR Part 3410 Application for an Exploration License	504	360	-144	Adjustment due to a decrease (from 21 to 10) in the estimated responses and an increase (from 24 to 36) in the estimated hours per responses.
43 CFR Part 3410 Relinquishment of an Exploration License	0	60	+60	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3410 Modification of an Exploration Plan	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3410 Collection and Submission of Data	0	90	+90	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420 Response to Call for Coal Resource and Other Resource Information / Individuals	25	3	-22	Adjustment due to a decrease in the estimated number of hours per response.
43 CFR Part 3420 Response to Call for Coal Resource and Other Resource Information / Private Sector	0	3	+3	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420 Response to Call for Coal Resource and Other Resource Information / State	0	3	+3	Program change due to the erroneous omission of this collection of information from the previous submission.

and Local Government				
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Individuals	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / Private Sector	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Surface Owner Consultation / State, Local, and Tribal Governments	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3420 Expressions of Leasing Interest	0	7	+7	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3422 Fair Market Value and Maximum Economic Recovery	0	7	+7	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3422 Bids in Response to Notice of Sale	0	56	+56	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3422 Consultation with the Attorney General	0	4	+4	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR part 3420, Subpart 3422	300	75	-225	Adjustment due to a decrease in the

Award of Lease Form 3400-12				estimated number of responses (from 10 to 3) and due to a decrease in the estimated number of hours per response (from 30 to 25).
43 CFR Part 3420, Subpart 3425 Application Nominating a Tract for a Competitive Lease Sale	0	900	+900	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3420, Subpart 3427 Surface Owner Consent	43	1	-42	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3430, Subpart 3430 Preference Right Leases Form 3400-12 and non-form data	800	800	Unchanged	Unchanged
43 CFR Part 3430, Subpart 3432 Lease Modifications	60	96	+36	Adjustment due to an increase in the estimated number of hours.
43 CFR Part 3440 Licenses to Mine Form 3440-1	21	21	Unchanged	Unchanged
43 CFR 3450, Subpart 3452 Relinquishment of a Lease	72	36	-36	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3450, Subpart 3453	90	80	-10	Adjustment due to a decrease in the

Transfers by Assignment, Sublease, or Otherwise				estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3470, Subpart 3471 Land Description Requirements	27	63	+36	Adjustment due to an increase in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3470, Subpart 3471 Future Interest Lease Applications	0	16	+16	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3470, Subpart 3472 General Qualification Requirements	30	27	-3	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Private Sector	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3470, Subpart 3472 Other Qualification Requirements / Public Bodies	0	1	+1	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3470, Subpart 3474 Bonds	1,128	1,176	+48	Adjustment due to an increase in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3480, Subpart 3481 Accident / Unsafe	1	1	Unchanged	Unchanged

Conditions Report				
43 CFR Part 3480, Subpart 3482 Exploration Plans	0	7,360	+7,360	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3482 Resource Recovery and Protection Plans	0	19,600	+19,600	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3482 Modification of Exploration Plans and Resource Recovery and Protection Plans	0	1,264	+1,264	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3482 Mining Operations Maps	9,660	6,220	-3,440	Adjustment due to a decrease in the estimated number of responses (from 460 to 311) and due to a decrease in the estimated hours per response (from 21 to 20).
43 CFR Part 3480, Subpart 3483 Lease Suspension	0	126	+126	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3483 Request for Payment of Advance Royalty in Lieu of Continued Operation	147	264	+117	Adjustment due to an increase in the estimated number of responses (from 7 to 12) and an increase in the estimated hours per response (from 21 to 22).
43 CFR Part 3480,	19	22	+3	Adjustment due to an

Subpart 3484 Drill and Geophysical Logs				increase in the estimated number of responses. Estimated hours per response unchanged.
43 CFR Part 3480, Subpart 3484 Unexpected Wells or Drill Holes	0	6	+6	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, Subpart 3485 Waivers, Suspensions, and Reductions of Rents / Royalty Rate Reductions	240	144	-96	Adjustment due to a decrease in the estimated number of responses (from 10 to 6). Estimated hours per response (24) unchanged.
43 CFR Part 3480, Subpart 3485 Exploration Reports	7,312	1,600	-5,712	Adjustment due to a decrease in the estimated number of responses. Estimated hours per response (16) unchanged.
43 CFR Part 3480, Subpart 3485 Production Reports and Payments and Maintenance of and Access to Records	0	13,230	+13,230	Program change due to the erroneous omission of this collection of information from the previous submission.
43 CFR Part 3480, subpart 3486 Address of Responsible Party	20	2	-18	Adjustment due to a decrease in the estimated number of responses (from 4 to 2) and in the estimated hours per response (from 4 to 1).
43 CFR Part 3480, Subpart 3486 Correction Report	0	10	+10	Program change due to the erroneous omission of this collection of information from the previous submission.

43 CFR Part 3480, Subpart 3487 Application for Formation or Modification of Logical Mining Unit	340	340	Unchanged	Unchanged
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**16. For collections of information whose results will be published, outline plans for tabulation and publication.**

The BLM has no plans to collect information only for the purpose of publishing them. The data collected relates to the administration of new and current Federal coal leases. We may publish some information at a summary level in the BLM’s “Public Land Statistics” publication. No personal information is compiled in a database used to create this report.

**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 certification statement identified in “Certification for Paperwork Reduction Act Submissions.”**

There are no exceptions to the certification statement.