### Bureau of Land Management, Interior

<table>
<thead>
<tr>
<th>43 CFR Parts 3900–3930, General (1004–201)</th>
<th>Reasons for collecting information and how used</th>
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<tbody>
<tr>
<td>Section 3931.41</td>
<td>Except for casual use, before conducting any exploration operations on federally-leased or federally-licensed lands, the lessee must submit an exploration plan to the BLM for approval.</td>
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<tr>
<td>Section 3931.50</td>
<td>Approved exploration, mining and in situ development plans may be modified by the operator or lessee to adjust to changed conditions, new information, improved methods, and new or improved technology, or to correct an oversight.</td>
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<tr>
<td>Section 3931.70</td>
<td>Production of all oil shale products or byproducts must be reported to the BLM on a monthly basis.</td>
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<tr>
<td>Section 3931.80</td>
<td>Within 30 days after drilling completion the operator or lessee must submit to the BLM a signed copy of records of all core or test holes made on the lands covered by the lease or exploration license.</td>
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<tr>
<td>Sections 3932.10(b) and 3932.30(c)</td>
<td>Any lease may apply for a modification of a lease to include additional Federal lands adjoining those in the lease.</td>
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<tr>
<td>Section 3933.31</td>
<td>Any lease may be assigned or subleased, and any exploration license may be conditioned in whole or in part, to any person, association, or corporation that meets the qualification requirements at subpart 3902.</td>
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<tr>
<td>Section 3933.10</td>
<td>A lease or exploration license may be surrendered in whole or in part.</td>
</tr>
<tr>
<td>Section 3935.10</td>
<td>Operators or lessees must maintain production and sale records which must be available for the BLM’s examination during regular business hours.</td>
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</table>

### § 3900.50 Land use plans and environmental considerations.

The Bureau of Land Management (BLM) requires land use plans for all exploration activities on federally-leased or federally-licensed lands to ensure compliance with environmental regulations. These plans must be submitted to the BLM for review and approval before any exploration operations can begin. The BLM reserves the right to modify these plans to accommodate changes in conditions or new information. In situ development plans can also be modified to incorporate new methods or technologies. Production records of all oil shale products or byproducts must be reported to the BLM on a monthly basis. Within 30 days after drilling completion, the operator or lessee must submit to the BLM a signed copy of all core or test hole records made on the lands covered by the lease or exploration license. Any modification of a lease to include additional lands requires approval from the BLM. A lease or exploration license may be surrendered in whole or in part, subject to approval. Operators and lessees must maintain production and sale records which are available for the BLM’s examination during regular business hours.

### § 3900.10 Lands subject to leasing.

The BLM may issue oil shale leases under this part on all Federal lands except:

(a) Those lands specifically excluded from leasing by the Act;

(b) Lands within the boundaries of any unit of the National Park System, except as expressly authorized by law (Glen Canyon National Recreation Area, Lake Mead National Recreation Area, and the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area);

(c) Lands within incorporated cities, towns, and villages; and

(d) Any other lands withdrawn from leasing.

### § 3900.20 Appealing the BLM’s decision.

Any party adversely affected by a BLM decision made under this part or parts 3910 through 3930 of this chapter may appeal the decision under part 4 of this title. All decisions and orders by the BLM under these parts remain effective pending appeal unless the BLM decides otherwise. A petition for the stay of a decision may be filed with the Interior Board of Land Appeals (IBLA).

### § 3900.30 Filing documents.

(a) All necessary documents must be filed in the proper BLM office. A document is considered filed when the proper BLM office receives it with any required fee.

(b) All information submitted to the BLM under the regulations in this part or parts 3910 through 3930 will be available to the public unless exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552), under part 2 of this title, or unless otherwise provided for by law.

### § 3900.40 Multiple use development of leased or licensed lands.

(a) The granting of an exploration license or lease for the exploration, development, or production of deposits of oil shale does not preclude the BLM from issuing other exploration licenses or leases for the same lands for deposits of other minerals. Each exploration license or lease reserves the right to allow any other uses or to allow disposal of the leased lands if it does not unreasonably interfere with the exploration and mining operations of the lessee. The lessee or the licensee must make all reasonable efforts to avoid interference with other such authorized uses.

(b) Subsequent lessee or licensee will be required to conduct operations in a manner that will not interfere with the established rights of existing lessees or licensees.

(c) When the BLM issues an oil shale lease, it will cancel all oil shale exploration licenses for the leased lands.

### § 3900.50 Land use plans and environmental considerations.

(a) Any lease or exploration license issued under this part or parts 3910 through 3930 of this chapter will be
§ 3900.61 Federal minerals where the surface is owned or administered by other Federal agencies, by state agencies or charitable organizations, or by private entities.

(a) Public lands. Unless consent is required by law, the BLM will issue a lease or exploration license only after the BLM has consulted with the surface management agency on public lands where the surface is administered by an agency other than the BLM. The BLM will not issue a lease or an exploration license on lands to which the surface managing agency withholds consent required by statute.

(b) Acquired lands. The BLM will issue a lease on acquired lands only after receiving written consent from an appropriate official of the surface management agency.

(c) Lands covered by lease or license. If a Federal surface management agency outside of the Department has required special stipulations in the lease or license or has refused consent to issue the lease or license, an applicant may pursue the administrative remedies to challenge that decision offered by that particular surface management agency, if any. If the applicant notifies the BLM within 30 calendar days after receiving the BLM’s decision that the applicant has requested the surface management agency to review or reconsider its decision, the time for filing an appeal to the IBLA under part 4 of this title is suspended until a decision is reached by such agency.

(d) The BLM will not issue a lease or exploration license on National Forest System Lands without the consent of the Forest Service.

(e) Ownership of surface overlying Federal minerals by states, charitable organizations, or private entities. Where the United States has conveyed title to the surface of lands to any state or political subdivision, agency, or instrumentality thereof, including a college or any other educational corporation or association, to a charitable or religious corporation or association, or to a private entity, the BLM will send such surface owners written notification by certified mail of the application for exploration license or lease. In the written notification, the BLM will give the surface owners a reasonable time, not to exceed 90 calendar days, within which to suggest any lease stipulations necessary for the protection of existing surface improvements or uses and to set forth the facts supporting the necessity of the stipulations, or to file any objections it may have to the issuance of the lease or license. The BLM makes the final decision as to whether to issue the lease or license and on what terms based on a determination as to whether the interests of the United States would best be served by issuing the lease or license with the particular stipulations. This is true even in cases where the party controlling the surface opposes the issuance of a lease or license or wishes to place restrictive stipulations on the lease.

§ 3900.62 Special requirements to protect the lands and resources.

The BLM will specify stipulations in a lease or exploration license to protect the lands and their resources. This may include stipulations required by the surface management agency or recommended by the surface management agency or non-Federal surface owner and accepted by the BLM.

Subpart 3901—Land Descriptions and Acreage

§ 3901.10 Land descriptions.

(a) All lands in an oil shale lease must be described by the legal subdivisions of the public land survey system or if the lands are unsurveyed, the legal description by metes and bounds.