

| If BLM has received your complete notice before January 20, 2001— | Then— |
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| (a) You are the operator identified in the notice on file with BLM on January 20, 2001. | You may conduct operations for 2 years after January 20, 2001 under the terms of your existing notice and the regulations in effect immediately before that date. (See 43 CFR parts 1000-end, revised as of Oct. 1, 1999.) After 2 years, you may extend your notice under §3809.333. BLM may require a modification under §3809.331(a)(1). See §3809.503 for financial guarantee requirements applicable to notices. |
| (b) You are a new operator, that is, you were not the operator identified in the notice on file with BLM on January 20, 2001. | The provisions of this subpart, including §3809.320, govern your operations for 2 years after January 20, 2001, unless you extend your notice under §3809.333. |
| (c) You later modify your notice | <p>(1) You may conduct operations on the original acreage for 2 years after January 20, 2001 under the terms of your existing notice and the regulations in effect immediately before that date (See 43 CFR parts 1000-end, revised as of Oct. 1, 2000.) After 2 years, you may extend your notice under §3809.333. BLM may require a modification under §3809.331(a)(1). See §3809.503(b) for financial guarantee requirements applicable to notices.</p> <p>(2) Your operations on any additional acreage come under the provisions of this subpart, including §§3809.11 and 3809.21, and may require approval of a plan of operations before the additional surface disturbance may.</p> |
| (d) Your notice has expired | You may not conduct operations under an expired notice. You must promptly submit either a new notice under §3809.301 or a plan of operations under §3809.401, whichever is applicable, or immediately begin to reclaim your project area. See §§3809.11 and 3809.21. |

§ 3809.301 Where do I file my notice and what information must I include in it?

(a) If you qualify under §3809.21, you must file your notice with the local BLM office with jurisdiction over the lands involved. BLM does not require that the notice be on a particular form.

(b) To be complete, your notice must include the following information:

(1) *Operator Information.* The name, mailing address, phone number, taxpayer identification number of the operator(s), and the BLM serial number(s) of any unpatented mining claim(s) where the disturbance would

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occur. If the operator is a corporation, you must identify one individual as the point of contact;

(2) *Activity Description, Map, and Schedule of Activities.* A description of the proposed activity with a level of detail appropriate to the type, size, and location of the activity. The description must include the following:

(i) The measures that you will take to prevent unnecessary or undue degradation during operations;

(ii) A map showing the location of your project area in sufficient detail for BLM to be able to find it and the location of access routes you intend to use, improve, or construct;

(iii) A description of the type of equipment you intend to use; and

(iv) A schedule of activities, including the date when you expect to begin operations and the date you expect to complete reclamation;

(3) *Reclamation Plan.* A description of how you will complete reclamation to the standards described in § 3809.420; and

(4) *Reclamation cost estimate.* An estimate of the cost to fully reclaim your operations as required by § 3809.552.

(c) BLM may require you to provide additional information, if necessary to ensure that your operations will comply with this subpart.

(d) You must notify BLM in writing within 30 calendar days of any change of operator or corporate point of contact, or of the mailing address of the operator or corporate point of contact.

§ 3809.311 What action does BLM take when it receives my notice?

(a) Upon receipt of your notice, BLM will review it within 15 calendar days to see if it is complete under § 3809.301.

(b) If your notice is incomplete, BLM will inform you in writing of the additional information you must submit. BLM may also take the actions described in § 3809.313.

(c) BLM will review your additional information within 15 calendar days to ensure it is complete. BLM will repeat this process until your notice is complete, or until we determine that you may not conduct operations because of your inability to prevent unnecessary or undue degradation.

§ 3809.312 When may I begin operations after filing a complete notice?

(a) If BLM does not take any of the actions described in § 3908.313, you may begin operations no sooner than 15 calendar days after the appropriate BLM office receives your complete notice. BLM may send you an acknowledgement that indicates the date we received your notice. If you don't receive an acknowledgement or have any doubt about the date we received your notice, contact the office to which you sent the notice. This subpart does not require BLM to approve your notice or inform you that your notice is complete.

(b) If BLM completes our review sooner than 15 calendar days after receiving your complete notice, we may notify you that you may begin operations.

(c) You must provide to BLM a financial guarantee that meets the requirements of this subpart before beginning operations.

(d) Your operations may be subject to BLM approval under part 3710, subpart 3715, of this title relating to use or occupancy of unpatented mining claims.

§ 3809.313 Under what circumstances may I not begin operations 15 calendar days after filing my notice?

To see when you may not begin operations 15 calendar days after filing your notice, follow this table:

| If BLM reviews your notice and, within 15 calendar days— | Then— |
|--|---|
| (a) Notifies you that BLM needs additional time, not to exceed 15 calendar days, to complete its review. | You must not begin operations until the additional review time period ends. |