

## § 3604.26

permit and applicable regulations, including reclamation. The type of security must be one of those provided for in § 3602.14(c) of this part.

### § 3604.26 When will BLM cancel my permit?

BLM may cancel your permit if you fail, after adequate notice, to follow its terms and conditions.

### § 3604.27 What rights does a free use permit give me against other users of the land?

Permits that BLM issues under this subpart constitute a superior right to remove the materials in accordance with the permit terms and provisions, as against any claim to or entry of the lands made after the date BLM designated the tract for mineral materials disposal. *See* § 3602.12.

## PART 3620—FREE USE OF PETRIFIED WOOD

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### Subpart 3622—Free Use of Petrified Wood

- 3622.1 Program: General.
- 3622.2 Procedures; permits.
- 3622.3 Designation of areas.
- 3622.4 Collection rules.

AUTHORITY: 30 U.S.C. 601 *et seq.*; 43 U.S.C. 1201, 1732, 1733, 1740; Sec. 2, Act of September 28, 1962 (Pub. L. 87-713, 76 Stat. 652).

SOURCE: 48 FR 27015, June 10, 1983, unless otherwise noted.

### Subpart 3622—Free Use of Petrified Wood

#### § 3622.1 Program: General.

(a) Persons may collect limited quantities of petrified wood for noncommercial purposes under terms and conditions consistent with the preservation of significant deposits as a public recreational resource.

(b) The purchase of petrified wood for commercial purposes is provided for in § 3602.10 *et seq.* of this chapter.

[48 FR 27015, June 10, 1983, as amended at 66 FR 58909, Nov. 23, 2001]

#### § 3622.2 Procedures; permits.

No application or permit for free use is required except for specimens over

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250 pounds in weight. The authorized officer may issue permits, using the procedures of subpart 3604 of this chapter, for the removal of such specimens if the applicant certifies that they will be displayed to the public in a museum or similar institution.

[48 FR 27015, June 10, 1983, as amended at 66 FR 58909, Nov. 23, 2001]

#### § 3622.3 Designation of areas.

(a) All public lands administered by the Bureau of Land Management and the Bureau of Reclamation are open to or available for free use removal of petrified wood unless otherwise provided for by notice in the FEDERAL REGISTER. Free use areas under the jurisdiction of said Bureaus may be modified or cancelled by notices published in the FEDERAL REGISTER.

(b) The heads of other Bureaus in the Department of the Interior may publish in the FEDERAL REGISTER designations, modifications or cancellations of free use areas for petrified wood on lands under their jurisdiction.

(c) The Secretary of the Interior may designate, modify or cancel free use areas for petrified wood on public lands which are under the jurisdiction of other Federal departments or agencies, other than the Department of Agriculture, with the consent of the head of other Federal departments or agencies concerned, upon publication of notice in the FEDERAL REGISTER.

#### § 3622.4 Collection rules.

(a) *General.* The authorized officer shall control the removal without charge of petrified wood from public lands using the following criteria:

(1) The maximum quantity of petrified wood that any one person is allowed to remove without charge per day is 25 pounds in weight plus one piece, provided that the maximum total amount that one person may remove in one calendar year shall not exceed 250 pounds. Pooling of quotas to obtain pieces larger than 250 pounds is not allowed.

(2) Except for holders of permits issued under subpart 3604 of this chapter to remove museum pieces, no person shall use explosives, power equipment, including, but not limited to,

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tractors, bulldozers, plows, power-shovels, semi-trailers or other heavy equipment for the excavation or removal of petrified wood.

(3) Petrified wood obtained under this section shall be for personal use and shall not be sold or bartered to commercial dealers.

(4) The collection of petrified wood shall be accomplished in a manner that prevents hazards to public health and safety, and minimizes and mitigates environmental damage.

(b) *Additional rules.* The head of the agency having jurisdiction over a free use area may establish and publish additional rules for collecting petrified wood for noncommercial purposes to supplement those included in paragraph (a) of this section.

[48 FR 27015, June 10, 1983, as amended at 66 FR 58909, Nov. 23, 2001]

### Group 3700—Multiple Use; Mining

NOTE: The information collection requirements contained in part 3730 of Group 3700 have been approved by the Office of Management and Budget under 44 U.S.C. 3507 and assigned clearance number 1004-0110. The information is being collected to permit the authorized officer to determine whether an applicant is qualified to hold a lease for the exploration, development and utilization of minerals on all public lands withdrawn for power development. The information will be used to make this determination. A response is required to obtain a benefit.

(See 48 FR 40890, Sept. 12, 1983)

### PART 3710—PUBLIC LAW 167; ACT OF JULY 23, 1955

#### Subpart 3710—Public Law 167; Act of July 23, 1955: General

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3710.0-3 Authority.

#### Subpart 3712—Proceedings Under the Act

3712.1 Restriction on use of unpatented mining claims.

3712.2 Publication of notice.

3712.2-1 Request for publication of notice to mining claimant.

3712.2-2 Evidence necessary to support a request for publication.

3712.2-3 Contents of published notice.

3712.2-4 Publication.

3712.2-5 Proof of publication.

3712.2-6 Service of notice.

3712.2-7 Service of copies; failure to comply.  
3712.3 Failure of claimant to file verified statement.

#### Subpart 3713—Hearings

3713.1 Hearing procedures.

3713.2 Hearing: Time and place.

3713.3 Stipulation between parties.

3713.4 Effect of decision affirming a mining claimant's rights.

#### Subpart 3714—Rights of Mining Claimants

3714.1 Recording by mining claimant of request for copy of notice.

3714.2 Waiver of rights by mining claimants.

3714.3 Protection of existing rights; exclusion of reservation in patents.

#### Subpart 3715—Use and Occupancy Under the Mining Laws

3715.0-1 What are the purpose and the scope of this subpart?

3715.0-3 What are the legal authorities for this subpart?

3715.0-5 How are certain terms in this subpart defined?

3715.0-9 Information collection.

3715.1 Do the regulations in this subpart apply to my use or occupancy?

3715.2 What activities do I have to be engaged in to allow me to occupy the public lands?

3715.2-1 What additional characteristic(s) must my occupancy have?

3715.2-2 How do I justify occupancy by a caretaker or watchman?

3715.2-3 Under what circumstances will BLM allow me to temporarily occupy a site for more than 14 days?

3715.3 Must I consult with BLM before occupancy?

3715.3-1 At what point may I begin occupancy?

3715.3-2 What information must I provide to BLM about my proposed occupancy?

3715.3-3 How does BLM process the information I submit about my proposed occupancy?

3715.3-4 How will BLM notify me of the outcome of its review process?

3715.3-5 What will BLM's notification include?

3715.3-6 May I begin occupancy if I have not received concurrence from BLM?

3715.4 What if I have an existing use or occupancy?

3715.4-1 What happens after I give BLM written notification of my existing occupancy?

3715.4-2 What if I do not notify BLM of my existing occupancy?

3715.4-3 What if BLM does not concur in my existing use or occupancy?