

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D. C. 20240

July 3, 1997

IN REPLY REFER TO:
3833/3809 (320) P

EMS TRANSMISSION 7/7/97

Instruction Memorandum No. 97-126, Change 1

Expires: 09/30/98

To: All State Directors

From: Director

Subject: Reclamation Statement to Include in all Decisions Issued Declaring Mining Claims or Sites Forfeited, Abandoned and Void, or Null and Void

Program Area: Mining Claim Recordation

Background: It was brought to our attention at the recent Solids Conference that the reclamation requirement paragraph previously issued was too narrowly focussed, as it only addressed BLM administered lands, and not the lands administered by other agencies. The paragraph is now modified to include other agency lands also.

Policy: Effective immediately, the following paragraph will be inserted into all decisions issued pursuant to 43 CFR 3833 which declare mining claims or sites forfeited, null and void, or abandoned and void, as the case may be:

This decision does not relieve you of the requirement for reclamation of all areas disturbed by your activities on lands covered by your mining claim(s) and/or site(s). Failure to reclaim the land to the satisfaction of the authorized officer of the agency upon whose lands you have located may cause the agency to hold the claimant in a status of non-compliance under their surface management regulations. If reclamation is required, you must notify the proper authorized officer upon completion so that final site inspection and clearances may be obtained and your liability released.

On BLM administered lands failure to reclaim the land to the satisfaction of the authorized officer as prescribed by 43 CFR 3809.1-1 and 3809.3-2 may cause BLM to hold you in a status of non-compliance under 43 CFR 3809.3-2 and invoke the penalty provisions of 43 CFR 3809.3.2(f).

Timeframes: This policy is effective immediately.

Budget Implications: None.

Coordination: Usual channels.

Contact: Roger Haskins, Solid Minerals Group at (202) 452-0355 or Rick Deery, Solid Minerals Group at (202) 452-0353.

Signed by:
Michael H. Schwartz
Acting Assistant Director
Minerals, Realty and Resource Protection

Authenticated by:
Robert M. Williams
Directives and Records
Group, WO540