

§ 3465.2

§ 3465.2 Inspections and noncompliance.

§ 3465.2-1 Inspections.

The authorized officer or his/her authorized representative shall have the right to enter lands under a lease or license to mine to inspect without advance notice or a search warrant, upon presentation of appropriate credentials, to determine whether the activities and conditions are in compliance with the applicable laws, regulations, notices and orders, terms and conditions of leases, licenses to mine or permits, and the requirements of the approved mining plan.

[44 FR 42638, July 19, 1979. Redesignated and amended at 47 FR 33149, July 30, 1982; 50 FR 8627, Mar. 4, 1985]

§ 3465.2-2 Discovery of noncompliance.

(a) Upon discovery of activities or conditions that are not in compliance with the terms of a lease or license to mine, or with an approved permit (30 CFR part 741), but that do not pose a serious and imminent danger to the public or to resources and environmental quality, the authorized officer shall refer the matter to the Surface Mining Officer for remedial action, or take remedial action on matters of exploration outside the permit area.

(b) Upon discovery of activities or conditions that are not in compliance with the terms of a lease, license to mine, or with an approved permit and that do pose a serious and imminent danger to the health and safety of the public or to resources and environmental quality, the authorized officer may order the immediate cessation of the activities or conditions provided that the Surface Mining Officer is immediately informed of the issuance of any such emergency cessation order.

[44 FR 42638, July 19, 1979. Redesignated at 47 FR 33149, July 30, 1982; 50 FR 8627, Mar. 4, 1985]

§ 3465.2-3 Failure of lessee or holder of license to mine to act.

Failure of a lessee or the holder of a license to mine to comply with an immediate cessation order issued under § 3465.3-2(b) or with a written notice of noncompliance issued by the Surface Mining Officer in accordance with part

43 CFR Ch. II (10-1-03 Edition)

3480 of this title or 30 CFR Chapter VII, Subchapter D, or by the authorized officer in accordance with part 3480 of this title, shall be grounds for suspension of the permit and may be grounds for cancellation of the license to mine, or in accordance with subpart 3452 of this title, the lease.

[44 FR 42638, July 19, 1979. Redesignated and amended at 47 FR 33149, July 30, 1982; 50 FR 8627, Mar. 4, 1985]

PART 3470—COAL MANAGEMENT PROVISIONS AND LIMITATIONS

Subpart 3471—Coal Management Provisions and Limitations

Sec.

3471.1 Land description requirements.

3471.1-1 Land description and coal deposit in application.

3471.1-2 Land description in lease.

3471.2 Effect of land transactions.

3471.2-1 Disposal of land with a reservation of minerals.

3471.2-2 Effect of conveyance to state or local entity.

3471.3 Cancellation or forfeiture.

3471.3-1 Protection of bona fide purchaser.

3471.3-2 Sale of underlying interests.

3471.4 Future interest, acquired lands.

Subpart 3472—Lease Qualification Requirements

3472.1 Qualifications.

3472.1-1 Qualified applicants and bidders.

3472.1-2 Special leasing qualifications.

3472.1-3 Acreage limitations.

3472.2 Filing of qualification statements.

3472.2-1 Sole party in interest statement.

3472.2-2 Contents of qualification statement.

3472.2-3 Signature of applicant.

3472.2-4 Special qualifications heirs, and devisees (estates).

3472.2-5 Special qualifications, public bodies.

Subpart 3473—Fees, Rentals, and Royalties

3473.1 Payments.

3473.1-1 Form of remittance.

3473.1-2 Where submitted.

3473.1-3 When paid.

3473.2 Fees.

3473.2-1 General fee provisions.

3473.2-2 Exemptions from fee provisions.

3473.3 Rentals and royalties.

3473.3-1 Rentals.

3473.3-2 Royalties.

3473.4 Suspension of operations, production, and payment obligations.