

§ 3601.1

**Subpart 3603—Community Pits and
Common Use Areas**

DISPOSAL OF MATERIALS—COMMUNITY PITS
AND COMMON USE AREAS

- 3603.10 Disposal of mineral materials from community pits and common use areas.
- 3603.11 What rights pertain to users of community pits?
- 3603.12 What rights pertain to users of common use areas?
- 3603.13 What price does BLM charge under materials sales contracts for mineral materials from community pits and common use areas?
- 3603.14 What plans do I need to prepare to mine or remove mineral materials from a community pit or common use area?

RECLAMATION

- 3603.20 Reclamation.
- 3603.21 What reclamation requirements pertain to community pits and common use areas?
- 3603.22 What fees must I pay to cover the cost of reclamation of community pits and common use areas?

**Subpart 3604—Free Use of Mineral
Materials**

OBTAINING FREE USE PERMITS

- 3604.10 Permits for free use of mineral materials.
- 3604.11 How do I apply for a free use permit?
- 3604.12 Who may obtain a free use permit?
- 3604.13 When will BLM decline to issue a free use permit to a qualified applicant?

ADMINISTRATION OF FREE USE

- 3604.20 Administration of free use permits.
- 3604.21 What is the term of a free use permit?
- 3604.22 What conditions and restrictions pertain to my free use permit?
- 3604.23 When and how may I assign my free use permit?
- 3604.24 Who may remove materials on my behalf?
- 3604.25 What bond requirements pertain to free use permits?
- 3604.26 When will BLM cancel my permit?
- 3604.27 What rights does a free use permit give me against other users of the land?

AUTHORITY: 30 U.S.C. 601 *et seq.*; 43 U.S.C. 1201, 1701 *et seq.*; Sec. 2, Act of September 28, 1962 (Pub. L. 87-713, 76 Stat. 652).

SOURCE: 66 FR 58901, Nov. 23, 2001, unless otherwise noted.

43 CFR Ch. II (10-1-06 Edition)

**Subpart 3601—3601—Mineral Ma-
terials Disposal; General Pro-
visions**

FUNDAMENTAL PROVISIONS

§ 3601.1 Purpose.

The regulations in this part establish procedures for the exploration, development, and disposal of mineral material resources on the public lands, and for the protection of the resources and the environment. The regulations apply to permits for free use and contracts for sale of mineral materials.

§ 3601.3 Authority.

(a) BLM's authority to dispose of sand, gravel, and other mineral and vegetative materials that are not subject to mineral leasing or location under the mining laws is the Act of July 31, 1947, as amended (30 U.S.C. 601 *et seq.*), commonly referred to as the Materials Act. This authority applies to sale and free use of these materials. BLM's authority to allow removal of limited quantities of petrified wood from public lands without charge is section 2 of the Act of September 28, 1962 (Pub. L. 87-713, 76 Stat. 652).

(b) Section 302 of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1732) provides the general authority for BLM to manage the use, occupancy, and development of the public lands under the principles of multiple use and sustained yield in accordance with the land use plans that BLM develops under FLPMA.

(c) Section 304 of FLPMA (43 U.S.C. 1734) and the Independent Offices Appropriation Act of 1952 (31 U.S.C. 9701) authorize the U.S. Government to collect fees and to require reimbursement of its costs.

§ 3601.5 Definitions.

As used in this part the term:

Act means the Materials Act of July 31, 1947, as amended (30 U.S.C. 601, *et seq.*).

BLM means the Bureau of Land Management.

Common use area means a generally broad geographic area from which BLM