**Cooperative Management of Federal Waste Mine Methane (WMM) and Federal Solid Mineral Resources[[1]](#footnote-1)**

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|  | **New Federal Coal or Other Solid Mineral Lease** | **Existing Federal Coal or Other Solid Mineral Lease** |
| **Without an Existing Coincident Federal Oil and Gas Lease** | Include the model WMM recovery addenda (attached) in new Federal coal or other solid mineral leases to apply only to areas within the lease boundary where:   * The United States of America holds fee simple title in the solid and fluid mineral estates, * WMM is likely to be released from the mine, and * There is no Federal oil and gas lease.   The notice of solid mineral lease sale must disclose that any lease issued as a result of the sale will contain a WMM stipulation that requires the capture and/or destruction of WMM released from the mine.  The facilitation of the capture and/or destruction of WMM should be considered when configuring lease boundaries. | Whenever a Federal coal or other solid mineral lessee is agreeable, seek to negotiate a lease amendment to authorize the capture, beneficial use, or destruction of the WMM. Unless the lease has reached a standard readjustment period, the BLM cannot amend existing leases unilaterally. Consequently, they can be amended only through bilateral negotiations between the BLM and the lessee. Sample lease addenda are attached.  All negotiated lease amendments that differ from the sample lease addenda (attached) must be reviewed by the Washington Office and the Solicitor’s Office prior to signature by a State Director or designate.  If there is no negotiated lease amendment of this kind in place when the Federal coal or other solid mineral lease is next eligible for readjustment, the BLM should include the model lease addendum in the lease at that time. |
| **With an Existing Coincident Federal Oil & Gas Lease** | The BLM should encourage the coal or other solid mineral lessee and the oil and gas lessee to independently negotiate an agreement for recovery of the WMM. The BLM may offer a royalty rate reduction to the oil and gas lessee as an incentive to recover the methane, if the BLM finds that a royalty reduction is necessary to encourage the capture, and thereby the greatest ultimate recovery, of the WMM and the royalty reduction is in the interest of conserving the WMM. | |

1. Please note that this chart applies only when the United States owns the both the solid and fluid mineral estates. If there is a split mineral estate (i.e., a state or private party owns the oil and gas estate), this chart does not apply. [↑](#footnote-ref-1)