

Procedures for State Director Bond Review Certification

These guidelines will assist Bureau of Land Management (BLM) State Directors and District/Field Managers to prepare the State Director Bond Review Certification. The guidelines will ensure consistency in the certification process throughout the BLM. The Assistant Director, Minerals and Realty Management (WO-300), will review State Director certifications and State Directors will review District/Field Manager certifications. The Assistant Director or State Director may return any certification for modification if the certification does not adhere to BLM policy.

By September 30 (of the Reporting Year)

District/Field Office Managers

- Conduct review of the Legacy Rehost 2000 (LR2000) Bond Review Report (BRR) district/field office area to determine that reclamation cost estimates (RCE) for Notices and Plans of Operations have received a timely review and that bonds are adequate.
- Ensure periodic review of authorized Plans of Operations and Notices per BLM Policy (see Handbook 3809-1§6.2.4 “Periodic Reviews”) to determine that the current RCE and the amount of the required financial guarantee continue to meet the requirements of 43 CFR 3809.552(b), 3809.552(a), 3809.552(c), and 3809.554(a). District/field offices will place suitable review documentation into the case file. Suitable review documentation will include a summary such as the Reclamation Cost Estimate Summary Sheet (figure 6.2-1) found in BLM H-3809-1, and all supporting documentation. Similar summary sheets, such as those found in *Sherpa for Reclamation Bonds* and *Nevada Standardized Reclamation Cost Estimator (SRCE)*, are also acceptable as long as the district/field office places additional supporting documentation in the case file.
- Ensure Authorized Plans of Operations and Notices are adequately bonded (see Handbook 3809-1§6.2 “Reclamation Cost Estimates”).
- Execute Corrective Action Plans from prior year’s review.
- Implement the District/Field Office Expired Notice Reduction Strategy.

State Directors

- Conduct periodic review of the LR2000 BRR for the state. (State offices may choose to provide a quarterly report to district/field offices to assist with periodic review of the BRR.)
- Provide oversight to ensure full implementation of Corrective Action Plans and office-wide Expired Notice Reduction Strategies.
- Provide guidance to district/field offices regarding certification due date, certification format, and any other relevant state-specific guidance or policy.

On October 1 or first business day following (of the Reporting Year)

State Directors

- Execute the LR2000 BRR. For consistency throughout the certification process, the report must be dated October 1 or the first business day following.
- When executing the BRR, use the following criteria:

- 1) Mandatory Criteria, set “Admin State = (state code)”;
 - 2) Optional Criteria, leave blank, no input necessary.
- Export “Authorized Plans and Notices”; “Expired Notices”; and “Error Report” sections as an acrobat file (.pdf). Use this report for the certification and attach to the certification memorandum.
 - Distribute copies of the saved BRR document to district/field offices.

Before December 1 (of the Reporting Year) on date determined by State Director

District/Field Office Managers

- Prepare Corrective Action Plans (attachment 2) for all cases that are identified within that report that:
 - 1) Do not have adequate reclamation bonds;
 - 2) Do not have the bond obligation specified;
 - 3) Have any missing information;
 - 4) Do not have a review period specified; or
 - 5) Have not been reviewed within the policy timeframe.
- Place a copy of the Corrective Action Plan (attachment 2) within case file.
- Send Certification Memorandum to the State Director. The District/Field Manager must sign the memorandum. Include the following documents:
 - 1) Corrective Action Plan Summary;
 - 2) District/Field Office Expired Notice Reduction Strategy (attachment 4); and
 - 3) Any other information required by the State Director.

By December 1 (of the Reporting Year)

State Directors

- Review District/Field Office Certifications and Corrective Action Plans.
- Ensure receipt of all required Corrective Action Plans from the District/Field Offices.
- Collate and combine all Corrective Action Plans for inclusion with the State Director Certification Memorandum. The State Director Certification Memorandum must include the following supporting documentation:
 - 1) *Corrective Action Plan Summary* for Authorized Plans and Notices. State Directors will summarize Corrective Action Plans using attachment 4;
 - 2) *Expired Notice Reduction Strategy* for each district/field office; and
 - 3) *LR2000 Bond Review Report*. Include sections entitled “Authorized Plans and Notices” and “Expired Notices,” dated October 1, or the first following business day.
- Mail or FedEx the signed State Director Certification Memorandum (attachment 5) to the Assistant Director, Minerals and Realty Management. Email a signed copy to the Mining Law Surface Management Lead, currently Adam Merrill (Division of Solid Minerals, WO-320).
- Email the signed report as a single acrobat document to the Mining Law Surface Management Lead, currently Adam Merrill (WO-320).