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	U· S· DEPARTMENT OF THE INTERIOR **OFFICE OF SURFACE MINING** **RECLAMATION AND ENFORCEMENT** **DIRECTIVES SYSTEM**	**Subject Number:** INE-28 REC.209 **Transmittal Number:** 343 **Date:** 6/4/87

Subject: State Bond Release Oversight Inspections

Approval: Jed D. Christensen **Title:** Director

1. Purpose. This directive provides procedures for conducting bond release inspections in States with an approved regulatory program.

2. Definitions. None.

3. Policy/Procedures.

(a) Policy. The Field Offices are required to evaluate State bond release actions as an integral part of their annual oversight responsibilities in States with approved regulatory programs. It is OSMRE's policy to assure that the evaluations accurately reflect the conditions of the minesite at the time the State released the bond and to minimize Federal intervention in the States' bond release programs.

(b) Procedures

(1) Field Office Directors shall:

(a) Consult with each State regulatory authority to offer the option of OSMRE's participation in a sample of State bond release inspection proceedings. This will be accomplished through a program of joint inspections of a sample of bond release applications received by the State, and review of the associated procedural requirements.

(b) Conduct bond release oversight inspections on a sample basis if a State regulatory authority declines the offer in (a) above, and transmit OSMRE's concerns to the State regulatory authority prior to the close of the written objection period provided under the State counterpart to 30 CFR 800.40(f). This may require modification of present bond release notification mechanisms between the States and Field Offices to assure that inspections can be conducted within this timeframe. In instances where an evaluation or technical review cannot be completed within this timeframe, the State regulatory authority should be promptly notified of the need for additional time.

(c) Make arrangements with the State regulatory authority to obtain ample advance notification of interim program bond release applications where the State declines to participate in the joint inspection program and does not apply permanent program bond release procedures to interim program permits. Such notification is necessary to assure that sample inspections are conducted prior to the State's decision to release a final bond.

(2) Minesites that have had final bonds released should not be included in statistical sample inspections. However, this does not preclude sample inspections of post bond release sites as special studies, provided these inspections are conducted within a reasonable period (two or three months) after the release.

4. Reporting Requirements. None.

5. References. None.

6. Effect on Other Documents.

Supersedes "State Bond Release Oversight Inspections" memorandum dated June 3, 1986 from the Director.

7. Effective Date. Upon Issuance.

8. Contact. Chief, Branch of Inspection, (202) 343-5384.