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	U.S. DEPARTMENT OF THE INTERIOR **OFFICE OF SURFACE MINING** **RECLAMATION AND ENFORCEMENT** **DIRECTIVE SYSTEM**	**Subject Number:** INE - 35 - 3 **Transmittal Number:** 825 **Date:** JAN 3 1995

Subject:

Ten-Day Notices

Approval: Robert J. Uram	**Title:** Director

In order to clarify that the Ten-day Notice procedures contained in this directive will be followed for any violations alleged on Federal lands in States with cooperative agreements to regulate Federal lands, a new second sentence has been added to Section 4.b. Section 4.b. now reads as follows:

> 4.b. Policy. Except as provided below, an authorized representative will issue a ten-day notice to the State regulatory authority whenever there is reason to believe that a violation of the Act, the State program, or a permit condition exists. This policy applies to Federal lands where a cooperative agreement under 30 CFR Part 745 is in effect. A regulatory authority's response . . . .

The directive is also modified to reflect this change by adding the following sentence to Section 6.

> 6. Effect On Other Documents. The November 9, 1994, memorandum to Field Office Directors from the Director entitled Enforcement Procedures for Federal Lands In States With Cooperative Agreements has been incorporated in substance as agency policy under Section 4.b. of this directive and therefore is superseded.

CHANGE NOTICE