

## § 3254.10

must send this to BLM within 30 days after you:

- (a) Complete any geophysical exploration operations;
- (b) Complete the drilling of temperature gradient well(s) approved under your approved Notice of Intent to conduct exploration;
- (c) Plug and abandon a temperature gradient well; and
- (d) Plug shot holes and reclaim all exploration sites.

### **Subpart 3254—Inspection, Enforcement, and Noncompliance for Exploration Operations**

#### **§ 3254.10 May BLM inspect my exploration operations?**

BLM may inspect your exploration operations to ensure compliance with the requirements of § 3200.4 and the regulations in this subpart.

#### **§ 3254.11 What will BLM do if my exploration operations are not in compliance with my permit, other BLM approvals or orders, or the regulations in this part?**

(a) BLM will issue you a written Incident of Noncompliance and direct you to correct the problem within a set time. If the noncompliance continues or is serious in nature, we will take one or more of the following actions:

- (1) Correct the problem at your expense;
- (2) Direct you to modify or shut down your operations; or
- (3) Collect all or part of your bond.

(b) We may also require you to take actions to prevent unnecessary impacts on the lands. If so, we will notify you of the nature and extent of any required measures and the time you have to complete them.

(c) Noncompliance may result in BLM terminating your lease, if appropriate under §§ 3213.17 through 3213.19.

### **Subpart 3255—Confidential, Proprietary Information**

#### **§ 3255.10 Will BLM disclose information I submit under these regulations?**

All Federal and Indian data and information submitted to the BLM are

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subject to part 2 of this title. Part 2 includes the regulations of the Department of the Interior covering public disclosure of data and information contained in Department records. Certain mineral information not protected from disclosure under part 2 may be made available for inspection without a Freedom of Information Act (FOIA) request.

#### **§ 3255.11 When I submit confidential, proprietary information, how can I help ensure it is not available to the public?**

When you submit data and information that you believe to be exempt from disclosure by 43 CFR part 2, you must clearly mark each page that you believe contains confidential information. BLM will keep all data and information confidential to the extent allowed by 43 CFR 2.13(c).

#### **§ 3255.12 How long will information I give BLM remain confidential or proprietary?**

The FOIA (5 U.S.C. 552) does not provide a finite period of time during which information may be exempt from public disclosure. BLM will review each situation individually and in accordance with part 2 of this title.

#### **§ 3255.13 How will BLM treat Indian information submitted under the Indian Mineral Development Act?**

Under the Indian Mineral Development Act of 1982 (IMDA) (25 U.S.C. 2101 *et seq.*), the Department of the Interior will hold as privileged proprietary information of the affected Indian or Indian tribe:

(a) All findings forming the basis of the Secretary's intent to approve or disapprove any Minerals Agreement under IMDA; and

(b) All projections, studies, data, or other information concerning a Minerals Agreement under IMDA, regardless of the date received, related to:

- (1) The terms, conditions, or financial return to the Indian parties;
- (2) The extent, nature, value, or disposition of the Indian mineral resources; or
- (3) The production, products, or proceeds thereof.