

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Nevada State Office

P.O. Box 12000 (1340 Financial Blvd)

Reno, Nevada 89520-0006

www.blm.gov/nv/

April 21, 2008

In Reply Refer To:
3809 (NV-920) I

EMS TRANSMISSION 04/21/08
Instruction Memorandum No. NV-2008-033
Expires: 9/30/2009

To: Field Managers, Nevada
Deputy State Directors and Staff Chiefs, NSO

From: State Director, Nevada

Subject: Nevada Bureau of Land Management Reclamation/Closure Policy for Hardrock Mining Activities

ISSUE: A number of mining operations that were originally permitted in 1980 have or are preparing to cease mining operations. Several Bureau of Land Management (BLM) Field Offices have raised issues concerning closure or final reclamation procedures under the Surface Management Regulations (43 CFR 3809) for these operations. The issues range from the adequacy of the original National Environmental Policy Act (NEPA) compliance documentation to specific technical issues such as land application of heap drain down fluids.

The policy and guidance document was prepared in coordination with the Federal and State regulatory and land managing agencies.

POLICY: It is the policy of the Nevada BLM that reclamation, including closure, of hardrock mining operations be conducted and completed in a proper manner to ensure the protection of the public lands, both short and long term, under BLM jurisdiction. It is the responsibility of the BLM to protect the long-term health of the public lands. Authorization to allow the release of contaminated waters into the environment must be in compliance with the Clean Water Act, Safe Drinking Water Act, Nevada Groundwater Protection Act, Endangered Species Act, other applicable environmental laws, and consistent with BLM's multiple use and resource protection responsibilities under the Federal Land Policy and Management Act (FLPMA).

It is the policy of the Nevada BLM that all modifications to an approved Plan of Operations regarding closure will be reviewed and approved by the Authorized Officer under 43 CFR 3809.

Any Federal Decision to approve a modification to an approved Plan of Operations, including changes to the closure plan, must be in compliance with the requirements of NEPA.

It is the policy of the Nevada BLM to coordinate and collaborate to the fullest extent practical with the State regulatory agencies responsible for the permitting and oversight of mine reclamation and closure activities. Where appropriate, the BLM will utilize the State environmental regulatory requirements, guidance and standards as the base for its analyses and reviews. The BLM recognizes the State's authority under the Clean Water Act, Safe Drinking Water Act, and Nevada Groundwater Protection Act and in carrying out its responsibilities under FLPMA will rely on the State's decisions pursuant to that authority.

IMPLEMENTATION: The "Nevada Bureau of Land Management Guidance for Hardrock Mining Reclamation/Closure Activities - (attached) is intended as a guide in meeting the requirements of this policy. Specifically the attached document provides guidance to the BLM in meeting its responsibilities to ensure the evaluation and analysis of potential impacts associated with reclamation and performance monitoring of Dumps, Heaps, and Tailings Impoundments. The appropriateness of the individual discussions will depend on the issues being addressed and the decisions being made.

CONTACT PERSON: Questions concerning this policy and the attached guidance document should be directed to Dr. Tom Olsen, BLM Nevada State Office, Division of Minerals Management at 775-861-6451.

Signed by:
Patrick J. Gubbins
Acting State Director, Nevada

Authenticated by:
Pam Collins
Staff Assistant

2 Attachments

- 1 - Nevada Bureau of Land Management Guidance for Hardrock Mining Reclamation/Closure Activities - Management of Heap Leach Effluents (27 pp)
- 2 - Glossary of Technical Terms (9 pp)

Separate Cover:

- Table 1 (1 p)
- Figure 1 (1 p)
- Figure 2 (1 p)
- Figure 3 (1 p)
- Figure 4 (1 p)
- Figure 5 (1 p)
- Figure 6 (1 p)
- Figure 7 (1 p)