

§ 208.13

sufficient protection for an amount under appeal.

[52 FR 41913, Oct. 30, 1987, as amended at 64901, Dec. 10, 1993]

§ 208.13 Reporting requirements.

If MMS underbills a purchaser under a royalty oil contract because of a payor's underreporting or failure to report on Form MMS-2014 pursuant to 30 CFR 210.52, the payor will be liable for payment of such underbilled amounts plus interest if they are unrecoverable from the purchaser or the surety instrument related to the contract.

[58 FR 64902, Dec. 10, 1993]

§ 208.14 Civil and criminal penalties.

Failure to abide by the regulations in this part may result in civil and criminal penalties being levied on that person as specified in sections 109 and 110 of the Federal Oil and Gas Royalty Management Act of 1982, 30 U.S.C. 1719-20, and regulations at 30 CFR part 241. Civil penalties applicable under the OCSLA and the Mineral Leasing Act of 1920 may also be imposed.

§ 208.15 Audits.

Audits of the accounts and books of lessees, operators, payors, and/or purchasers of royalty oil taken in kind may be made annually or at such other times as may be directed by MMS. Such audits will be for the purpose of determining compliance with applicable statutes, regulations, and royalty oil contracts.

§ 208.16 Appeals.

Except as provided in § 208.12(d) of this part, orders or decisions issued under the regulations in this part may be appealed as provided in 30 CFR parts 243 and 290.

§ 208.17 Suspensions for national emergencies.

The Secretary of the Department of the Interior, upon a recommendation by the Secretary of Defense or the Secretary of Energy and with the approval of the President, may suspend operations under these regulations and suspend royalty oil contracts during a na-

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tional emergency declared by the Congress or the President.

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AUTHORITY: 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*; 25 U.S.C. 396a *et seq.*; 25 U.S.C. 2101 *et seq.*; 30 U.S.C. 181 *et seq.*; 30 U.S.C. 351 *et seq.*; 30 U.S.C. 1001 *et seq.*; 30 U.S.C. 1701 *et seq.*; 31 U.S.C. 3716 *et seq.*; 31 U.S.C. 9701; 43 U.S.C. 1301 *et seq.*; 43 U.S.C. 1331 *et seq.*; and 43 U.S.C. 1801 *et seq.*

Subpart A—General Provisions

§ 210.10 Information collection.

(a) *Forms*—This section identifies required MMS Royalty Management Program forms for reporting sales and royalties, production information, claiming a processing or transportation allowance, or claiming a reward for providing original information. The information collection requirements associated with the forms identified in this section have been approved by OMB under 44 U.S.C. 3501 et seq. The forms, filing dates, and approved OMB clearance numbers are summarized below:

Form No., name, and filing date	OMB No.
<i>MMS-2014—Report of Sales and Royalty Remittance</i> —Due by the end of first month following production month for royalty payment and for rentals no later than anniversary date of the lease	1010-0022
<i>MMS-3160—Monthly Report of Operations</i> —Due by the 15th day of the second month following the production month	1010-0040
<i>MMS-4025—Oil and Gas Payor Information Form</i> —Due 30 days after issuance of a new lease or change to an existing lease	1010-0033
<i>MMS-4030—Solid Minerals Payor Information Form</i> —Due 30 days after issuance of a new lease or change to an existing account established by an earlier form	1010-0064
<i>MMS-4051—Facility and Measurement Information Form and Supplement</i> —Due at the request of MMS during the initial conversion of the facility and measurement device operators	1010-0040
<i>MMS-4053—First Purchaser Report</i> —Due at the request of MMS	1010-0040
<i>MMS-4054—Oil and Gas Operations Report</i> —Due by the 15th day of the second month following the production month	1010-0040
<i>MMS-4055—Gas Analysis Report</i> —Due by the 15th day of the second month following the production month	1010-0040
<i>MMS-4056—Gas Plant Operations Report</i> —Due by the 15th day of the second month following the production month	1010-0040
<i>MMS-4058—Production Allocation Schedule Report</i> —Due by the 15th day of the second month following the production month	1010-0040
<i>MMS-4059—Solid Minerals Operation Report</i> —Due by the 15th day of the second month following the production month	1010-0063
<i>MMS-4060—Solid Minerals Facility Report</i> —Due by the 15th day of the second month following the production month	1010-0063
<i>MMS-4070—Application of the Purchase of Royalty Oil</i> —Due prior to the date of sale in accordance with the instructions in the Notice of Availability of Royalty Oil	1010-0042
<i>MMS-4109—Gas Processing Allowance Summary Report</i> —Initial report due within 3 months following the last day of the month for which an allowance is first claimed, unless a longer period is approved by MMS	1010-0075

Form No., name, and filing date	OMB No.
<i>MMS-4110—Oil Transportation Allowance Report</i> —Initial report due within 3 months following the last day of the month for which an allowance is first claimed, unless a longer period is approved by MMS	1010-0061
<i>MMS-4280—Application for Reward for Original Information</i> —Due when a reward is claimed for information provided which may lead to the recovery of royalty or other payments owed to the United States	1010-0076
<i>MMS-4292—Coal Washing Allowance Report</i> —Due prior to or at the same time that the allowance is first reported on Form MMS-2014 and annually thereafter if the allowance does not change	1010-0074
<i>MMS-4293—Coal Transportation Allowance Report</i> —Due prior to or at the same time that the allowance is first reported on Form MMS-2014 and annually thereafter if the allowance does not change	1010-0074
<i>MMS-4295—Gas Transportation Allowance Report</i> —Initial report due within 3 months following the last day of month for which an allowance is first claimed unless a longer period is approved by MMS	1010-0075
<i>MMS-4377—Stripper Royalty Rate Reduction Notification</i> —Due for each 12-month qualifying period that a reduced royalty rate is granted by the Bureau of Land Management	1010-0090

The information required on the forms identified in the table above is being collected by the Department of the Interior to meet its congressionally mandated accounting and auditing responsibilities relating to Federal and Indian mineral royalty management. The purpose of the forms and the estimated public reporting burden associated with each form are described in paragraph (c) of this section. With the exception of Forms MMS-4109, MMS-4110, MMS-4280, MMS-4292, MMS-4293, and MMS-4295, the forms are mandatory. Information on Forms MMS-4109, MMS-4110, MMS-4292, MMS-4293, and MMS-4295 is required to receive a benefit. Information required on Form MMS-4280 must be provided voluntarily to claim a reward. Information collected relative to production, royalties, and other payments due the Government from activities on leased Federal or Indian land is authorized by the Federal Oil and Gas Royalty Management Act of 1982, 30 U.S.C. 1701 et seq. for oil and gas production, and by 30 U.S.C. 189, 30 U.S.C. 359, and 30 U.S.C. 396d for solid mineral production.

(b) *MMS mailing addresses*—This paragraph identifies the MMS address(es) to be used for requesting forms and/or for mailing completed forms to MMS.

(1) Requests for Forms MMS-2014 or MMS-4070 should be addressed to the Minerals Management Service, Royalty Management Program, P.O. Box 5760, Denver, Colorado 80217-5760. The completed Form MMS-2014 should be mailed to the Minerals Management Service, Royalty Management Program, P.O. Box 5810, Denver, Colorado 80217-5810. The address to which a completed Form MMS-4070 should be mailed will be identified in a FEDERAL REGISTER Notice of Availability of Royalty Oil. (See 30 CFR 208.5.)

(2) Requests for Forms MMS-4025 or MMS-4030 should be addressed to the Minerals Management Service, Royalty Management Program, P.O. Box 5760, Denver, Colorado 80217-5760. The completed forms should be mailed to the same address.

(3) Requests for Forms MMS-3160, MMS-4051, MMS-4052, MMS-4053, MMS-4054, MMS-4055, MMS-4056, MMS-4057, MMS-4058, MMS-4059, MMS-4060, or MMS-4061 should be addressed to the Minerals Management Service, Royalty Management Program, P.O. Box 17110, Denver, Colorado 80217-0110. The completed forms should be mailed to the same address.

(4) Requests for processing or transportation allowance forms (Forms MMS-4109, MMS-4110, MMS-4292, MMS-4293, or MMS-4295) should be addressed to the Minerals Management Service, Royalty Management Program, P.O. Box 25165, Denver, Colorado 80225-0165. The completed allowance forms should be mailed to the Minerals Management Service, Royalty Management Program, P.O. Box 5200, Denver, Colorado 80217-5200.

(5) Requests for Form MMS-4280 should be addressed to the Minerals Management Service, Royalty Management Program, P.O. Box 25165, Denver, Colorado 80225-0165. The completed form should be mailed to the same address. (See 30 CFR 218.57(b)).

(6) Reports delivered to MMS by special couriers or overnight mail shall be addressed as follows: Minerals Management Service, Royalty Management Program, Building 85, Denver Federal Center, room A-212, Denver, Colorado 80225.

(c) *Purpose of forms and estimated public reporting burden*—This paragraph de-

scribes the purpose of the information being collected and the estimated public reporting burden associated with the OMB approved forms identified in paragraph (a) of this section.

(1) *MMS-2014*—Used monthly to report lease-related transactions essential for royalty management to determine the correct royalty amount due, reconcile or audit data, and distribute payments to appropriate accounts. Public reporting burden is estimated to average 7 minutes to complete each line item on the form, including the time necessary to assemble data, calculate value and royalty, and enter data on the form. Companies with equipment enabling them to report using tape media may average 3 minutes to complete each line item on the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0022.

(2) *MMS-3160*—Used by onshore oil and gas lease operators to report monthly oil and gas production to MMS. Public reporting burden is estimated to average 15 minutes per form including time spent reading instructions, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0040.

(3) *MMS-4025*—This form is used to establish a data base of payor accounts for oil and gas leases on Federal or Indian lands, reporting changes in payor accounts, and notifying MMS of the products on which royalties will be paid. Public reporting burden is estimated to average 30 minutes per form, including time spent reading instructions, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0033.

(4) *MMS-4030*—This form is used to establish a data base of payor accounts for solid mineral leases on Federal or Indian lands, reporting any changes to the accounts, and identifying the type of mine and product produced. Public reporting burden is estimated to average 30 minutes per form, including

time spent reading instructions, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0064.

(5) *MMS-4051*—Used to establish a reference data base identifying the facilities where oil and gas production is stored or processed and the metering points where production is measured for sale or transfer. Public reporting burden is estimated to average 30 minutes per form for facility operators to review and update the data base. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0040.

(6) *MMS-4053*—Designed as an audit tool to be used to confirm sales data. Public reporting burden is estimated to average 30 minutes per form, including time spent reading instructions, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0040.

(7) *MMS-4054*—This three-part form identifies all oil and gas lease production from Federal and Indian lands. The MMS uses information from this form to track oil and gas from the point of production to the point of first sale or other disposition. Respondents will generally not use all three parts of the form. Public reporting burden is estimated to average 30 minutes per month, including time gathering data, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0040.

(8) *MMS-4055*—This report identifies the separate components of natural gas production. It is submitted quarterly or semiannually by lease operators when gas production is processed before royalty value has been determined. Public reporting burden is estimated to average 15 minutes per form including time required gathering data, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0040.

(9) *MMS-4056*—Submitted monthly by gas plant operators to identify components and disposition of natural gas from Federal and Indian leases. Public reporting burden is estimated to aver-

age 30 minutes per form, including time required gathering data, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0040.

(10) *MMS-4058*—Submitted monthly by operators of the facilities and measurement points where production from a Federal or Indian lease is commingled with production from other sources before it is measured for royalty determination. The data reported is used to determine whether sales reported by lessees are reasonable. Public reporting burden is estimated to average 15 minutes per form, including time required gathering data, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0040.

(11) *MMS-4059*—This form consists of parts A and B. It is submitted by all operators of Federal or Indian solid mineral leases on a schedule established on the lease. Public reporting burden is estimated to range from 30 minutes per form for the majority of operators who submit only part A to report production and disposition of raw materials, to 1.25 hours for operators submitting both parts A and B to report sales of mine production from a facility beyond the mine site. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0063.

(12) *MMS-4060*—Submitted by operators of secondary processing or remote storage facilities that handle solid mineral production on which royalties have not been determined. The form is usually submitted monthly and requires 1 to 2 hours to complete depending on the processes, inventory, and production disposition to be reported. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0063.

(13) *MMS-4070*—After publication in the Federal Register of a Notice of Availability of Royalty Oil, refiners interested in the purchase of royalty oil should submit their applications using this form. The information collected is used by MMS to determine if the applicant meets eligibility requirements to

contract to purchase the oil. Public reporting burden is estimated to average 1 hour per form, including time required gathering data, completing, and mailing the form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0042.

(14) *MMS-4109*—Used to claim an allowance for the reasonable, actual costs of removing hydrocarbon and nonhydrocarbon elements or compounds from the gas streams. Public reporting burden varies depending on the type of contract involved. Under an arm's-length contract, burden is estimated to average 1 hour for the submission of page 1 and schedule 1 of the form requiring the lessee's name and address, payor code, plant name, accounting identification number, product code, and selling arrangement. Nonarm's-length contract claims require completion of all pages of the form including calculations of allowable operating and maintenance costs, overhead, depreciation, and return on undepreciated capital investment. Public reporting burden is estimated to average 10 hours to complete the entire form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0075.

(15) *MMS-4110*—Used to claim an allowance for expenses incurred by a lessee in transporting oil from the lease site to a point remote from the lease where value is determined. Public reporting burden varies depending on the type of contract involved. Under an arm's-length contract, burden is estimated to average 2 hours for the submission of page 1 and schedule 1 of the form requiring the lessee's name and address, payor code, accounting identification number, product code, and selling arrangement. Nonarm's-length contract claims require completion of all pages of the form including calculations of allowable operating and maintenance costs, overhead, depreciation, and return on undepreciated capital investment. Public reporting burden is estimated to average 5 hours to complete the entire form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0061.

(16) *MMS-4280*—This form is used to claim a reward for information leading to the recovery of payments owed to the United States from oil and gas leases on Federal land or the Outer Continental Shelf. Claimants must provide name, address, Social Security number, and a brief description of the violation being reported. Public reporting burden is estimated to average 30 minutes to complete this form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0076.

(17) *MMS-4292*—This form is used to claim an allowance for the reasonable, actual costs incurred to wash coal. Public reporting burden varies depending on the type of contract involved. Under an arm's-length contract, burden is estimated to average 1 hour for the submission of page 1 of the form requiring the lessee's name and address, payor code, accounting identification number, product code, and selling arrangement. Nonarm's-length contract claims require completion of all pages of the form including calculations of allowable operating and maintenance costs, overhead, depreciation, and return on undepreciated capital investment. Public reporting burden is estimated to average 40 hours to complete the entire form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0074.

(18) *MMS-4293*—Used to claim an allowance for the reasonable, actual costs of transporting coal to a sales point or a washing facility remote from the mine or lease. Public reporting burden varies depending on the type of contract involved. Under an arm's-length contract, burden is estimated to average 1 hour for the submission of page 1 of the form requiring the lessee's name and address, payor code, accounting identification number, product code, and selling arrangement. Nonarm's-length contract claims require completion of all pages of the form including calculations of allowable operating and maintenance costs, overhead, depreciation, and return on undepreciated capital investment. Public reporting burden is estimated to average 40 hours to complete the entire form. Comments submitted relative to

this information collection should reference Paperwork Reduction Project 1010-0074.

(19) *MMS-4295*—This form is used to claim an allowance for the reasonable, actual costs of transporting gas from the lease to the point of first sale. Public reporting burden varies depending on the type of contract involved. Under an arm's-length contract, burden is estimated to average 1 hour for the submission of page 1 and schedule 1 of the form requiring the lessee's name and address, payor code, accounting identification number, product code, and selling arrangement. Nonarm's-length contract claims require completion of all pages of the form including calculations of allowable operating and maintenance costs, overhead, depreciation, and return on undepreciated capital investment. Public reporting burden is estimated to average 3 hours to complete the entire form. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0075.

(20) *MMS-4377*—This form must be submitted by operators of stripper oil properties to notify MMS of reduced royalty rates granted by the Bureau of Land Management under 43 CFR 3103.4-1 for each 12-month qualifying period. Reporting burden is estimated to require an average of 30 minutes per form to supply the operator name, lease and agreement numbers, calculated and current royalty rate, and the period covered. Comments submitted relative to this information collection should reference Paperwork Reduction Project 1010-0090.

(d) *Comments on burden estimates.* Send comments regarding the burden estimates or any other aspect of these information collections, including suggestions for reducing burden, to the Information Collection Clearance Officer, Minerals Management Service, 381 Elden Street, Herndon, VA 22070; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project 1010-XXXX, Washington, DC 20503.

[57 FR 41864, Sept. 14, 1992]

Subpart B—Oil, Gas, and OCS Sulfur—General

AUTHORITY: The Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 *et seq.*).

SOURCE: 49 FR 37345, Sept. 21, 1984, unless otherwise noted.

§ 210.50 Required recordkeeping.

Information required by the MMS shall be filed using the forms prescribed in this subpart, which are available from MMS. Records may be maintained in microfilm, microfiche, or other recorded media that is easily reproducible and readable.

§ 210.51 Payor information form.

The Payor Information Form (Form MMS-4025) must be filed for each Federal or Indian lease on which royalties are paid. Where specifically determined by MMS, Form MMS-4025 is also required for all Federal leases on which rent is due. The completed form must be filed by the party who is making the rent or royalty payment (payor) for each revenue source. Form MMS-4025 must be filed no later than 30 days after issuance of a new lease or a modification to an existing lease which changes the paying responsibility on the lease.

§ 210.52 Report of sales and royalty remittance.

A completed Report of Sales and Royalty Remittance (Form MMS-2014) must accompany all payments to MMS for royalties and, where specified, for rents on nonproducing leases. Payors who submit Form MMS-2014 data on magnetic tape will not be required to submit the form itself. Completed Form MMS-2014's (or magnetic tape) for royalty payments including those covering payments by electronic funds transfer, are due by the end of the month following the production month. Where applicable, completed Form MMS-2014's for rental payments are due no later than the anniversary date of the lease. This section does not prohibit payors from making early payments voluntarily.

§ 210.53 Reporting instructions.

(a) Specific guidance on how to prepare and submit required information collection reports and forms to MMS is contained in an MMS "Oil and Gas Payor Handbook," a "Production Accounting and Auditing System Reporter Handbook," and a "PAAS Onshore Oil and Gas Reporter Handbook." The Payor Handbook is available from the Minerals Management Service, Royalty Management Program, P.O. Box 5760, Denver, Colorado 80217-5760. The Reporter Handbooks are available from the Minerals Management Service, Royalty Management Program, P.O. Box 17110, Denver, Colorado 80217-0110.

(b) Royalty payors or production reporters should refer to these handbooks for specific guidance with respect to oil and gas reporting requirements. If additional information is required, the payor or reporter should contact the MMS at the above address. The appropriate telephone numbers are listed in the handbooks.

[51 FR 45882, Dec. 23, 1986, as amended at 53 FR 16412, May 9, 1988; 57 FR 41867, Sept. 14, 1992; 58 FR 64902, Dec. 10, 1993]

§ 210.54 Definitions.

Terms used in this subpart shall have the same meaning as in 30 U.S.C. 1702.

[49 FR 37345, Sept. 21, 1984. Redesignated at 51 FR 45882, Dec. 23, 1986]

§ 210.55 Special forms or reports.

When special forms or reports other than those referred to in the regulations in this part may be necessary, instructions for the filing of such forms or reports will be given by MMS.

[53 FR 1226, Jan. 15, 1988]

**Subpart C—Federal and Indian Oil
[Reserved]****Subpart D—Federal and Indian
Gas [Reserved]****Subpart E—Solid Minerals, General**

SOURCE: 51 FR 15766, Apr. 28, 1986, unless otherwise noted.

§ 210.200 Required recordkeeping.

Information required by the Minerals Management Service (MMS) shall be filed using the forms prescribed in this subpart, copies of which are available from MMS. Instructions on the completion of these forms are provided in the Payor Handbook—Solid Minerals, also available from MMS. Records and supporting data may be maintained in hardcopy, microfilm, microfiche, or other recorded media that is readily available and readable.

§ 210.201 Solid minerals payor information form.

A Solid Minerals Payor Information Form (Form MMS-4030) must be submitted to MMS for each Federal and Indian solid minerals lease on which royalties, rentals or minimum royalties are paid. This form does not change any requirement for a separate approval, if required, by the Department of the Interior. The Form MMS-4030 shall identify the payor of rent, minimum royalty, advance royalty and production royalty, and identify revenue sources and selling arrangements for all lease products. The completed form must be filed by each royalty payor no later than 30 days after MMS provides notice that the payor is converted to the Auditing and Financial System (AFS). After filing the initial form, a new Form MMS-4030 must be filed no later than 30 days after the occurrence of any of the following:

- (a) Assignment of all or any part of the lease;
- (b) Adoption of a new mining method;
- (c) Production of a new product;
- (d) A change in a selling arrangement;
- (e) Change in royalty rate;
- (f) Change of payor; or
- (g) Abandonment of a lease.

§ 210.202 Report of sales and royalty remittance—solid minerals.

A completed Report of Sales and Royalty Remittance (Form MMS-2014) must accompany all payments to MMS for rents (other than first year) and royalties for Federal and Indian solid minerals leases. On leases where payment is remitted directly to an Indian tribe or Bureau of Indian Affairs office, the payor also must send a completed

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form MMS-2014 to MMS for processing in AFS. The Form MMS-2014 shall identify the payor and the lease sub-accounts, contain production, sales, and royalty data, and identify the time period applicable to the data. Completed forms are due at the end of the month following the production or sales period as applicable. Unless the lease terms specify a different royalty payment frequency, all reports and payments are due monthly. If the lease terms do specify a different frequency for payment, the reporting must coincide with the payment. The Form MMS-2014 for rental payments is due no later than the rental payment date specified in the lease terms.

[51 FR 15766, Apr. 28, 1986, as amended at 57 FR 52720, Nov. 5, 1992]

§ 210.203 Special forms and reports.

The MMS may require submission of additional information on special forms or reports. When special forms or reports other than those referred to in this subpart are necessary, instructions for the filing of such forms or reports will be given by MMS. Requests for the submission of such forms will be made in conformity with the requirements of the Paperwork Reduction Act of 1980 and other applicable laws.

§ 210.204 Reporting instructions.

(a) Specific guidance on how to prepare and submit required information collection reports and forms to MMS is contained in an "MMS Payor Handbook—Solid Minerals" and a "Production Accounting and Auditing System Reporter Handbook." The Payor Handbook is available from the Minerals Management Service, Royalty Management Program, P.O. Box 5760, Denver, Colorado 80217-5760. The Reporter Handbook is available from the Minerals Management Service, Royalty Management Program, P.O. Box 17110, Denver, Colorado 80217-0110.

(b) Royalty payors or production reporters should refer to these handbooks for specific guidance with respect to solid minerals reporting requirements. If additional information is required, the payor or reporter should contact the MMS at the above address. The ap-

propriate telephone numbers are listed in the handbooks.

[51 FR 45883, Dec. 23, 1986, as amended at 57 FR 41867, Sept. 14, 1992; 58 FR 64902, Dec. 10, 1993]

Subpart F—Coal [Reserved]

Subpart G—Other Solid Minerals [Reserved]

Subpart H—Geothermal Resources

SOURCE: 56 FR 57286, Nov. 8, 1991, unless otherwise noted.

§ 210.350 Definitions.

Terms used in this subpart shall have the same meaning as in 30 CFR 206.351.

§ 210.351 Required recordkeeping.

Information required by MMS shall be filed using the forms prescribed in this subpart, which are available from MMS. Records may be maintained on microfilm, microfiche, or other recorded media that are easily reproducible and readable. See subpart H of 30 CFR part 212.

§ 210.352 Payor information forms.

The Payor Information Form (Form MMS-4025) must be filed for each Federal lease on which geothermal royalties (including byproduct royalties) are paid. Where specifically determined by MMS, Form MMS-4025 is also required for all Federal leases on which rent is due. The completed form must be filed by the party who is making the rent or royalty payment (payor) for each revenue source. Form MMS-4025 must be filed no later than 30 days after issuance of a new lease or a modification to an existing lease that changes the paying responsibility on the lease. The Form MMS-4025 shall identify the payor of production royalty, and identify revenue sources and selling arrangements for all leased geothermal resources (including byproducts). After filing the initial form, a new Form MMS-4025 must be filed no later than 30 days after the occurrence of any of the following:

(a) Assignment of all or any part of the lease;

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- (b) Production of new product;
- (c) A change in a selling arrangement;
- (d) Change in royalty rate;
- (e) Change of payor; or
- (f) Abandonment of a lease.

§ 210.353 Special forms and reports.

The MMS may require submission of additional information on special forms or reports. When special forms or reports other than those referred to in this subpart are necessary, MMS will give instructions for the filing of such forms or reports. Requests for the submission of such forms will be made in conformity with the requirements of the Paperwork Reduction Act of 1980 and other applicable laws.

§ 210.354 Monthly report of sales and royalty.

A completed Report of Sales and Royalty Remittance (Form MMS-2014) must be submitted each month once sales or utilization of production occur, even though sales may be intermittent, unless otherwise authorized by MMS. This report is due on or before the last day of the month following the month in which production was sold or utilized, together with the royalties due the United States.

§ 210.355 Reporting instructions.

(a) Specific guidance on how to prepare and submit required information collection reports and forms to MMS is contained in an MMS Oil and Gas Payor Handbook which is available from the Minerals Management Service, Royalty Management Program, P.O. Box 5760, Denver, Colorado 80217-5760.

(b) Royalty payors should refer to this handbook for specific guidance with respect to geothermal resources reporting requirements. If additional information is required, the payor should contact the MMS at the above address. The appropriate telephone numbers are listed in the handbook.

[56 FR 57286, Nov. 8, 1991, as amended at 58 FR 64902, Dec. 10, 1993]

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PART 212—RECORDS AND FILES MAINTENANCE

Subpart A—General Provisions [Reserved]

Subpart B—Oil, Gas, and OCS Sulphur—General

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- 212.200 Maintenance of and access to records.

Subpart F—Coal [Reserved]

Subpart G—Other Solid Minerals [Reserved]

Subpart H—Geothermal Resources

- 212.350 Definitions.
- 212.351 Required recordkeeping and reports.

Subpart I—OCS Sulfur [Reserved]

AUTHORITY: 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396 *et seq.*; 25 U.S.C. 396a *et seq.*; 25 U.S.C. 2101 *et seq.*; 30 U.S.C. 181 *et seq.*; 30 U.S.C. 351 *et seq.*; 30 U.S.C. 1001 *et seq.*; 30 U.S.C. 1701 *et seq.*; 31 U.S.C. 9701; 43 U.S.C. 1301 *et seq.*; 43 U.S.C. 1331 *et seq.*; and 43 U.S.C. 1801 *et seq.*

Subpart A—General Provisions [Reserved]

Subpart B—Oil, Gas, and OCS Sulphur—General

§ 212.50 Required recordkeeping and reports.

All records pertaining to offshore and onshore Federal and Indian oil and gas leases shall be maintained by a lessee, operator, revenue payor, or other person for 6 years after the records are generated unless the recordholder is notified, in writing, that records must