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§ 3262.13 May BLM require me to follow a well spacing program?

Yes, if we determine that it is necessary for proper development. If we require well spacing, we will consider the following factors when we set well spacing:

- (a) Hydrologic, geologic, and reservoir characteristics of the field minimizing well interference;
- (b) Topography;
- (c) Interference with multiple use of land; and
- (d) Environmental protection, including ground water.

§ 3262.14 May BLM require me to take samples or perform tests and surveys?

(a) Yes, we may require you to take samples or to test or survey the well to determine:

- (1) The well's mechanical integrity;
 - (2) The identity and characteristics of formations, fluids or gases;
 - (3) Presence of geothermal resources, water, or reservoir energy;
 - (4) Quality and quantity of geothermal resources;
 - (5) Well bore angle and direction of deviation;
 - (6) Formation, casing, or tubing pressures;
 - (7) Temperatures;
 - (8) Rate of heat or fluid flow; and
 - (9) Any other necessary well information.
- (b) See 3264.11 for information reporting requirements.

Subpart 3263—Well Abandonment

§ 3263.10 May I abandon a well without BLM's approval?

No, you must have an approved sundry notice which documents your plugging and abandonment program before you start abandoning any well. You must also notify the local BLM office before you begin abandonment, so we may witness the work. Contact your local BLM office before starting to abandon your well to find out what notification we need.

§ 3263.11 What must I give BLM to approve my sundry notice for abandoning a well?

Send us a sundry notice with:

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(a) All the information required in the well completion report (see 43 CFR 3264.10), unless we already have that information;

(b) A detailed description of the proposed work, including:

- (1) Type, depth, length, and interval of plugs;
 - (2) Methods you will use to verify the plugs (tagging, pressure testing, etc.);
 - (3) Weight and viscosity of mud that you will use in the uncemented portions;
 - (4) Perforating or removing casing; and
 - (5) Restoring the surface; and
- (c) Any other information that we may require.

§ 3263.12 How will BLM review my sundry notice to abandon my well and notify me of their decision?

(a) When we receive your sundry notice, we will make sure it is complete and review it for compliance with the requirements of 43 CFR 3200.4. We will notify you if we need more information or require additional procedures. If we need any further information to complete our review, we will contact you in writing and suspend our review until we receive the information. If we approve your sundry notice, we will send you an approved copy once our review is complete. Do not start abandonment of the well until we approve your sundry notice.

(b) We may verbally approve plugging procedures for a well which requires immediate action. If we do, you must submit the information required in 43 CFR 3263.11 within 48 hours after we give verbal approval.

§ 3263.13 What must I do to restore the site?

You must remove all equipment and materials and restore the site to BLM's satisfaction.

§ 3263.14 May BLM require me to abandon a well?

Yes, if we determine your well is no longer needed for geothermal resource production, injection, or monitoring, or if we determine that the well is not mechanically sound. In either case, if you disagree you may explain to us why the well should not be abandoned.

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We will consider your reasons before we issue any final order.

§ 3263.15 May I abandon a producible well?

Only if you receive BLM's approval. To abandon a producing well, send us the information listed in 43 CFR 3263.11. We may also require you to explain why you want to abandon the well. We may deny your request if we determine the well is needed to protect a Federal lease from drainage, or to protect the environment or other resources of the United States.

Subpart 3264—Reports—Drilling Operations

§ 3264.10 What must I give BLM after I complete a well?

You must submit a geothermal well completion report, form 3260-4, within 30 days after you complete a well. Your report must include the following:

- (a) A complete, chronological well history;
- (b) A copy of all logs;
- (c) Copies of all directional surveys; and
- (d) Copies of all mechanical, flow, reservoir, and other test data.

§ 3264.11 What must I give BLM after I finish subsequent well operations?

(a) Send us a subsequent well operations report within 30 days after completing operations. At a minimum, this report must include:

- (1) A complete, chronological history of the work done;
- (2) A copy of all logs;
- (3) Copies of all directional surveys;
- (4) All samples, tests or surveys we require you to make (see § 3262.14);
- (4) Copies of all mechanical, flow, reservoir, and other test data; and
- (5) A statement of whether you achieved your goals. For example, if the well was acidized to increase production, state whether the production rate increased when you put the well back on line.

(b) We may waive this reporting requirement for work we determine is routine such as cleanouts, surveys, or general maintenance. To request a waiver, contact BLM. If you do not

have a waiver, you must submit the report.

§ 3264.12 What must I give BLM after I abandon a well?

Send us a well abandonment report within 30 days after you abandon a well. If you plan to restore the site at a later date, you may submit a separate report within 30 days after completing site restoration. The well abandonment report must contain:

- (a) A complete chronology of all work done;
- (b) A description of each plug, including:
 - (1) Amount of cement used;
 - (2) Type of cement used;
 - (3) Depth that the drill pipe or tubing was run to set the plug;
 - (4) Depth to top of plug; and
 - (5) If the plug was verified, whether it was done by tagging or pressure testing; and
- (c) A description of surface restoration procedures.

§ 3264.13 What drilling and operational records must I maintain for each well?

You must keep the following information for each well and make it available for BLM to inspect it:

- (a) A complete and accurate drilling log, in chronological order;
- (b) All logs;
- (c) Water or steam analyses;
- (d) Hydrologic or heat flow tests;
- (e) Directional surveys;
- (f) A complete log of all subsequent well operations such as cementing, perforating, acidizing, and well cleanouts; and
- (g) Any other information regarding the well that could affect its status.

§ 3264.14 Must I notify BLM of accidents occurring on my lease?

Yes, you must verbally inform us of all accidents that affect operations or create environmental hazards within 24 hours of the accident. When you contact us, we may require you to submit a report fully describing the incident.

Subpart 3265—Inspection, Enforcement, and Noncompliance for Drilling Operations

Subpart 3266—Confidential, Proprietary Information

§ 3265.10 What part of my drilling operations may BLM inspect?

§ 3266.10 Will BLM disclose information I submit under these regulations?

(a) We may inspect all of your drilling operations regardless of surface ownership. We will inspect your operations for compliance with the requirements of 43 CFR 3200.4.

All Federal and Indian data and information submitted to the BLM are 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 of Interior 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. BLM will not treat surface location, surface elevation, or well status information as confidential.

(b) We may also inspect all of your maps, well logs, surveys, records, books, and accounts related to your drilling operation. You must keep this information available for our inspection.

§ 3265.11 What records must I keep available for inspection?

§ 3266.11 When I submit confidential, proprietary information, how can I help ensure it is not available to the public?

You must keep a complete record of all aspects of your activities related to your drilling operation available for our inspection. Store these records in a place which makes them conveniently available to us. Examples of records which we will inspect include:

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).

- (a) Well logs;
- (b) Directional surveys;
- (c) Casing type and setting;
- (d) Formations penetrated;
- (e) Well test results;
- (f) Characteristics of the geothermal resource;
- (g) Emergency procedure training; and
- (h) Operational problems.

§ 3265.12 What will BLM do if my operations do not comply with all requirements?

§ 3266.12 How long will information I give BLM remain confidential or proprietary?

(a) We will issue you a written Incident of Noncompliance, directing you to take required corrective action within a specific time period. If the noncompliance continues or is of a serious nature, we will take one or more of the following actions:

The FOIA does not provide a finite period of time for which information may be exempt from disclosure to public. Each situation will need to be reviewed individually and in accordance with guidance provided by 43 CFR part 2.

- (1) Enter your lease, and correct any deficiencies at your expense;
- (2) Collect all or part of your bond;
- (3) Direct modification or shutdown of your operations; and
- (4) Take action against a lessee who is ultimately responsible for non-compliance.

Subpart 3267—Geothermal Drilling Operations Relief and Appeals

(b) Noncompliance may result in BLM canceling your lease. See 43 CFR 3213.23 through 3213.25.

§ 3267.10 May I request a variance from any BLM requirements which apply to my drilling operations?

(a) Yes, you may request a variance regarding your approved drilling operations from the requirements of 43 CFR 3200.4. Your request must include enough information to explain:

- (1) Why you cannot comply; and

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(2) Why you need the variance to control your well, conserve natural resources, protect public health and safety, property, or the environment.

(b) We may approve your request verbally or in writing. If BLM gives you a verbal approval, we will follow up with written confirmation.

§ 3267.11 How may I appeal a BLM decision regarding my drilling operations?

You may appeal our decisions regarding your drilling operations in accordance with 43 CFR 3200.5.

Subpart 3270—Utilization of Geothermal Resources—General

§ 3270.10 What types of geothermal operations are governed by the utilization regulations?

(a) The regulations in 43 CFR subparts 3270 through 3279 cover the permitting and operating procedures for the utilization of geothermal resources. This includes:

- (1) Electrical generation facilities;
- (2) Direct use facilities;
- (3) Related utilization facility operations;
- (4) Actual and allocated well field production and injection; and
- (5) Related well field operations.

(b) The utilization regulations in subparts 3270 through 3279 do not address conducting exploration operations, which are covered in subpart 3250 of this part, or drilling wells intended for production or injection, which are covered in subpart 3260 of this part.

§ 3270.11 What general standards apply to my utilization operations?

Your utilization operations must:

- (a) Meet all operational and environmental standards;
- (b) Prevent unnecessary impacts to surface and subsurface resources;
- (c) Result in the maximum ultimate recovery;
- (d) Result in the beneficial use of geothermal resources with minimum waste;
- (e) Protect public health, safety and property; and,
- (f) Comply with the requirements of 43 CFR 3200.4.

§ 3270.12 What other orders or instructions may BLM issue me?

(a) Geothermal resource operational orders, for detailed requirements that apply nationwide;

(b) Notices to lessees, for detailed requirements on a statewide or regional basis;

(c) Other orders and instructions specific to a field or area;

(d) Permit conditions of approval; and

(e) Verbal orders which will be confirmed in writing.

Subpart 3271—Utilization Operations: Getting a Permit

§ 3271.10 What do I need to start preparing a site and building and testing a utilization facility on Federal land leased for geothermal resources?

If you want to use Federal land to produce geothermal power, you have to get a site license and construction permit before you even start preparing the site. Send BLM a plan that shows what you want to do and write up a proposed site license agreement that you think is fair and reasonable. We will review it and decide whether or not to give you a permit and license to proceed with work on the site. Until and unless we do, don't even think about it.

§ 3271.11 Who may apply for a permit to build a utilization facility?

The lessee, the facility operator, or the unit operator may apply to build a utilization facility.

§ 3271.12 What do I need to start preliminary site investigations which may disturb the surface?

(a) You must:

(1) Fully describe your proposed operations in a sundry notice; and,

(2) File a bond meeting the requirements of either 43 CFR 3251.15 or 3273.19. See Subparts 3214 and 3215 for additional details on bonding procedures.

(b) Do not begin the site investigation or surface disturbing activity until BLM approves your sundry notice and bond.

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§ 3271.13 What do I need to start building and testing a utilization facility which is not located on Federal lands leased for geothermal resources, but the pipelines and facilities connecting the well field are?

(a) Before constructing pipelines and well field facilities on Federal lands leased for geothermal resources, the lessee, unit operator or facility operator must submit your utilization plan and facility construction permit addressing any pipelines or facilities. Do not start construction of your pipelines or facilities until BLM approves your utilization plan and facility construction permit.

(b) Before testing a utilization facility which is not located on Federal lands leased for geothermal resources with Federal geothermal resources, send us a sundry notice which describes the testing schedule and the amount of Federal resources you expect to be delivered to the facility during the testing. Do not start delivering Federal geothermal resources to the facility until we approve your sundry notice.

(c) You do not need a BLM permit to construct a facility located on either:

- (1) Private land; or
- (2) Lands where the surface is privately owned and BLM has leased the underlying Federal geothermal resources, when the facility will utilize Federal geothermal resources.

§ 3271.14 How do I get a permit to begin commercial operations?

Before using Federal geothermal resources, the lessee, operator, or facility operator must send us a complete commercial use permit (43 CFR 3274.11). This also applies when you use Federal resources allocated through any form of agreement. Do not start any commercial use operations until BLM approves your commercial use permit.

Subpart 3272—What is in a Utilization Plan and Facility Construction Permit?

§ 3272.10 What must I give BLM in my utilization plan?

Describe the proposed facilities as set out in 43 CFR 3272.11, and the anticipated environmental impacts and how

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you propose to mitigate those impacts, as set out at 3272.12.

§ 3272.11 How should I describe the proposed utilization facility?

Your description must include:

(a) A generalized description of all proposed structures and facilities, including their size, location, and function;

(b) A generalized description of proposed facility operations, including estimated total production and injection rates; estimated well flow rates, pressures, and temperatures; facility net and gross electrical generation; and, if applicable, interconnection with other utilization facilities. If it is a direct use facility, send us the information we need to determine the amount of resource utilized;

(c) A contour map of the entire utilization site, showing production and injection well pads, pipeline routes, facility locations, drainage structures, and existing and planned access and lateral roads;

(d) A description of site preparation and associated surface disturbance, including the source for site or road building materials, amounts of cut and fill, drainage structures, analysis of all site evaluation studies prepared for the site(s), and a description of any additional tests, studies, or surveys which are planned to assess the geologic suitability of the site(s);

(e) The source, quality, and proposed consumption rate of water used during facility operations, and the source and quantity of water used during facility construction;

(f) The methods for meeting air quality standards during facility construction and operation, especially standards concerning noncondensable gases;

(g) An estimated number of personnel needed during construction and operation of the facility;

(h) A construction schedule;

(i) A schedule for testing of the facility and/or well equipment, and for the start of commercial operations;

(j) A description of architectural landscaping or other measures to minimize visual impacts; and (k) Any additional information or data which we may require.

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§ 3272.12 How do I describe the environmental protection measures I intend to take?

(a) Describe, at a minimum, your proposed measures to:

- (1) Prevent or control fires;
- (2) Prevent soil erosion;
- (3) Protect surface or ground water;
- (4) Protect fish and wildlife;
- (5) Protect cultural, visual, and other natural resources;
- (6) Minimize air and noise pollution; and
- (7) Minimize hazards to public health and safety during normal operations.

(b) If we require, you must also describe how you will monitor your facility operations to ensure they comply with the requirements of 43 CFR 3200.4, and noise, air, and water quality standards at all times. We will consult with another involved surface management agency regarding monitoring requirements. You must also include provisions for monitoring other environmental parameters we may require.

(c) Based on what level of impacts your operations may cause, we may require you to collect data concerning existing air and water quality, noise, seismicity, subsidence, ecological systems, or other environmental information for up to one year before you begin operating. We must approve your data collection methodologies, and will consult with any other surface managing agency involved.

(d) You must also describe how you will abandon utilization facilities and restore the site, to comply with the requirements of 43 CFR 3200.4.

(e) Finally, submit any additional information or data which we may require.

§ 3272.13 How will BLM review my utilization plan and notify me of their decision?

(a) When BLM receives your utilization plan, we will make sure it is complete and review it for compliance with 43 CFR 3200.4.

(b) If another Federal agency manages the surface of your lease, we will consult with them as part of the plan review.

(c) If we need any further information to complete our review, we will contact you in writing and suspend our

review until we receive the information.

§ 3272.14 How do I get a permit to construct or test my facility?

(a) Before constructing or testing a utilization facility, you must submit to BLM a:

- (1) Utilization plan;
- (2) Complete and signed facility construction permit; and,
- (3) Complete and signed site licence. (See subpart 3273.)

(b) Do not start constructing or testing your utilization facility until we have approved both your facility construction permit and your site licence.

(c) After our review, we will notify you whether we have approved or denied your permit, as well as any conditions we require for conducting operations.

Subpart 3273—How to Apply for a Site License

§ 3273.10 When do I need a site license for a utilization facility?

You must obtain a site license approved by BLM unless your facility will be located on lands leased described under 43 CFR 3273.11. Do not start building or testing your utilization facility on lands leased by BLM for geothermal resources until we have approved both your facility construction permit (See 3272.14) and your site license. The facility operator must apply for the license.

§ 3273.11 Are there any situations where I do not need a site license?

Yes, you do not need one if your facility will be located:

(a) On private lands or on split estate land where the United States does not own the surface; or

(b) On Federal lands not leased for geothermal resources. In these cases, the Federal surface management agency will issue you the permit you need.

§ 3273.12 How will BLM review my site license application?

(a) When we receive your site license application, we will make sure it is complete. If we need more information for our review, we will contact you for

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that information and stop our review until we receive the information.

(b) If your site license is located on leased lands managed by the Department of Agriculture, we will consult with the agency and obtain concurrence before we approve your application. The agency may require additional license terms and conditions.

(c) If the land is subject to section 24 of the Federal Power Act, we will issue the site license with the terms and conditions requested by the Federal Energy Regulatory Commission.

(d) If another Federal agency manages the surface, we will consult with them to determine if they recommend additional license terms and conditions.

(e) After our review, we will notify you whether we approved or denied your license, as well as any additional conditions we require.

§ 3273.13 Are any lands not available for geothermal site licenses?

Yes. BLM will not issue site licenses for lands that are not leased or not available for geothermal leasing. See 43 CFR 3201.11.

§ 3273.14 What area does a site license cover?

The site license covers a reasonably compact tract of Federal land, limited to as much of the surface as is necessary to adequately utilize geothermal resources. That means the site license area will only include the utilization facility itself and other necessary structures, such as substations and processing, repair, or storage facilities areas.

§ 3273.15 What must I give BLM in my site license application?

(a) A description of the boundaries of the land applied for, as determined by a certified licensed surveyor. Describe the land by legal subdivision, section, township and range, or by approved protraction surveys, if applicable;

(b) The affected acreage;

(c) A non-refundable fee of \$50;

(d) A site license bond (See 43 CFR 3273.19);

(e) The first year's rent, if applicable (see 43 CFR 3273.18); and (f) Documentation that the lessee or unit operator

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accepts the siting of the facility, if the facility operator is neither the lessee nor unit operator.

§ 3273.16 What is the annual rent for a site license?

We will specify the amount in your license, if you are required to pay rent. (See 43 CFR 3273.18.) Your rent will be at least \$100 per acre or fraction thereof for an electrical generation facility, and at least \$10 per acre or fraction thereof for a direct use facility. Send the first year's rent to BLM, and all subsequent rental payments to MMS under 30 CFR part 218.

§ 3273.17 May BLM reassess the annual rent for my site license?

Yes, we may reassess the rent for lands covered by the license beginning with the tenth year and every ten years after that.

§ 3273.18 Must all facility operators pay the annual site license rent?

No, if you are a lessee siting a utilization facility on your own lease, or a unit operator siting a utilization facility on leases committed to the unit, you do not need to pay rent. Only a facility operator who is not also a lessee or unit operator must pay rent.

§ 3273.19 What are the bonding requirements for a site license?

(a) For an electrical generation facility, the facility operator must submit a surety or personal bond for at least \$100,000, and which meets the requirements of subpart 3214. BLM may increase the required bond amount. See subparts 3214 and 3215 for additional details on bonding procedures.

(b) For a direct use facility, the facility operator must furnish BLM with a surety or personal bond that meets the requirements of subpart 3214 in an amount BLM will specify.

(c) The bond's terms must cover compliance with the requirements of 43 CFR 3200.4.

(d) Until you provide a bond and BLM approves it, do not start construction, testing, or anything else that would disturb the surface.

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§ 3273.20 When will BLM release my bond?

We will release your bond after you request it and we determine that you have:

- (a) Reclaimed the land; including removing the utilization facility and all associated equipment; and
- (b) Met all the requirements of 43 CFR 3200.4.

§ 3273.21 What are my obligations under the site license?

As the facility operator, you:

- (a) Must comply with the requirements of 43 CFR 3200.4;
- (b) Are liable for all damages to the lands, property or resources of the United States caused by yourself, your employees, contractors or the contractors' employees;
- (c) Must indemnify the United States against any liability for damages or injury to persons or property arising from the occupancy or use of the lands authorized under the site license; and
- (d) Must remove all structures and restore any disturbed surface, when no longer needed for facility construction or operation. This applies to the utilization facility if you cannot operate the facility and you are not diligent in your efforts to return the facility to operation.

§ 3273.22 How long will my site license remain in effect?

- (a) The primary term is 30 years, with a preferential right to renew the license under terms and conditions set by BLM.
- (b) If your lease on which the site license is located ends, you may apply for a facility permit under section 501 of FLPMA, 43 U.S.C. 1761, if your facility is on BLM-managed lands. Otherwise, you must get permission to continue using the surface for your facility from the surface management agency.

§ 3273.23 May I renew my site license?

- (a) You have a preferential right to renew your site license under terms and conditions we determine.
- (b) If your site license is located on leased lands managed by the Department of Agriculture, we will consult with the Federal surface management

agency and obtain concurrence prior to renewing your license. The agency may require additional license terms and conditions. If another federal agency manages the surface, we will consult with them before granting your renewal.

§ 3273.24 May BLM terminate my site license?

Yes, by written order. To prevent termination, you will have 30 days after you receive the order to correct the violation, unless we determine the violation cannot be corrected within 30 days and you are diligently attempting to correct it. We may terminate your site license if you:

- (a) Do not comply with the requirements of 43 CFR 3270.11; or
- (b) Do not comply with the requirements of 43 CFR 3200.4.

§ 3273.25 May I relinquish my site license?

Yes. Send us a written notice for review and approval. We will not approve the relinquishment until you comply with 43 CFR 3273.21.

§ 3273.26 May I assign or transfer my site license?

Yes, you may transfer your site license in whole or in part. Send us your complete and signed transfer application and a \$50 filing fee. Your application must include a written statement that the transferee will comply with all license terms and conditions, and that the lessee accepts the transfer. The transferee must submit a bond meeting the requirements of 43 CFR 3273.19. The transfer is not effective until we approve the bond and site license transfer.

Subpart 3274—Applying for and Obtaining a Commercial Use Permit

§ 3274.10 Do I need a commercial use permit to start commercial operations?

You need your commercial use permit approved by BLM before you begin commercial operations from a Federal lease, a Federal unit, or your utilization facility.

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§ 3274.11 What must I give BLM to approve my commercial use permit application?

Submit a complete and signed commercial permit form with the following information:

(a) The design, specifications, inspection, and calibration schedule of production, injection, and royalty meters;

(b) A schematic diagram of the utilization site or individual well showing the location of each production and royalty meter. If the sales point is located off the utilization site, give us a generalized schematic diagram of the electrical transmission or pipeline system, including meter locations;

(c) A copy of the sales contract for the sale and/or utilization of geothermal resources;

(d) A description and analysis of reservoir, production, and injection characteristics, including the flow rates, temperatures, and pressures of each production and injection well;

(e) A schematic diagram of each production or injection well showing the wellhead configuration, including meters;

(f) A schematic flow diagram of the utilization facility, including interconnections with other facilities, if applicable;

(g) A description of the utilization process in sufficient detail to enable BLM to determine if the resource will be utilized in an acceptable manner;

(h) The planned safety provisions for emergency shutdown to protect public health, safety, property and the environment. This should include a schedule for the testing and maintenance of safety devices;

(i) The environmental and operational parameters that will be monitored during the operation of the facility and/or well(s); and

(j) Any additional information or data that we may require.

§ 3274.12 How will BLM review my commercial use permit application?

(a) When we receive your complete and signed commercial use permit, we will make sure it is complete and review it for compliance with the requirements of 43 CFR 3200.4.

(b) If another Federal agency manages the surface of your lease, we will

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consult with them before we approve your commercial use permit.

(c) We will review your commercial use permit to make sure it conforms with your utilization plan and any mitigation measures we developed while reviewing your plan.

(d) We will check your commercial use permit for technical adequacy and will ensure that your meters meet the accuracy standards. See 43 CFR 3275.14 and 3275.15.

(e) If we need any further information to complete our review, we will contact you in writing and suspend our review until we receive the information.

(f) After our review, we will notify you whether your permit has been approved or denied, as well as any conditions we require for conducting operations.

§ 3274.13 May I get a permit even if I cannot currently demonstrate I can operate within required standards?

Yes, but we may limit your operations to a set period of time, during which we will give you a chance to show you can operate within environmental and operational standards, based on actual facility and well data you collect. Send us a sundry notice to get BLM approval for extending your permit. If during this set time period you still cannot demonstrate your ability to operate within the required standards, we will terminate your authorization. You must then stop all operations and restore the surface to the standards we set in the termination notice.

Subpart 3275—Conducting Utilization Operations

§ 3275.10 How do I change my operations if I have an approved facility construction or commercial use permit?

Send us a complete and signed sundry notice describing your proposed change. Until we approve your sundry notice, you must continue to comply with the original permit terms.

§ 3275.11 What are a facility operator's obligations?

(a) Your obligations are to:

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(1) Keep the facility in proper operating condition at all times;

(2) Conduct training during your operation which ensure your personnel are capable of performing emergency procedures quickly and effectively;

(3) Use properly maintained equipment; and

(4) Use operational practices which allow for quick and effective emergency response.

(b) Base the design of the utilization facility siting and operation on sound engineering principles and other pertinent geologic and engineering data; and,

(c) Prevent waste of, or damage to, geothermal and other energy and minerals resources.

(d) Comply with the requirements of 43 CFR 3200.4.

§ 3275.12 What environmental and safety requirements apply to facility operations?

(a) You must perform all utilization facility operations to:

(1) Protect the quality of surface and subsurface waters, air, and other natural resources, including wildlife, soil, vegetation, and natural history;

(2) Prevent unnecessary or undue degradation of the lands;

(3) Protect the quality of cultural, scenic and recreational resources;

(4) Accommodate other land uses as much as possible;

(5) Protect people and wildlife from unacceptable levels of noise;

(6) Prevent injury; and

(7) Prevent damage to property.

(b) You must monitor facility operations to identify and address local environmental resources and concerns associated with your facility or lease operations.

(c) You must remove or, with BLM approval, properly store all equipment and materials not in use.

(d) You must properly abandon and reclaim any disturbed surface to standards approved or prescribed by us, when the land is no longer needed for facility construction or operation.

(e) When we require, you must submit a contingency plan describing procedures to protect public health and safety, property, and the environment.

(f) You must comply with the requirements of 43 CFR 3200.4.

§ 3275.13 Does the facility operator have to measure the geothermal resources?

Yes, the facility operator must:

(a) Measure all production, injection and utilization in accordance with methods and standards we approve (see 43 CFR 3275.15); and

(b) Maintain and test all metering equipment. If your equipment is defective or out of tolerance, you must promptly recalibrate, repair, or replace it. Determine the amount of production and/or utilization in accordance with the methods and procedures we approve (See 43 CFR 3275.17).

§ 3275.14 What aspects of my geothermal operations must I measure?

(a) For all well operations, you must measure wellhead flow, wellhead temperature, and wellhead pressure.

(b) For all electrical generation facilities, you must measure:

(1) Steam and/or hot water flow into the facility;

(2) Temperature of the water and/or steam into the facility;

(3) Pressure of the water and/or steam into the facility;

(4) Gross electricity generated;

(5) Net electricity at the facility tailgate;

(6) Electricity delivered to the sales point; and

(7) Temperature of the steam and/or hot water exiting the facility.

(c) For direct use facilities, you must measure:

(1) Flow of steam and/or hot water;

(2) Temperature into the facility; and

(3) Temperature out of the facility.

(d) We may also require additional measurements depending on the type of facility, the type and quality of the resource, and the terms of the sales contract.

§ 3275.15 How accurately must I measure my production and utilization?

It depends on whether you use the meter in calculating Federal production or royalty, and what quantity of resource you are measuring.

(a) For meters that you use to calculate Federal royalty:

§ 3275.16

(1) If the meter measures electricity, it must have an accuracy of $\pm 0.25\%$ or better of reading;

(2) If the meter measures steam flowing more than 100,000 lbs/hr on a monthly basis, it must have an accuracy of ± 2 percent or better of reading;

(3) If the meter measures steam flowing less than 100,000 lbs/hr on a monthly basis, it must have an accuracy of ± 4 percent or better of reading;

(4) If the meter measures water flowing more than 500,000 lbs/hr on a monthly basis, it must have an accuracy of ± 2 percent or better of reading;

(5) If the meter measures water flowing 500,000 lbs/hr or less on a monthly basis, it must have an accuracy of ± 4 percent or better of reading;

(6) If the meter measures heat content, it must have an accuracy of ± 4 percent or better; or

(7) If the meter measures two phase flow at any rate, we will determine meter accuracy requirements. You must obtain our prior written approval before installing and using meters for two phase flow.

(b) Any meters that you do not use to calculate Federal royalty are considered production meters, which must maintain an accuracy of ± 5 percent or better of reading.

(c) We may modify these requirements as necessary to protect the interests of the United States.

§ 3275.16 What standards apply to installing and maintaining my meters?

(a) You must install and maintain all meters we require according to the manufacturer's recommendations and specifications or paragraphs (b) through (e) of this section, whichever is more restrictive.

(b) If you use an orifice plate to calculate Federal royalty, the orifice plate installation must comply with "API Manual of Petroleum Standards, Chapter 14, Section 3, part 2, Third Edition, February, 1991."

(c) For meters used to calculate Federal royalty, you must calibrate the meter against a known standard as follows:

(1) You must calibrate meters measuring electricity annually;

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(2) You must calibrate meters measuring steam or hot water flow with a turbine, vortex, ultrasonics, or other linear devices, every six months, or as recommended by the manufacturer, whichever is more frequent; and

(3) You must calibrate meters measuring steam or hot water flow with an orifice plate, venturi, pitot tube, or other differential device, every month and you must inspect and repair the primary device (orifice plate, venturi, pitot tube) annually.

(d) You must use calibration equipment that is more accurate than the equipment you are calibrating.

(e) BLM may modify any of these requirements as necessary to protect the resources of the United States.

§ 3275.17 What must I do if I find an error in a meter?

(a) If you find an error in a meter used to calculate Federal royalty, you must correct the error immediately and notify BLM by the next working day of its discovery.

(b) If the meter is not used to calculate Federal royalty, you must correct the error and notify us within three days of its discovery.

(c) If correcting the error will cause a change in the sales quantity of more than 2% for the month(s) in which the error occurred, you must adjust the sales quantity for that month(s) and submit an amended facility report to us within three working days.

§ 3275.18 May BLM require me to test for byproducts associated with geothermal resource production?

Yes, you must conduct any tests we require, including tests for byproducts.

§ 3275.19 May I commingle production?

To request approval to commingle production, send us a complete and signed sundry notice. We will review your request to commingle production from wells on your lease with production from your other leases or from leases where you do not have an interest. Do not commingle production until we have approved your sundry notice.