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e-CFR Data is current as of August 13, 2012

Title 30: Mineral Resources

[Browse Previous](#) | [Browse Next](#)

PART 1210—FORMS AND REPORTS

Section Contents

[Subpart A—General Provisions](#)

- [§ 1210.01 What is the purpose of this subpart?](#)
- [§ 1210.02 To whom do these regulations apply?](#)
- [§ 1210.10 What are the OMB-approved information collections?](#)
- [§ 1210.20 What if I disagree with the burden hour estimates?](#)
- [§ 1210.21 How do I report my taxpayer identification number?](#)
- [§ 1210.30 What are my responsibilities as a reporter/payor?](#)
- [§ 1210.40 Will ONRR keep the information I provide confidential?](#)

[Subpart B—Royalty Reports—Oil, Gas, and Geothermal Resources](#)

- [§ 1210.50 What is the purpose of this subpart?](#)
- [§ 1210.51 Who must submit royalty reports?](#)
- [§ 1210.52 What royalty reports must I submit?](#)
- [§ 1210.53 When are my royalty reports and payments due?](#)
- [§ 1210.54 Must I submit this royalty report electronically?](#)
- [§ 1210.55 May I submit this royalty report manually?](#)
- [§ 1210.56 Where can I find more information on how to complete the royalty report?](#)
- [§ 1210.60 What definitions apply to this subpart?](#)

[Subpart C—Production Reports—Oil and Gas](#)

- [§ 1210.100 What is the purpose of this subpart?](#)
- [§ 1210.101 Who must submit production reports?](#)
- [§ 1210.102 What production reports must I submit?](#)
- [§ 1210.103 When are my production reports due?](#)
- [§ 1210.104 Must I submit these production reports electronically?](#)
- [§ 1210.105 May I submit these production reports manually?](#)
- [§ 1210.106 Where can I find more information on how to complete these production reports?](#)

[Subpart D—Special-Purpose Forms and Reports—Oil, Gas, and Geothermal Resources](#)

- [§ 1210.150 What is the purpose of this subpart?](#)
- [§ 1210.151 What reports must I submit to claim an excess allowance?](#)
- [§ 1210.152 What reports must I submit to claim allowances on an Indian lease?](#)
- [§ 1210.153 What reports must I submit for Indian gas valuation purposes?](#)
- [§ 1210.154 What documents or other information must I submit for Federal oil valuation](#)

§ 1210.50 What is the purpose of this subpart?



The purpose of this subpart is to explain royalty reporting requirements when energy and mineral resources are removed from Federal and Indian oil and gas and geothermal leases and federally approved agreements. This includes leases and agreements located onshore and on the Outer Continental Shelf (OCS).

§ 1210.51 Who must submit royalty reports?



(a) Any person who pays royalty to ONRR must submit royalty reports to ONRR.

(b) Before you pay or report to ONRR, you must obtain a payor code. To obtain a payor code, refer to the ONRR *Minerals Revenue Reporter Handbook* for instructions and ONRR contact information (also see §1210.56 for information on how to obtain a handbook).

§ 1210.52 What royalty reports must I submit?



You must submit a completed Form MMS–2014, Report of Sales and Royalty Remittance, to ONRR with:

(a) All royalty payments; and

(b) Rents on nonproducing leases, where specified in the lease.

§ 1210.53 When are my royalty reports and payments due?



(a) Completed Forms MMS–2014 for royalty payments and the associated payments are due by the end of the month following the production month (see also §1218.50 of this chapter).

(b) Completed Forms MMS–2014 for rental payments, where applicable, and the associated payments are due as specified by the lease terms (see also §1218.50 of this chapter).

(c) You may submit reports and payments early.

§ 1210.54 Must I submit this royalty report electronically?



(a) You must submit Form MMS–2014 electronically unless you qualify for an exception under §1210.55 (a).

(b) As of December 31, 2011, all reporters/payors must report to ONRR electronically via the eCommerce Reporting Web site. All reporters/payors also must report royalty data directly or upload files using the ONRR electronic web form located at <https://onrrreporting.onrr.gov>. You must upload your files in one of the following formats: The American Standard Code for information interchange (ASCII) or Comma Separated Values (CSV) formats. You must create your external files in the proprietary ASCII and CSV file layout formats defined by ONRR. You can generate these external files from your system application. Reporters/payors also can access detailed information and instructions regarding how to

use the eCommerce Reporting Web site at http://www.onrr.gov/FM/PDFDocs/eCommerce_FAQ.pdf.

(c) Refer to our electronic reporting guidelines in the ONRR *Minerals Revenue Reporter Handbook*, for the most current reporting options, instructions, and security measures. The handbook may be found on our Internet Web site or you may call your ONRR customer service representative (see §1210.56 for further information on how to obtain a handbook).

[73 FR 15892, Mar. 26, 2008, as amended at 77 FR 25879, May 2, 2012]

§ 1210.55 May I submit this royalty report manually?



(a) The ONRR will allow you to submit Form MMS–2014 manually if:

(1) You have never reported to ONRR before. You have 3 months from the date your first report is due to begin reporting electronically;

(2) You report only rent, minimum royalty, or other annual obligations on Form MMS–2014; or

(3) You are a small business, as defined by the U.S. Small Business Administration, and you have no computer.

(b) If you meet the qualifications under paragraph (a) of this section, you may submit your form manually to ONRR by:

(1) U.S. Postal Service regular or express mail addressed to Office of Natural Resources Revenue, P.O. Box 25627, Denver, CO 80225–0627; or

(2) Special courier or overnight mail addressed to Office of Natural Resources Revenue, Building 85, Room A–614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225.

[73 FR 15892, Mar. 26, 2008, as amended at 77 FR 25879, May 2, 2012]

§ 1210.56 Where can I find more information on how to complete the royalty report?



(a) Refer to the ONRR *Minerals Revenue Reporter Handbook* for specific guidance on how to prepare and submit Form MMS–2014. You may find the handbook at <http://www.onrr.gov/FM/Handbooks/default.htm> or from the contacts on that Web page.

(b) Reporters/payors should refer to the handbook for specific guidance on royalty reporting requirements. If you require additional information, you should contact ONRR at the above address. A customer service telephone number is also listed in our handbook.

(c) You may find Form MMS–2014 at http://www.onrr.gov/FM/Forms/AFSOil_Gas.htm or from contacts listed on that Web page.

[48 FR 35641, Aug. 5, 1983, 76 FR 76615, Dec. 8, 2011; 77 FR 25879, May 2, 2012]

§ 1210.60 What definitions apply to this subpart?



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

Subpart C—Production Reports—Oil and Gas



Source: 73 FR 15892, Mar. 26, 2008, unless otherwise noted.

§ 1210.100 What is the purpose of this subpart?



The purpose of this subpart is to explain production reporting requirements when energy and mineral resources are removed from Federal and Indian oil and gas leases and federally approved agreements. This includes leases and unit and communitization agreements located onshore and on the Outer Continental Shelf (OCS).

§ 1210.101 Who must submit production reports?



(a) If you operate a Federal or Indian oil and gas lease or federally approved unit or communitization agreement, you must submit production reports.

(b) Before reporting production to ONRR, you must obtain an operator number. To obtain an operator number, refer to the ONRR *Minerals Production Reporter Handbook* for instructions and ONRR contact information (also see §1210.106 for information on how to obtain a handbook).

§ 1210.102 What production reports must I submit?



(a) Form MMS–4054, Oil and Gas Operations Report. If you operate a Federal or Indian onshore or OCS oil and gas lease or federally approved unit or communitization agreement that contains one or more wells that are not permanently plugged or abandoned, you must submit Form MMS–4054 to ONRR:

(1) You must submit Form MMS–4054 for each well for each calendar month, beginning with the month in which you complete drilling, unless:

(i) You have only test production from a drilling well; or

(ii) The ONRR tells you in writing to report differently.

(2) You must continue reporting until:

(i) The Bureau of Land Management (BLM) or ONRR approves all wells as permanently plugged or abandoned or the lease or unit or communitization agreement is terminated; and

(ii) You dispose of all inventory.

(b) Form MMS–4058, Production Allocation Schedule Report. If you operate an offshore facility measurement point (FMP) handling production from a Federal oil and gas lease or federally approved unit agreement that is commingled (with approval) with production from any other source prior to measurement for royalty determination, you must file Form MMS–4058.

(1) You must submit Form MMS–4058 for each calendar month beginning with the month in which you first handle production covered by this section.

(2) Form MMS–4058 is not required whenever all of the following conditions are met:

(i) All leases involved are Federal leases;

(ii) All leases have the same fixed royalty rate;

(iii) All leases are operated by the same operator;

(iv) The facility measurement device is operated by the same person as the leases/agreements;

(v) Production has not been previously measured for royalty determination; and

(vi) The production is not subsequently commingled and measured for royalty determination at an FMP for which Form MMS–4058 is required under this part.

§ 1210.103 When are my production reports due?



(a) The ONRR must receive your completed Forms MMS–4054 and MMS–4058 by the 15th day of the second month following the month for which you are reporting.

(b) A report is considered received when it is delivered to ONRR by 4 p.m. mountain time at the addresses specified in §1210.105. Reports received after 4 p.m. mountain time are considered received the following business day.

§ 1210.104 Must I submit these production reports electronically?



(a) You must submit Forms MMS–4054 and MMS–4058 electronically unless you qualify for an exception under §1210.105.

(b) As of December 31, 2011, all reporters/payors must report to ONRR electronically via the eCommerce Reporting Web site. All reporters/payors also must report production data directly or upload files using the ONRR electronic web form located at <https://onrrreporting.onrr.gov>. You must upload your files in one of the following formats: The American Standard Code for information interchange (ASCII) or Comma Separated Values (CSV) formats. You must create your external files in the proprietary ASCII and CSV file layout formats defined by ONRR. You can generate these external files from your system application. Reporters/payors also can access detailed information and instructions regarding how to use the eCommerce Reporting Web site at http://www.onrr.gov/FM/PDFDocs/eCommerce_FAQ.pdf.

(c) Refer to our electronic reporting guidelines in the ONRR *Minerals Production Reporter Handbook* for the most current reporting options, instructions, and security measures. The handbook may be found on our Internet Web site or you may call your ONRR customer service representative (see §1210.106 for further information on how to obtain a handbook).

[73 FR 15892, Mar. 26, 2008, as amended at 77 FR 25880, May 2, 2012]

§ 1210.105 May I submit these production reports manually?



(a) The ONRR will allow you to submit Forms MMS–4054 and MMS–4058 manually if:

(1) You have never reported to ONRR before. You have 3 months from the day your first report is due to begin reporting electronically; and

(b) *Reporting options.* You must submit Forms MMS–4410 and MMS–4411 manually. You may find the forms at http://www.onrr.gov/FM/Forms/AFSOil_Gas.htm or from contacts listed on that Web page.

(c) *Reporting address.* You must submit completed Forms MMS–4410 and MMS–4411 by:

- (1) U.S. Postal Service regular or express mail addressed to Office of Natural Resources Revenue, P.O. Box 25165, Denver, CO 80225–0165; or
- (2) Special courier or overnight mail addressed to Office of Natural Resources Revenue, Building 85, Room A–614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225.

[48 FR 35641, Aug. 5, 1983, 76 FR 76615, Dec. 8, 2011; 77 FR 25879, 25880, May 2, 2012]

§ 1210.154 What documents or other information must I submit for Federal oil valuation purposes?



(a) *General.* The ONRR may require you to submit documents or other information to ONRR to support your valuation of Federal oil under part 1206 as part of audit compliance.

(b) *Reporting options.* You must submit the documents or other information manually.

(c) *Reporting address.* You must submit required documents or other information by:

- (1) U.S. Postal Service regular or express mail addressed to Office of Natural Resources Revenue, P.O. Box 25165, Denver, CO 80225–0165; or
- (2) Special courier or overnight mail addressed to Office of Natural Resources Revenue, Building 85, Room A–614, MS 392B2, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225.

[73 FR 15892, Mar. 26, 2008, as amended at 77 FR 25879, May 2, 2012]

§ 1210.155 What reports must I submit for Federal onshore stripper oil properties?



(a) *General.* Operators who have been granted a reduced royalty rate by the Bureau of Land Management (BLM) under 43 CFR 3103.4–2 must submit Form MMS–4377, Stripper Royalty Rate Reduction Notification, under 43 CFR 3103.4–2(b)(3).

(b) *Reporting options.* You may find Form MMS–4377 at http://www.onrr.gov/FM/Forms/AFSOil_Gas.htm. You may file the form:

(1) Electronically by filling the form out in electronic format and submitting it to ONRR as an e-mail attachment; or

(2) Manually by filling out the form and submitting it by:

- (i) U.S. Postal Service regular or express mail addressed to Office of Natural Resources Revenue (ONRR), P.O. Box 25165, Denver, CO 80225–0165; or
- (ii) Special courier or overnight mail addressed to Office of Natural Resources Revenue, Building 85, Room A–614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225.

[48 FR 35641, Aug. 5, 1983, 76 FR 76615, Dec. 8, 2011; 77 FR 25879, 25880, May 2, 2012]

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TM

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Title 30: Mineral Resources

[Browse Previous](#) | [Browse Next](#)

PART 1212—RECORDS AND FILES MAINTENANCE

Section Contents

[Subpart A—General Provisions \[Reserved\]](#)

[Subpart B—Oil, Gas, and OCS Sulphur—General](#)

[§ 1212.50 Required recordkeeping and reports.](#)

[§ 1212.51 Records and files maintenance.](#)

[§ 1212.52 Definitions.](#)

[Subpart C—Federal and Indian Oil \[Reserved\]](#)

[Subpart D—Federal and Indian Gas \[Reserved\]](#)

[Subpart E—Solid Minerals—General](#)

[§ 1212.200 Maintenance of and access to records.](#)

[Subpart F—Coal \[Reserved\]](#)

[Subpart G—Other Solid Minerals \[Reserved\]](#)

[Subpart H—Geothermal Resources](#)

[§ 1212.350 Definitions.](#)

[§ 1212.351 Required recordkeeping and reports.](#)

[Subpart I—OCS Sulfur \[Reserved\]](#)

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

Source: 48 FR 35641, Aug. 5, 1983, unless otherwise noted. Redesignated at 75 FR 61084, Oct. 4, 2010.

Subpart A—General Provisions [Reserved]



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



§ 1212.50 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 be maintained for a longer period. When an audit or investigation is underway, records shall be maintained until the recordholder is released by written notice of the obligation to maintain records.

[49 FR 37345, Sept. 21, 1984]

§ 1212.51 Records and files maintenance.



(a) *Records.* Each lessee, operator, revenue payor, or other person shall make and retain accurate and complete records necessary to demonstrate that payments of rentals, royalties, net profit shares, and other payments related to offshore and onshore Federal and Indian oil and gas leases are in compliance with lease terms, regulations, and orders. Records covered by this section include those specified by lease terms, notices and orders, and by the various parts of this chapter. Records also include computer programs, automated files, and supporting systems documentation used to produce automated reports or magnetic tape submitted to the Office of Natural Resources Revenue (ONRR).

(b) *Period for keeping records.* Lessees, operators, revenue payors, or other persons required to keep records under this section shall maintain and preserve them for 6 years from the day on which the relevant transaction recorded occurred unless the Secretary notifies the record holder of an audit or investigation involving the records and that they must be maintained for a longer period. When an audit or investigation is underway, records shall be maintained until the recordholder is released in writing from the obligation to maintain the records. Lessees, operators, revenue payors, or other persons shall maintain the records generated during the period for which they have paying or operating responsibility on the lease for a period of 6 years.

(c) *Inspection of records.* The lessee, operator, revenue payor, or other person required to keep records shall be responsible for making the records available for inspection. Records shall be provided at a business location of the lessee, operator, revenue payor, or other person during normal business hours upon the request of any officer, employee or other party authorized by the Secretary. Lessees, operators, revenue payors, and other persons will be given a reasonable period of time to produce historical records.

[49 FR 37345, Sept. 21, 1984; 49 FR 40576, Oct. 17, 1984, as amended at 67 FR 19111, Apr. 18, 2002]

§ 1212.52 Definitions.

