

## 1. What are the contents of a Notice of Staking?

Respondents use the same template that originally was included in Onshore Order No. 1 at 72 FR 10307, at 10337 (March 7, 2007). That template lists the following items:

- Oil Well, Gas Well, or Other? (Specify);
- Name, Address, and Telephone of Operator;
- Name and Telephone of Specific Contact Person;
- Surface Location of Well — Attach:
  - A. Sketch showing road entry onto pad, pad dimensions, and reserve pit; and
  - B. Topographical or other acceptable map (e.g., a USGS 7½" Quadrangle) showing location, access road, and lease boundaries;
- Lease Number;
- If Indian, Allottee or Tribe Name;
- Unit Agreement Name;
- Well Name and Number;
- American Petroleum Institute (API) Well Number (if available);
- Field Name or Wildcat;
- Section, Township, Range, Meridian or Block and Survey or Area;
- County, Parish, or Borough;
- State;
- Name and Depth of Formation Objective(s);
- Estimated Well Depth;
- For directional or horizontal wells, anticipated bottom-hole location;
- Additional Information (as appropriate; include surface owner's name, address and, if known, telephone);
- Signature and Title of Signor; and
- Date.

## 2. Is there a simple way (e.g., a table that's less complex than the tables in Item # 15) to summarize all of the changes to control no. 1004-0137 that result from rule makings?

The program changes resulting from rule makings consist of 13 new information-collection (IC) activities and 4 removed IC activities.<sup>1</sup> Two of the new activities are a result of the revision of Onshore Order 1. Eleven of the new activities are a result of the Site Security Rule. Three of the removed activities are due to the Site Security Rule. One removed activity is due to the Waste Prevention Rule of September 2018.

We have prepared the following narratives in an attempt to further clarify the tables in Item # 15 of the supporting statement.

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<sup>1</sup> An additional new IC activity, which does not result from rule makings, has been in longtime use without a control number. This activity, Notification of Production Start or Resumption (43 CFR 3162.4-1(c)), requires respondents to use form 3160-5 (Sundry Notices and Reports on Wells).

### ***Revision of Onshore Order 1 (Control No. 1004-0213)***

Onshore Order 1, as revised, requires electronic filing (e-filing) of all Applications for Permit to Drill (APD) and Notices of Staking (NOS) — The APD historically has been included in control no. 1004-0137. Therefore the only change to the APD in this ICR is the e-filing requirement.

The following provisions of Onshore Order 1, as revised, result in the addition of the following IC activities to control 1004-0137:

1. The NOS, which is an IC activity that historically has been in use without a control number; and
2. Request for waiver of the new e-filing requirements.

The BLM has requested that all the information-collection aspect of revised Onshore Order 1 be merged with control no. 1004-0137. Upon approval of this request by the OMB, the BLM plans to discontinue control no. 1004-0213.

### ***Site Security Rule (Control No. 1004-0207)***

In the Site Security Rule,<sup>2</sup> the BLM amended some of the regulations in 43 CFR part 3160 and added a new 43 CFR part 3170. Within the new and amended regulations are 20 IC activities that the OMB approved under control number 1004-0207. The BLM plans to maintain seven of these activities within control no. 1004-0207.

Of the 20 activities that are currently within control no. 1004-0207, the following 13 provide for new uses of Form 3160-5, Sundry Notices and Reports on Wells:

1. Variance Requests (43 CFR 3170.6) (Annual);
2. Site Facility Diagrams for Existing Facilities (43 CFR 3173.11(d)(2)) (One-time);
3. Site Facility Diagrams for Future Facilities (43 CFR 3173.11(d)(1)) (Annual);
4. Request for Approval of an FMP for Existing Measurement Facilities (43 CFR 3173.12(e)) (One-time);
5. Request for Approval of an FMP for Future Measurement Facilities (43 CFR 3173.12(d)) (Annual);
6. Modifications to an FMP (43 CFR 3173.13(b)(1)) (Annual);
7. Request for Approval of an Existing CAA (43 CFR 3173.15) (One-time);
8. Request for Approval of a Future CAA (43 CFR 3173.15) (Annual);
9. Response to Notice of Insufficient CAA (43 CFR 3173.16) (Annual);
10. Request to Modify a CAA (43 CFR 3173.18) (Annual);
11. Request for Approval of Off-Lease Measurement – General (43 CFR 3173.23) (Annual);
12. Request for Approval of Off-Lease Measurement – Amendment of an Existing Approval (43 CFR 3173.23) (One-time);
13. Response to Notice of Insufficient Off-Lease Measurement Approval (43 CFR 3173.25) (Annual)

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<sup>2</sup> 81 FR 81356 (November 17, 2016).

The Sundry Notices form has been approved under control no. 1004-0137, and the BLM has requested that this form be maintained within control no. 1004-0137. In this ICR for the renewal of control number 1004-0137, the BLM has requested the addition of 10 new uses of the Sundry Notices form that were included in the Site Security Rule. We combined some of the new uses in this ICR for the following reasons:

- Two of the new uses of the Sundry Notice form involve the same regulation (i.e., 43 CFR 3173.11);
- Two additional new uses of the Sundry Notice form involve the same regulation (i.e., 43 CFR 3173.23); and
- Two additional new uses of the Sundry Notice form involve the same regulation (i.e., 43 CFR 3173.15).

We are requesting the removal of the following IC activities from control no. 1004-0137 because of the Site Security Rule:

1. Schematic/Facility Diagrams (43 CFR 3162.4-1(a) and 3162.7-5(d)(1);
2. Records for Seals (43 CFR 3162.7-5(b)); and
3. Site Security (43 CFR 3162.7-5(c)).

The BLM rescinded Section 3162.7-5, which provided express regulatory authorization for all of these activities. While section 3162.4-1(a) implicated but did not expressly authorize the “Schematic/Facility Diagrams” activity, the rescission of section 3162.7-5 compels the removal of that activity from control no. 1004-0137.

### ***Waste Prevention 2018 Final Rule (Control No. 1004-0211)***

In a rule promulgated in 2016,<sup>3</sup> the BLM issued new regulations to reduce waste of natural gas from venting, flaring, and leaks during oil and natural gas production on onshore Federal and Indian (other than Osage Tribe) leases. OMB approved the information collection activities in the 2016 rule under control number 1004-0211, with an expiration date of January 31, 2018 and with Terms of Clearance. In a subsequent rulemaking,<sup>4</sup> OMB changed the expiration date of control number 1004-0211 to December 31, 2020 and extended the deadline for complying with the Terms of Clearance to no later than three months after January 17, 2019.

On September 28, 2018, the BLM issued a final rule (83 FR 49184) that affected many regulations and information collection activities that were in the 2016 rule. The BLM requested revision of control number 1004-0211. In addition, the 2018 final rule rescinded regulatory authority<sup>5</sup> for gas flaring, which is one of the historic control no. 1004-0137 IC activities. The September 28, 2018 final rule<sup>6</sup> also preserved regulations at 43 CFR Subpart 3179, from the 2016 rule, that replaced the authority for the gas flaring information collection activity.

<sup>3</sup> 81 FR 83008 (Nov. 18, 2016).

<sup>4</sup> Waste Prevention, Production Subject to Royalties, and Resource Conservation; Delay and Suspension of Certain Requirements, Final Rule, 82 FR 58050 (Dec. 8, 2017).

<sup>5</sup> That authority was Notice to Lessees and Operators of Onshore Federal and Indian Oil and Gas Leases, Royalty or Compensation for Oil and Gas Lost (NTL-4A).

<sup>6</sup> 83 FR at 7944 (text of 43 CFR 3179.1).

Thus, the BLM now requests removal of the activity titled “Gas Flaring” from control number 1004-0137.

**3. In view of the revisions in the Site Security Rule, why is there no burden change for the activity labeled "Well Completion or Re-completion Report and Log?"**

In the Site Security rulemaking, we determined that only minimal burdens result from amendments pertaining to well completion and re-completion.

As discussed above under Question 2, the regulations in the Site Security Rule included several types of new and amended IC activities that resulted in new or amended burdens. However, the BLM believes that none of these regulations affect the burdens of the well completion / re-completion activity.

A. The new definition of “record holders” at 43 CFR 3162.4-1(e) does not affect who must comply with the well-completion / re-completion activity. This is because well completion and re-completion remain the responsibility of “operators,” who also remain the respondents for the completion / re-completion activity.

Historically, section 3162.4-1 (“Well Records and Reports”) has applied to “operators,” i.e., the lessees or operating rights owners, who by definition have acknowledged in writing that they are responsible for the operations conducted (see 43 CFR 3160.0-5). The Site Security Rule did not revise this definition of “operator,” but it did expand the scope of some IC activities to include “record holders,” i.e., not only lessees and operating rights owners, but also purchasers, transporters, and any other person directly involved in producing, transporting, purchasing, or selling, including measuring, oil or gas through the point of royalty measurement or the point of first sale, whichever is later. None of the new “record holders” conduct well-completion or recompletion operations. Therefore there are no new classes of respondents for the IC activity.

B. Sections 3162.4-1 and 3170.7 of the Site Security Rule require maintenance of “source records” that are relevant to determining and verifying the quality, quantity, and disposition of production from or allocable to Federal or Indian leases. However, source records are not included in the information pertaining to well completion or re-completion.

C. Previous regulations (see, for example, 43 CFR 3162.4-1(d) (2015)) required retention of records for six years from the date they were generated. With some exceptions, new section 3170.7 requires records from Federal leases to be retained for seven years, and requires records from Indian leases to be maintained for six years. Thus, the Site Security Rule requires operators to retain some records pertaining to well completion and re-completion for seven years instead of six years. While the BLM acknowledges that this change may represent an incremental increase in the burdens pertaining to well completion and re-completion, the BLM believes that the change in burdens is *de minimis*.

One IC that was revised in the Site Security Rule<sup>7</sup> previously was approved by OMB under control no. 1004-0137. The BLM does not anticipate that the revisions of this provision, in themselves, will affect the paperwork burdens of this activity.

For these reasons, the BLM did not include this activity in its Paperwork Reduction Act (PRA) analysis under control no. 1004-0207.

**4. To what extent are the burdens in control no. 1004-0137 a result of the Site Security Rule and control no. 1004-0207?**

In this ICR for the renewal of control number 1004-0137, the BLM has requested:

1. The transfer of 10 new uses of the Sundry Notices form that were included in the Site Security Rule; and
2. The removal of three historic IC activities that were superseded by the Site Security Rule.

The net effect of the Site Security Rule on the burdens in control no. 1004-0137 is 86,981 additional responses, 429,752 additional hours, and an addition dollar equivalent of \$28,075,698.

The following table itemizes the estimated burdens of the new uses of the Sundry Notices form.

**Table 1**  
**Estimated Annual Burdens Proposed to be Transferred from Control No. 1004-0207 to Control No. 1004-0137**

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$65.33<sup>8</sup>)</b>
Variance Requests 43 CFR 3170.6	100	8	800	\$52,264
Site Facility Diagrams 43 CFR 3173.11 Form 3160-5	9,156	8	73,248	\$4,785,291.80
Request for Approval of an FMP for Existing Measurement Facilities 43 CFR 3173.12(e) Form 3160-5 One-time	166,232	2	332,464	\$21,719,873.12

<sup>7</sup> Well and Facility Identification (43 CFR 3162.6).

<sup>8</sup> As calculated at Table 12-1 of the supporting statement for the renewal of control number 1004-0137.

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$65.33)</b>
Request for Approval of an FMP for Future Measurement Facilities 43 CFR 3173.12(d) Form 3160-5 Annual	1,000	2	2,000	\$130,660
Modifications to an FMP 43 CFR 3173.13(b)(1) Form 3160-5 Annual	1,000	2	2,000	\$130,660
Request for Approval of a CAA 43 CFR 3173.15 Form 3160-5 One-time	2,162	40	86,480	\$5,649,738.40
Response to Notice of Insufficient CAA 43 CFR 3173.16 Form 3160-5 Annual	150	40	6,000	\$391,980
Request to Modify or Terminate a CAA 43 CFR 3173.18 and 3173.20 Form 3160-5 Annual	500	40	20,000	\$1,306,600
Request for Approval or Termination of Off- Lease Measurement 43 CFR 3173.23 and 3173.27 Form 3160-5 and related Information	166	10	1,660	\$108,447.80
Response to Notice of Insufficient Off-Lease Measurement Approval 43 CFR 3173.25 Form 3160-5 Annual	15	40	600	\$39,198
<b>Totals</b>	<b>180,481</b>	<b>—</b>	<b>525,252</b>	<b>\$34,314,713</b>

**Table 2**  
**Estimated Annual Burdens Proposed to be Removed from Control No. 1004-0137 Due to the Site Security Rule**

<b>A. Type of Response</b>	<b>B. Number of Responses</b>	<b>C. Hours per Response</b>	<b>D. Total Hours (Column B x Column C)</b>	<b>E. Dollar Equivalent (Column D x \$65.33<sup>9</sup>)</b>
Schematic / Facility Diagrams 43 CFR 3162.4- 1(a) and 3162.7- 5(d)(1)	1,000	8	8,000	\$522,640
Records for Seals 43 CFR 3162.7- 5(b)	90,000	0.75	67,500	\$4,409,775
Site Security 43 CFR 3162.5- 5(c)	2,500	8	20,000	\$1,306,600
Totals	93,500	—	95,500	\$6,239,015

**5. How is it that we use the Sundry Notices form for so many different purposes? Is it desirable to develop new forms for specific purposes?**

During most of the history of oil and gas production on Federal lands, operators have used a Sundry Notices form to notify the government of the intention to do miscellaneous work, and to report the subsequent results of that work. Examples of such work include any changes to a well or well site, such as the start of construction for a well site, starting production, and altering well casings. The government has not yet determined a need for a specific form for notices and subsequent reports of much of this miscellaneous work.

Starting in the 1920s, the U.S. Geological Survey (USGS) managed federal oil and gas leases in accordance with the Mineral Leasing Act. By 1949, the USGS had promulgated regulations that required oil and gas operators to use forms called “Sundry notices and reports” for all notices of intention and all subsequent reports on individual wells, except those for which special forms were prescribed. 30 CFR 200.1(g) and 221.58 (1949). In addition to twelve illustrative uses for sundry notices and reports, the USGS regulations provided that operators could insert a “special heading” into the form, and report any operation that was not covered by any other form.

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<sup>9</sup> As calculated at Table 12-1 of the supporting statement for the renewal of control number 1004-0137.

In 1982, Secretary Watt transferred onshore minerals management functions to the BLM.<sup>10</sup> That same year, the BLM adopted a multi-purpose form called Sundry Notices and Reports on Wells. State regulatory agencies use similar forms.

**6. What changes, if any, were made to the activity labeled "Measurement Tickets," in addition to the title of the activity?**

The activity now labeled "Measurement Tickets" replaces a historic IC activity that was labeled "Prepare Run Tickets." Section 3174.12 of the final rule on measurement of oil (81 FR 81462 (Nov. 17, 2016)) has replaced the previous regulations that provided the authority for collecting information on run tickets. (The term "measurement ticket" is synonymous with the term "run ticket.") The new regulation does not change the estimated burdens.

Section 3174.12 specifies the requirements for measurement tickets. Like the historic activity, the information that is collected enables the BLM to verify the quantity and quality of oil removed from a lease during production audits. Unlike the historic activity, the specific requirements depend on the method by which an operator measures oil.

*Measurement of oil by tank gauging*

After measuring oil by tank gauging, the operator, purchaser, or transporter, as appropriate, must complete a uniquely numbered measurement ticket, in either paper or electronic format, with the following information:

- Lease, unit PA, or CA number;
- Unique tank number and nominal tank capacity;
- Opening and closing dates and times;
- Opening and closing gauges and observed temperatures in °F;
- Observed volume for opening and closing gauge, using tank specific calibration charts (see 43 CFR 3174.5(c));
- Total gross standard volume removed from the tank following API 11.1 (incorporated by reference, see 43 CFR 3174.3);
- Observed API oil gravity and temperature in °F;
- API oil gravity at 60 °F, following API 11.1 (incorporated by reference, see 43 CFR 3174.3);
- Sediment and water (S&W) content percent;
- Unique number of each seal removed and installed;
- Name of the individual performing the tank gauging; and
- Name of the operator.

*Measurement of oil by a Coriolis measurement system (CMS) or a lease automated custody transfer (LACT) system*

At the beginning of every month, before conducting proving operations on a LACT system or CMS, the operator, purchaser, or transporter, as appropriate, must complete a uniquely numbered measurement ticket, unless the operator is using a flow computer.

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<sup>10</sup> Secretarial Order Number 3087, dated December 3, 1982, as amended on February 7, 1983 (43 FR 8983).



A run ticket pertaining to a LACT system or CMS may be submitted in either paper or electronic format, and must contain the following information:

- Lease, unit PA, or CA number;
- Unique meter ID number;
- Opening and closing dates;
- Opening and closing totalizer readings of the indicated volume;
- Meter factor, indicating if it is a composite meter factor; Total gross standard volume removed through the LACT system or CMS;
- API oil gravity. For API oil gravity determined from a composite sample, the observed API oil gravity and temperature must be indicated in °F and the API oil gravity must be indicated at 60 °F. For API oil gravity determined from average density (CMS only), the average uncorrected density must be determined by the CMS;
- The average temperature in °F;
- The average flowing pressure in psig;
- S&W content percent;
- Unique number of each seal removed and installed;
- Name of the purchaser's representative; and
- Name of the operator.