

**ELECTRONIC CODE OF FEDERAL REGULATIONS****e-CFR data is current as of July 19, 2018**

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Title 30: Mineral Resources

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**PART 1210—FORMS AND REPORTS**

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AUTHORITY: 5 U.S.C. 301 *et seq.*; 25 U.S.C. 396, 2107; 30 U.S.C. 189, 190, 359, 1023, 1751(a); 31 U.S.C. 3716, 9701; 43 U.S.C. 1334, 1801 *et seq.*; and 44 U.S.C. 3506(a).

SOURCE: 48 FR 35641, Aug. 5, 1983, unless otherwise noted. Redesignated at 75 FR 61081, Oct. 4, 2010.

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## Subpart A—General Provisions

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

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### §1210.01 What is the purpose of this subpart?

This subpart identifies information collections required by the Office of Natural Resources Revenue (ONRR), in the normal course of operations. This information is submitted by various parties associated with Federal and Indian leases such as lessees, designees, and operators. The information collected meets the ONRR congressionally mandated accounting and auditing responsibilities relating to Federal and Indian minerals revenue management. Information collected regarding 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, as amended (30 U.S.C. 1701 *et seq.*), as well as 43 U.S.C. 1334 and 30 U.S.C. 189, 359, 396, and 396d for oil and gas production; and by 30 U.S.C. 189, 359, 396, and 396d for solid minerals production.

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### §1210.02 To whom do these regulations apply?

The regulations apply to any person, referred to in this subpart as “you,” “your,” or “reporter/payor,” who is a lessee under any Federal or Indian lease for any mineral or who is assigned or assumes an obligation to report data or make payment to ONRR. The term reporter/payor may include lessees, designees, operators, purchasers, reporters, other payors, and working interest owners, but is not restricted to these parties. This section does not affect the liability to pay and report royalties as established by other regulations, laws, and the lease terms.

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### §1210.10 What are the OMB-approved information collections?

The information collection requirements identified in this subpart have been approved by the Office of Management and Budget (OMB) under 44 U.S.C. 3501 *et seq.* Detailed information about each information collection request (ICR), including CFR citations, is included on the ONRR Web site at [http://www.onrr.gov/Laws\\_R\\_D/FRNotices/FRInfColl.htm](http://www.onrr.gov/Laws_R_D/FRNotices/FRInfColl.htm). The ICRs and associated ONRR form numbers, if applicable, are listed below:

OMB Control number and short title	Form or information collected
1012-0001, CFO Act of 1992, Accounts Receivable Confirmations	No form for the following collection: • Accounts receivable confirmations
1012-0002, 30 CFR Parts 1202, 1206, and 1207, Indian Oil and Gas Valuation	Form ONRR-4109, Gas Processing Allowance Summary Report

	Form ONRR-4110, Oil Transportation Allowance Report Form ONRR-4295, Gas Transportation Allowance Report
	Form ONRR-4393, Request to Exceed Regulatory Allowance Limitation <sup>1</sup>
	Form ONRR-4410, Accounting for Comparison [Dual Accounting]
	Form ONRR-4411, Safety Net Report
1012-0003, 30 CFR Parts 1227, 1228, and 1229, Delegated and Cooperative Activities with States and Indian Tribes	No forms for the following collections: • Written delegation proposal to perform auditing and investigative activities • Request for cooperative agreement and subsequent requirements
1012-0004, 30 CFR Parts 1210 and 1212, Royalty and Production Reporting	Form ONRR-2014, Report of Sales and Royalty Remittance Form ONRR-4054 (Parts A, B, and C), Oil and Gas Operations Report Form ONRR-4058, Production Allocation Schedule Report
1012-0005, 30 CFR Parts 1202, 1204, 1206, and 1210, Federal Oil and Gas Valuation	Form ONRR-4377, Stripper Royalty Rate Reduction Notification Form ONRR-4393, Request to Exceed Regulatory Allowance Limitation <sup>1</sup>
	No form for the following collection: • Federal oil valuation support information
1012-0006, 30 CFR Part 1243, Suspensions Pending Appeal and Bonding	Form ONRR-4435, Administrative Appeal Bond Form ONRR-4436, Letter of Credit Form ONRR-4437, Assignment of Certificate of Deposit
	No forms for the following collections: • Self bonding • U.S. Treasury securities
1012-0008, 30 CFR Part 1218, Collection of Monies Due the Federal Government	Form ONRR-4425, Designation Form for Royalty Payment Responsibility
	No forms for the following collections: • Cross-lease netting documentation • Indian recoupment approval
1012-0009, 30 CFR Part 1220, OCS Net Profit Share Payment Reporting	No form for the following collection: • Net profit share payment information
1012-0010, 30 CFR Parts 1202, 1206, 1210, 1212, 1217, and 1218, Solid Minerals and Geothermal Resources Collections	Form ONRR-4430, Solid Minerals Production and Royalty Report Form ONRR-4292, Coal Washing Allowance Report Form ONRR-4293, Coal Transportation Allowance Report
	No forms for the following collections: • Facility data—solid minerals • Sales contracts—solid minerals • Sales summaries—solid minerals

<sup>1</sup>Lessees use Form ONRR-4393 for both Federal and Indian oil and gas leases. The form resides with ICR 1012-0005, but ONRR includes the burden hours for Indian leases in ICR 1012-0002.

[73 FR 15892, Mar. 26, 2008, as amended at 73 FR 58875, Oct. 8, 2008; 76 FR 76615, Dec. 8, 2011; 78 FR 30204, May 22, 2013]

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### §1210.20 What if I disagree with the burden hour estimates?

Burden hour estimates are included on the ONRR Web site at [http://www.onrr.gov/Laws\\_R\\_D/FRNotices/FRInfColl.htm](http://www.onrr.gov/Laws_R_D/FRNotices/FRInfColl.htm). Send comments on the accuracy of these burden estimates or suggestions on reducing the burden to the Office of Natural Resources Revenue, Attention: Rules & Regs Team. 1012-XXXX P.O. Box 25165, Denver, CO 80225-0165. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

[73 FR 15892, Mar. 26, 2008, as amended at 74 FR 46907, Sept. 14, 2009; 76 FR 76615, Dec. 8, 2011]

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### §1210.21 How do I report my taxpayer identification number?

(a) Before paying or reporting to ONRR, you must obtain a payor code (see the ONRR *Minerals Revenue Reporter Handbook*, which is available on the Internet at <http://www.onrr.gov/FM/Handbooks/default.htm>; also see §1210.56 for further information on how to obtain a handbook). At the time you request a payor code, you must provide your Employer Identification Number (EIN) by submitting:

(1) An IRS Form W-9; or

(2) An equivalent certification containing:

- (i) Your name;
- (ii) The name of your business, if different from your name;
- (iii) The form of your business entity; for example, a sole proprietorship, corporation, or partnership;
- (iv) The address of your business;
- (v) The EIN of your business; and
- (vi) A signed and dated certification that you are a U.S. citizen or resident alien and that the EIN number provided is correct.

(b) If you are already paying or reporting to ONRR but do not have an EIN, ONRR may request that you submit an IRS Form W-9 or equivalent certification containing the information required under paragraph (a)(2) of this section.

(c) The collection of this data is not subject to the provisions of the Paperwork Reduction Act because only information necessary to identify the respondent [5 CFR 1320.3(h)] is required.

(d) The EIN you provide to ONRR under paragraph (a) of this section:

(1) Means the taxpayer identification number (TIN) of an individual or other person (whether or not an employer), which is assigned under 26 U.S.C. 6011(b), or a corresponding version of prior law, or under 26 U.S.C. 6109;

(2) Must contain nine digits separated by a hyphen as follows: 00-0000000; and

(3) May not be a Social Security Number.

[48 FR 35641, Aug. 5, 1983, 76 FR 76615, Dec. 8, 2011]

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### **§1210.30 What are my responsibilities as a reporter/payor?**

Each reporter/payor must submit accurate, complete, and timely information to ONRR according to the requirements in this part. If you discover an error in a previous report, you must file an accurate and complete amended report within 30 days of your discovery of the error. If you do not comply, ONRR may assess civil penalties under 30 CFR part 1241.

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### **§1210.40 Will ONRR keep the information I provide confidential?**

The ONRR will treat information obtained under this part as confidential to the extent permitted by law as specified at 43 CFR part 2.

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## **Subpart B—Royalty Reports—Oil, Gas, and Geothermal Resources**

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

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### **§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).

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### **§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).

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### §1210.52 What royalty reports must I submit?

You must submit a completed Form ONRR-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.

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### §1210.53 When are my royalty reports and payments due?

(a) Completed Forms ONRR-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 ONRR-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.

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### §1210.54 Must I submit this royalty report electronically?

(a) You must submit Form ONRR-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](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]

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### §1210.55 May I submit this royalty report manually?

(a) The ONRR will allow you to submit Form ONRR-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 ONRR-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]

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### **§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 ONRR-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 ONRR-2014 at [http://www.onrr.gov/FM/Forms/AFSOil\\_Gas.htm](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]

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### **§1210.60 What definitions apply to this subpart?**

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

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### **§1210.61 What additional reporting requirements must I meet for Indian oil valuation purposes?**

(a) If you must report and pay under §1206.52 of this chapter, you must use Sales Type Code ARMS on Form ONRR-2014.

(b) If you must report and pay under §1206.53 of this chapter, you must use Sales Type Code NARM on Form ONRR-2014.

(c) If you must report and pay under §1206.54 of this chapter, you must use Sales Type Code OINX on Form ONRR-2014.

(d) You must report one of the following crude oil types in the product code field of Form ONRR-2014:

- (1) Sweet (code 61);
- (2) Sour (code 62);
- (3) Asphaltic (code 63);
- (4) Black Wax (code 64); or
- (5) Yellow Wax (code 65).

(e) All of the remaining requirements of this subpart apply.

[80 FR 24814, May 1, 2015]

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## **Subpart C—Production Reports—Oil and Gas**

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

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### **§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).

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### **§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).

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### **§1210.102 What production reports must I submit?**

(a) Form ONRR-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 ONRR-4054 to ONRR:

(1) You must submit Form ONRR-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 ONRR-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 ONRR-4058.

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

(2) Form ONRR-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 ONRR-4058 is required under this part.

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### **§1210.103 When are my production reports due?**

(a) The ONRR must receive your completed Forms ONRR-4054 and ONRR-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.

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### **§1210.104 Must I submit these production reports electronically?**

(a) You must submit Forms ONRR-4054 and ONRR-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](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]

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### **§1210.105 May I submit these production reports manually?**

(a) The ONRR will allow you to submit Forms ONRR-4054 and ONRR-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

(2) 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 forms 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]

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### **§1210.106 Where can I find more information on how to complete these production reports?**

(a) Refer to the ONRR *Minerals Production Reporter Handbook* for specific guidance on how to prepare and submit Forms ONRR-4054 and ONRR-4058. You may find the handbook at <http://www.onrr.gov/FM/Handbooks/default.htm> or from contacts listed on that Web page.

(b) Production reporters should refer to the handbook for specific guidance on production 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 Forms ONRR-4054 and ONRR-4058 at [http://www.onrr.gov/FM/Forms/AFSOil\\_Gas.htm](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 25880, May 2, 2012]

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## **Subpart D—Special-Purpose Forms and Reports—Oil, Gas, and Geothermal Resources**

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

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### **§1210.150 What is the purpose of this subpart?**

This subpart identifies specific special-purpose reports and provides general information, reporting options, and reporting addresses. See §1210.10 for a complete listing of all information collections, including forms and references for specific information collections.

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**§1210.151 What reports must I submit to claim an excess allowance?**

(a) *General.* If you are a lessee, you must submit Form ONRR-4393, Request to Exceed Regulatory Allowance Limitation, to request approval from ONRR to exceed prescribed transportation and processing allowance limits on Federal oil and gas leases and prescribed transportation allowance limits on Indian oil and gas leases under part 1206 of this chapter.

(b) *Reporting options.* You may find Form ONRR-4393 at [http://www.onrr.gov/FM/Forms/AFSOil\\_Gas.htm](http://www.onrr.gov/FM/Forms/AFSOil_Gas.htm) or from contacts listed on that Web page.

(c) *Reporting address.* Submit completed Form ONRR-4393 as follows:

(1) Complete and submit the form electronically as an e-mail attachment;

(2) Send the form by U.S. Postal Service regular or express mail addressed to Office of Natural Resources Revenue, P.O. Box 25165, Denver, CO 80225-0165; or

(3) Deliver the form to ONRR by 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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**§1210.152 What reports must I submit to claim allowances on an Indian lease?**

(a) *General.* You must submit three additional forms to ONRR to claim transportation or processing allowances on Indian oil and gas leases:

(1) You must submit Form ONRR-4110, Oil Transportation Allowance Report, to claim an allowance for expenses incurred by a reporter/payor to transport oil from the lease site to a point remote from the lease where value is determined under §1206.55 of this chapter.

(2) You must submit Form ONRR-4109, Gas Processing Allowance Summary Report, to claim an allowance for the reasonable, actual costs of removing hydrocarbon and nonhydrocarbon elements or compounds from a gas stream under §1206.180 of this chapter.

(3) You must submit Form ONRR-4295, Gas Transportation Allowance Report, to claim an allowance for the reasonable, actual costs of transporting gas from the lease to the point of first sale under §1206.178 of this chapter.

(b) *Reporting options.* You must submit Forms ONRR-4110, ONRR-4109, and ONRR-4295 manually. You may find the forms at [http://www.onrr.gov/FM/Forms/AFSOil\\_Gas.htm](http://www.onrr.gov/FM/Forms/AFSOil_Gas.htm) or from contacts listed on that Web page.

(c) *Reporting address.* You may submit completed Forms ONRR-4110, ONRR-4109, and ONRR-4295 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]

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**§1210.153 What reports must I submit for Indian gas valuation purposes?**

(a) *General.* For Indian gas valuation, under certain conditions under §1206.172 of this chapter, lessees must submit the following forms:

(1) Form ONRR-4410, Accounting for Comparison (Dual Accounting), Part A or part B; and/or

(2) Form ONRR-4411, Safety Net Report.

(b) *Reporting options.* You must submit Forms ONRR-4410 and ONRR-4411 manually. You may find the forms at [http://www.onrr.gov/FM/Forms/AFSOil\\_Gas.htm](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 ONRR-4410 and ONRR-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]

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#### **§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]

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#### **§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 ONRR-4377, Stripper Royalty Rate Reduction Notification, under 43 CFR 3103.4-2(b)(3).

(b) *Reporting options.* You may find Form ONRR-4377 at [http://www.onrr.gov/FM/Forms/AFSOil\\_Gas.htm](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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#### **§1210.156 What reports must I submit for net profit share leases?**

(a) *General.* After entering into a net profit share lease (NPSL) agreement, a lessee must report under part 1220 of this chapter.

(b) *Reporting options.* You must submit the required report manually.

(c) *Reporting address.* You must submit the required documents 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 382B2, 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]

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### §1210.157 What reports must I submit to suspend an ONRR order under appeal?

(a) *General.* Reporters/payors or other recipients of ONRR Office of Natural Resources (MRM) Revenue orders who appeal an order may be required to post a bond or other surety, under part 1243 of this chapter. The ONRR accepts the following surety types: Form ONRR-4435, Administrative Appeal Bond; Form ONRR-4436, Letter of Credit; Form ONRR-4437, Assignment of Certificate of Deposit; Self-bonding; and U.S. Treasury Securities.

(b) *Reporting options.* You must submit these forms and other documents manually. You may find the forms and other documents under Surety Instrument Posting Instructions on our Internet Web site at [http://www.onrr.gov/Laws\\_R\\_D/FRNotices/ICR0122.htm](http://www.onrr.gov/Laws_R_D/FRNotices/ICR0122.htm).

(c) *Reporting address.* You may submit the required forms and other documents as specified in the Surety Instrument Posting Instructions or 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;

(2) Special courier or overnight mail addressed to Office of Natural Resources Revenue, Building 85, Room A-614, MS 64220, 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, May 2, 2012]

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### §1210.158 What reports must I submit to designate someone to make my royalty payments?

(a) *General.* You must submit Form ONRR-4425, Designation Form for Royalty Payment Responsibility, if you want to designate a person to make royalty payments on your behalf under §1218.52 of this chapter.

(b) *Reporting options.* You must submit Form ONRR-4425 manually. You may find the form at [http://www.onrr.gov/FM/Forms/AFSoil\\_Gas.htm](http://www.onrr.gov/FM/Forms/AFSoil_Gas.htm).

(c) *Reporting address.* You must submit completed Form ONRR-4425 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]

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## Subpart E—Production and Royalty Reports—Solid Minerals

SOURCE: 66 FR 45771, Aug. 30, 2001, unless otherwise noted.

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### §1210.200 What is the purpose of this subpart?

This subpart explains your reporting requirements if you produce coal or other solid minerals from Federal or Indian leases. Included are your requirements for reporting production, sales, and royalties.

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### §1210.201 How do I submit Form ONRR-4430, Solid Minerals Production and Royalty Report?

(a) *What to submit.* (1) You must submit a completed Form ONRR-4430 for—

(i) Production of all coal and other solid minerals from any Federal or Indian lease;

(ii) Sale of any such mineral;

(iii) Any such mineral held in stockpile or inventory; and

(iv) Payment of rents (other than those for which you receive from ONRR a Courtesy Notice as defined in §1218.51(a) of this chapter), minimum royalty, deferred bonus, advance royalty, minimum royalty payable in advance, settlements, recoupments, and other financial obligations.

(2) You must submit a completed Form ONRR-4430 for any product you sell from a remote storage site. If you sell from five or fewer remote storage sites, you must report sales from each site on separate Forms ONRR-4430. If you sell from more than five remote storage sites, you must total the data from all sites and report the summarized data on one Form ONRR-4430.

(3) Instructions for completing and submitting Form ONRR-4430 are available on our Internet reporting web site or you may contact us toll free at 1-888-201-6416.

(b) *When to submit.* (1) Unless your lease terms specify a different frequency for royalty payments, you must submit your Form ONRR-4430 on or before the end of the month following the month in which you produce any solid mineral, sell any solid mineral, or hold any solid mineral production in stockpile or inventory. However, if the last day of the month falls on a weekend or holiday, your Form ONRR-4430 is due on the next business day.

(2) If your lease terms specify a different frequency for royalty payment, then you must submit your Form ONRR-4430 on or before the date on which you must pay royalty under the terms of the lease.

(3) You must submit your Form ONRR-4430 for payment of rents (other than those for which you receive from ONRR a Courtesy Notice as defined in §1218.51(a) of this chapter), minimum royalty, deferred bonus, advance royalty, minimum royalty payable in advance, settlements, recoupments, and other financial obligations on or before the date on which you must pay those obligations under the terms of the lease.

(4) If the information on a previously reported Form ONRR-4430 is no longer correct, you must submit a revised Form ONRR-4430 by the last day of the month in which you learn that the previously reported information is no longer correct, except when the last day of the month falls on a weekend or holiday. If the last day of the month falls on a weekend or holiday, your revised Form ONRR-4430 is due on the first business day of the following month.

(c) *How to submit.* (1) You must submit Form ONRR-4430 electronically using our Internet reporting web site unless you meet the conditions in paragraph (c)(2). We will provide written instructions and a valid login and password before you begin reporting.

(2) You are not required to report electronically if you are a small business as defined by the U.S. Small Business Administration (13 CFR 121.201) and you have no computer, no plans to purchase a computer, and no contract with an electronic reporting service.

(3) If you do not report electronically, you must submit the completed Form ONRR-4430 to us at one of the following addresses, unless ONRR publishes notice in the FEDERAL REGISTER giving a different address:

(i) *For U.S. Postal Service regular mail or Express Mail:* Office of Natural Resources Revenue (ONRR), P.O. Box 25627, Denver, CO 80225-0627; or

(ii) *For courier service or overnight mail (excluding Express Mail):* Office of Natural Resources Revenue, Building 85, Denver Federal Center, Room A-614, Denver, Colorado 80225.

[66 FR 45771, Aug. 30, 2001; 66 FR 50827, Oct. 5, 2001; 77 FR 25879, May 2, 2012]

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## §1210.202 How do I submit sales summaries?

(a) *What to submit.* (1) You must submit sales summaries for all coal and other solid minerals produced from Federal and Indian leases and for any remote storage site from which you sell Federal or Indian solid minerals. You do not have to submit a sales summary for those months in which you do not sell any Federal or Indian production.

(2) If you sell from five or fewer remote storage sites, you must submit a sales summary for each site. If you sell from more than five remote storage sites, you may total the data from all sites and submit the summarized data as one sales summary. The details you report on the sales summary are for the same sales reported on Form ONRR-4430.

(3) Use the following table to determine the time frames for submitting sales summaries and the data elements you must include. Your submitted sales summaries must include the following data but may be internally generated documents from your own records. You do not need to re-format them before submitting them to us:

Data element	Coal	Sodium/potassium	Western phosphate	Metals	All other leases with ad valorem royalty terms	All other leases with no ad valorem royalty terms
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(i) Purchaser Name or Unique Identification	Monthly	Monthly	Monthly	Monthly	Monthly	As Requested
(ii) Sales Units	Monthly	Monthly	Monthly	Monthly	Monthly	Monthly
(iii) Gross Proceeds	Monthly	Monthly	Not Required	Monthly	Monthly	Not Required
(iv) Processing or washing costs	Monthly	Monthly	Not Required	Monthly	Monthly	Not Required
(v) Transportation costs	Monthly	Monthly	Not Required	Monthly	Monthly	Not Required
(vi) Name of product type sold	Not Required	Monthly	Not Required	Monthly	Monthly	As Requested
(vii) Btu/lb	Monthly	Not Required	Not Required	Not Required	Not Required	Not Required
(viii) Ash %	Monthly	Not Required	Not Required	Not Required	Not Required	Not Required
(ix) Sulfur %	Monthly	Not Required	Not Required	Not Required	Not Required	Not Required
(x) lbs SO <sub>2</sub>	Monthly	Not Required	Not Required	Not Required	Not Required	Not Required
(xi) Moisture %	Monthly	Not Required	Monthly	Not Required	Not Required	Not Required
(xii) By-product Units	Not Required	As Requested	Monthly	As Requested	As Requested	Not Required
(xiii) P <sub>2</sub> O <sub>5</sub> %	Not Required	Not Required	Monthly	Not Required	Not Required	Not Required
(xiv) Size	Not Required	Not Required	Not Required	Not Required	As Requested	Not Required
(xv) Net Smelter Return data	Not Required	Not Required	Not Required	Monthly	Not Required	Not Required
(xvi) Other Data e.g., Royalty Calculation Worksheet	As Requested	Monthly	As Requested	As Requested	As Requested	As Requested.

(b) *When to submit.* (1) For leases with ad valorem royalty terms (that is, leases for which royalty is a percentage of the value of production), you must submit your sales summaries monthly at the same time you submit Form ONRR-4430. You do not have to submit a sales summary for any month in which you did not sell Federal or Indian production.

(2) For leases with no ad valorem royalty terms (that is, leases in which the royalty due is not a function of the value of production, such as cents-per-ton or dollars-per-unit), you must submit monthly sales summaries only if we specifically request you to do so.

(c) *How to submit.* (1) You should provide the sales summary data via electronic mail where possible. We will provide instructions and the proper email address for these submissions.

(2) If you submit sales summaries by paper copy, mail them to one of the following addresses, unless ONRR publishes notice in the FEDERAL REGISTER giving a different address:

(i) *For U.S. Postal Service regular mail or Express Mail:* Office of Natural Resources Revenue, Solid Minerals and Geothermal (A&C), MS 62530B., Denver, Colorado 80225-0165.

(ii) *For courier service or overnight mail (excluding Express Mail):* Office of Natural Resources Revenue, Solid Minerals and Geothermal (A&C), MS 62530B, Room A-614, Bldg 85, DFC, Denver, Colorado 80225.

[48 FR 35641, Aug. 5, 1983, 76 FR 76615, Dec. 8, 2011]

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### §1210.203 How do I submit sales contracts?

(a) *What to submit.* You must submit sales contracts, agreements, and contract amendments for the sale of all coal and other solid minerals produced from Federal and Indian leases with ad valorem royalty terms.

(b) *When to submit.* (1) For coal and metal production, you must submit the required documents semi-annually, no later than March 30 and September 30 of each year.

(2) For sodium, potassium, and phosphate production, and production from any other lease with ad valorem royalty terms, you must submit the required documents only if you are specifically requested to do so.

(c) *How to submit.* You must submit complete copies of the sales contracts and amendments to us at the applicable address given in §1210.202(c)(2), unless ONRR publishes notice in the FEDERAL REGISTER giving a different address.

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### §1210.204 How do I submit facility data?

(a) *What to submit.* (1) You must submit facility data if you operate a wash plant, refining, ore concentration, or other processing facility for any coal, sodium, potassium, metals, or other solid minerals produced from Federal or Indian leases with ad valorem royalty terms, regardless of whether the facility is located on or off the lease.

(2) You do not have to submit facility data for those months in which you do not process solid minerals produced from Federal or Indian leases and do not have any such minerals in stockpile inventory.

(3) You must include in your facility data all production processed in the facility from all properties, not just production from Federal and Indian leases.

(4) Facility data submissions must include the following minimum information:

(i) Identification of your facility;

(ii) Mines served;

(iii) Input quantity;

(iv) Input quality or ore grade (except for coal);

(v) Output quantity; and

(vi) Output quality or product grades.

(5) Your submitted facility data may be internally generated documents from your own records. You do not need to re-format them before submitting them to us.

(b) *When to submit.* You must submit your facility data monthly at the same time you submit your Form ONRR-4430.

(c) *How to submit.* (1) You should provide the facility data via electronic mail where possible. We will provide instructions and the proper email address for these submissions before you begin reporting.

(2) If you submit facility data by paper copy, send it to the applicable address given in §1210.202(c)(2).

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### §1210.205 What reports must I submit to claim allowances on Indian coal leases?

(a) *General.* You must submit the following ONRR forms to claim a transportation or washing allowance, as applicable, on Indian coal leases:

(1) Form ONRR-4292, Coal Washing Allowance Report, to claim an allowance for the reasonable, actual costs incurred to wash coal under §1206.458 of this chapter.

(2) Form ONRR-4293, Coal Transportation Allowance Report, 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 under §1206.461 of this chapter.

(b) *Reporting options.* You must submit the forms manually. You may find the forms at [http://www.onrr.gov/FM/Forms/AFSSol\\_Min.htm](http://www.onrr.gov/FM/Forms/AFSSol_Min.htm).

(c) *Reporting address.* You must submit completed Forms ONRR-4292 and ONRR-4293 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.

[73 FR 15897, Mar. 26, 2008, as amended at 76 FR 76615, Dec. 8, 2011; 77 FR 25879, 25880, May 2, 2012; 78 FR 30205, May 22, 2013]

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### §1210.206 Will I need to submit additional documents or evidence to ONRR?

(a) Federal and Indian lease terms allow us to request detailed statements, documents, or other evidence necessary to verify compliance with lease terms and conditions and applicable rules.

(b) We will request this additional information as we need it, not as a regular submission.

[66 FR 45771, Aug. 30, 2001. Redesignated at 73 FR 15897, Mar. 26, 2008]

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### **§1210.207 How will information submissions be kept confidential?**

Information submitted under this part that constitutes trade secrets or commercial and financial information that is identified as privileged or confidential, or that is exempt from disclosure under the Freedom of Information Act, 5 U.S.C. 552, shall not be available for public inspection or made public or disclosed without the consent of the lessee, except as otherwise provided by law or regulation.

[66 FR 45771, Aug. 30, 2001. Redesignated at 73 FR 15897, Mar. 26, 2008]

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## **Subpart F—Coal [Reserved]**

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## **Subpart G—Other Solid Minerals [Reserved]**

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## **Subpart H—Geothermal Resources**

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

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### **§1210.350 Definitions.**

Terms used in this subpart shall have the same meaning as in §1206.351 of this chapter.

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### **§1210.351 Required recordkeeping.**

Information required by ONRR shall be filed using the forms prescribed in this subpart, which are available from ONRR. Records may be maintained on microfilm, microfiche, or other recorded media that are easily reproducible and readable. See subpart H of 30 CFR part 1212.

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### **§1210.352 Special forms and reports.**

The ONRR 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, ONRR 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.

[56 FR 57286, Nov. 8, 1991. Redesignated at 72 FR 24467, May 2, 2007]

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### **§1210.353 Monthly report of sales and royalty.**

You must submit a completed Report of Sales and Royalty Remittance (Form ONRR-2014) each month once sales or use of production occur, even though sales may be intermittent, unless ONRR otherwise authorizes. This report is due on or before the last day of the month following the month in which production was sold or used, together with the royalties due to the United States.

[78 FR 30206, May 22, 2013]

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### **§1210.354 Reporting instructions.**

Refer to ONRR's *Minerals Revenue Reporter Handbook—Oil, Gas, and Geothermal Resources* for specific guidance on how to prepare and submit required information collection reports and forms to ONRR. You may find the handbook at <http://www.onrr.gov/FM/Handbooks/default.htm> or from contacts listed on that Web page.

[77 FR 25880, May 2, 2012]

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### **Subpart I—OCS Sulfur [Reserved]**

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Need assistance?