
**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

**PAPERWORK REDUCTION ACT SUBMISSION
SUPPORTING STATEMENT PART A**

**ONSHORE OIL AND GAS OPERATIONS AND PRODUCTION
43 CFR 3160 AND 3170**

OMB CONTROL NUMBER 1004-0220

Terms of Clearance: Not applicable. The Office of Management and Budget (OMB) provided no Terms of Clearance when it last approved the collections of information under this OMB control number (see the OMB Notice of Action dated January 26, 2022).

Abstract: Various Federal and Indian mineral leasing statutes authorize the Bureau of Land Management (BLM) to grant and manage onshore oil and gas leases on Federal and Indian (except Osage Tribe) lands. In order to fulfill its responsibilities under these statutes, the BLM needs to perform the information collection (IC) activities set forth in the regulations at 43 CFR 3160, 3171, 3172, 3176, and 3177. This request is being submitted to the OMB in association with the BLM's final rule pertaining to fluid mineral leasing requirements (RIN 1004-AE80). Many of the IC activities have been taken from OMB Control Number 1004-0137.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The following statutes authorize the Bureau of Land Management (BLM) to collect information from those who wish to participate in the exploration, development, production, and utilization of oil and gas operations on BLM-managed public lands:

- Chapter 3A, Subchapter I of the Mineral Leasing Act, 30 U.S.C. 181-196
- Chapter 3A, Subchapter IV of the Mineral Leasing Act, 30 U.S.C. 223-236b
- Mineral Leasing Act for Acquired Lands, 30 U.S.C. 351-360
- Federal Oil and Gas Royalty Management Act, 30 U.S.C. 1701-1759
- Federal Land Policy and Management Act, 43 U.S.C. 1701-1787

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

The BLM needs the information described below in order to regulate oil and gas operations on public lands, in accordance with statutory requirements.

Application for Permit to Drill or Re-enter – 43 CFR 3162.3-1(a) through (i), 3172.3-1, and 3171.5(a) (Form 3160-3 and Related Information)

A respondent must file Form 3160-3, Application for Permit to Drill or Re-enter (APD), in order to obtain approval of oil and gas operations on BLM-managed lands. The BLM needs this information to decide whether to approve oil and gas production on public lands.

Specific information required on Form 3160-3:

- (Item 1) The type of work anticipated, and production and zonal information—needed for reservoir management, royalty compliance, and operational aspects of the application for permit to drill.
- (Items 2–3) The operator and where the operator can be reached—needed so the BLM can contact the operator concerning operations.
- (Items 4–13) Specific identification of the proposed surface and bottom-hole locations of the proposed action—needed to determine whether the operator is complying with the provisions of the regulations in this subpart.
- (Item 14) Location of the operation—needed to locate operation and industry personnel.
- (Items 15–19) Spacing orders—needed by the BLM and state agencies to determine compliance with spacing orders.
- (Item 20) The bond number that cover the operations—needed to determine proper bond coverage for the identified operations.
- (Items 21–23) Technical information such as permit approval, evaluation, and subsequent on-the-ground review and inspection after actual drilling begins (the prospective production of resources must be included)—needed to approve the individual operation.
- (Item 24) Additional information as part of the application:
 - o Certified well plat
 - o Drilling plans
 - o Surface use plan
 - o Evidence of bond coverage
 - o Operator certification
 - o Diagrams
 - o Maps
 - o Contingency plans

Sundry Notices and Reports on Wells – 43 CFR 3162.3-2 (Form 3160-5)

IC activities listed at 43 CFR 3162.3-2(a) require an operator to use Form 3160-5 (Sundry Notices and Reports on Wells) to propose, and later to report, the following operations:

- Redrill
- Deepen
- Perform casing repairs
- Plug back
- Alter casing
- Recomplete in a different interval
- Perform water shut off
- Convert to injection

Specific information requested on Form 3160-5:

- (Item 1) Well type—needed to identify the type of well for the individual operation.
- (Items 2–3) Operator name, address, and telephone number—needed to identify the operator of the individual operation.
- (Item 4) Well location—needed to identify the location of the well for the individual operation.

- (Item 5) Lease serial number—needed to identify the lease serial number of the individual operation.
- (Item 6) BIA identifier (if applicable)—needed to identify whether the individual operation is on Indian trust land.
- (Item 7) Unit or CA name and number—needed to identify whether the individual operation is within a unit or CA.
- (Item 8) Well name and number—needed to identify the well name and number of the individual operation.
- (Item 9) US Well Number (previously known as the American Petroleum Institute (API) well number)—needed to identify the US Well Number of the individual operation.
- (Item 10) Field and pool or exploratory area—needed to identify the field and pool or exploratory area of the individual operation.
- (Item 11) County or parish—needed to identify the county or parish of the individual operation.
- (Item 12) Appropriate notice, report, or other data—needed to identify the appropriate notice, report, or other data on the individual operation.

Plan for Well Abandonment and Reporting Requirements – 43 CFR 3162.3-4

An operator must have in place a plan for well abandonment for each newly completed or recompleted well in which oil or gas is not encountered in paying quantities or which, after being completed as a producing well, is demonstrated to the satisfaction of the BLM to be no longer capable of producing oil or gas in paying quantities.

Justification for Temporary Well Abandonment – 43 CFR 3162.3-4(d)

The rule provides that no well may be temporarily abandoned for more than 30 days without the prior approval of the authorized officer and unless the operator provides adequate and detailed justifications and verification of the mechanical integrity of the wells and isolation of all perforations.

Reporting Shut-in Status – 43 CFR 3162.3-4(e)

The rule provides that within 90-days of well shut-in, the operator would notify the authorized officer of the well's shut-in status and provide the date the well was shut-in.

Verification of Mechanical Integrity – 43 CFR 3162.3-4(e)(2) and 3162.3-4(f)

The rule provides that within three years of well shut-in, the operator would provide the authorized officer with verification of the mechanical integrity of the well and confirmation that the well remains capable of producing in paying quantities. All wells that are temporarily abandoned or shut-in must have mechanical integrity verified as required in paragraphs (d)(1) and (e)(2) of this section and must ensure that mechanical integrity is verified every 3 years thereafter. The operator must submit the results of each verification of mechanical integrity to the Authorized Officer.

Plan and Timeline for Future Beneficial Use – 43 CFR 3162.3-4(e)(3)(iii)

If after four years of well shut-in and a well is not permanently abandoned or resumes production in paying quantities, the rule requires the operator to provide the authorized officer with a detailed plan and timeline for future beneficial use of the well. If the authorized officer determines that there is a legitimate future beneficial use for the well, he/she may allow the operator to delay permanent abandonment by one year. The authorized officer may grant additional one-year delays, provided the operator provides information that confirms the future beneficial use of the well and is making verifiable progress on returning the well to beneficial use.

The BLM believes these new requirements, with annual review requirements, represent prudent oil and gas operations.

***Well Completion or Recompletion Report and Log – 43 CFR 3162.4-1(a), (b), (d), and (e)
(Form 3160-4 and Related Information)***

43 CFR 3162.4-1(a) requires operators to keep accurate and complete records with respect to all lease operations, including, but not limited to, drilling, producing, redrilling, repairing, plugging back, and abandonment operators.

43 CFR 3162.4-1(a) – The deadline for reporting well completion or recompletion is on p. 37 of the Surface Operating Standards and Guidelines for Oil and Gas Explorations and Development: Gold Book (BLM and USFS, 4th edition, revised 2007). <https://www.blm.gov/sites/blm.gov/files/Gold%20Book%202007%20Revised.pdf>.

Such records, with some exceptions, must be retained by record holders for seven years for Federal leases, and six years for Indian leases. Records retention requirements are discussed in more detail under Item # 7 of this supporting statement.

43 CFR 3162.4-1 defines “record holders” as lessees, operators, 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.

Under 43 CFR 3162.4-1(b), operators must submit Form 3160-4 to the BLM within 30 days after completion of a well for production. Upon request, the operator must submit additional information to the BLM.

The BLM needs this information to ensure the proper accounting of production for royalty purposes.

Specific information requested on Form 3160-4 includes:

- (Item 1) Type of well and completion—needed to identify the type of well and completion for field map purposes and royalty consideration for the individual operation.
- (Items 2–3) Operator, address, and telephone number—needed to identify the operator of the individual operation.
- (Item 4) Surface and subsurface location of well—needed to identify surface and subsurface location of well for inspection and reservoir management purposes for the individual operation.
- (Item 5) Lease serial number—needed to identify the lease serial number of the individual operation.
- (Item 6) BIA identifier (if applicable)—needed to identify whether the individual operation is on Indian land.
- (Item 7) Unit or communitization agreement (CA) name and number—needed to identify whether the individual operation is within a unit or CA.
- (Item 8) Lease name and well number—needed to identify the lease name and well number of the individual operation.
- (Item 9) US Well Number (previously known as the API well number)—needed to identify the US Well Number well number of the individual operation.
- (Item 10) Feld and pool or exploratory—needed to identify the field and pool or exploratory of the individual operation.
- (Item 11) Section, township, range, and meridian (on block and survey or area)—needed to identify the location of the individual operation.
- (Item 12) County or parish—needed to identify the county or parish of the individual operation.
- (Item 13) State—needed to identify the state of the individual operation.

- (Item 14) Date spudded—needed to identify the date the individual operation was spudded.
- (Item 15) Date total depth (TD) reached—needed to identify the date TD was reached for the individual operation.
- (Item 16) Date completed—needed to identify the date the individual operation was completed.
- (Item 17) Elevations—needed to identify the elevations of the individual operation.
- (Item 18) Total depth—needed to identify the total depth of the individual operation.
- (Item 19) Plug back—needed to identify the plug back of the individual operation.
- (Item 20) Depth bridge plug set—needed to identify the depth bridge plug set for the individual operation.
- (Item 21) Type of electric and other mechanical logs run (submit copy of each)—needed to identify the type of electric and other mechanical logs runs for the individual operation.
- (Item 22) Whether the well cored, drill stem test (DST) run, and directional survey (submit a copy of each report or analysis)—needed to identify whether the well cored, DST run, and directional survey was completed for the individual operation.
- (Item 23) Casing and liner record—needed to identify the casing and liner record for the individual operation.
- (Item 24) Tubing record—needed to identify the tubing record for the individual operation.
- (Item 25) Producing intervals—needed to identify the producing intervals for the individual operation.
- (Item 26) Perforation record—needed to identify the perforation record for the individual operation.
- (Item 27) Acid, fracture, treatment, cement squeeze, etc.—needed to identify the acid, fracture, treatment, cement squeeze, etc., for the individual operation.
- (Item 28) Production intervals—needed to identify the production intervals for the individual operation.
- (Item 29) Gas disposition—needed to identify the disposition of gas for the individual operation.
- (Item 30) Summary of porous zones (include aquifers)—needed to identify the summary of porous zones for the individual operation.
- (Item 31) Formation log markers—needed to identify the formation log markers for the individual operation.
- (Item 32) Additional remarks (including plugging procedures)—needed to identify any additional remarks about the individual operation.
- (Item 33) Enclosed attachments with the application—needed to identify any enclosed attachments with the application concerning the individual operation.

Notification of Production Start or Resumption – 43 CFR 3162.4-1(c) (Form 3160-5)

The regulation at 43 CFR 3162.4-1(c) requires operators to notify the BLM of the date on which production has begun or resumed. The BLM uses the information to monitor operations at wells that are under its jurisdiction.

The deadline for submitting this notification is not later than the fifth business day after any well: (1) begins production on which royalty is due, or (2) resumes production after a pause of more than 90 days. The operator may submit this notification by letter or Sundry Notice (Form 3160-5), or orally to be followed by a letter or Sundry Notice. The specific information required on Form 3160-5 is listed under the explanation of Subsequent Well Operations (43 CFR 3162.3-2).

Samples, Tests, and Surveys (formerly labeled “Drilling Tests, Logs, and Surveys”) – 43 CFR 3162.4-2

Under 43 CFR 3162.4-2, the BLM may require that results of certain samples, tests, and surveys be provided to the BLM. The label of this IC activity has been changed for increased label accuracy.

Under 43 CFR 3162.4-2(a), during the drilling and completion of a well, the operator must, when required by the BLM, conduct tests, run logs, and make other surveys reasonably necessary to determine the presence, quantity, and quality of oil, gas, other minerals, or the presence or quality of water; to determine the amount and/or direction of

deviation of any well from the vertical; and to determine the relevant characteristics of the oil and gas reservoirs penetrated.

43 CFR 3162.4-2(b) requires periodic well tests after the well has been completed. The test will demonstrate the quantity and quality of oil and gas and water. The method and frequency of such well tests will be specified in appropriate notices and orders. When needed, the operator must conduct reasonable tests, which will demonstrate the mechanical integrity of the downhole equipment.

Environmental Obligations – Disposal of Produced Water – 43 CFR 3162.5-1(b), and 3177

43 CFR 3177, Disposal of Produced Water, prohibits the disposal of produced water unless and until approval is obtained from the BLM. Operators are encouraged to contact the appropriate authorized officer before filing an application for disposal of produced water so that the operator may be apprised of any existing agreements outlining cooperative procedures between the BLM and either the state/Indian trust tribe or the Environmental Protection Agency concerning Underground Injection Control permits for injection wells, and of any potentially significant adverse effects on surface and/or subsurface resources. The approval of the Environmental Protection Agency or a state/Indian trust tribe shall not be considered as granting approval to dispose of produced water from leased Federal or Indian trust lands until and unless the BLM approval is obtained.

Report of Spills, Discharges, or Other Undesirable Events – 43 CFR 3162.5-1(c)

Under 43 CFR 3162.5-1(c), each operator of a Federal or Indian trust lease must report all spills or leakages of oil, gas, produced water, toxic liquids, or waste materials, blowouts, fire, personal injuries, and fatalities.

Contingency Plan – 43 CFR 3162.5-1(d)

Under 43 CFR 3162.5-1(d), when reasonably required by the BLM, an operator must submit a contingency plan describing procedures to be implemented to protect life, property, and the environment.

Horizontal and Directional Drilling – 43 CFR 3162.5-2(b)

Under 43 CFR 3162.5-2(b), an operator must seek written approval from the BLM before conducting drilling operations in a manner so that the completed well deviates significantly from the vertical. Any well that so deviates without prior written approval must be reported promptly to the BLM. In these cases, a directional survey is required.

Well Markers – 43 CFR 3162.6

Under 43 CFR 3162.6, every well within a Federal or Indian trust lease or supervised agreement must have a well identification sign. The sign may display a unique well name and US Well Number (previously known as an API well number). When specifically requested by the authorized officer, the sign must include the unit or communitization agreement name or number. The authorized officer may also require the sign to include the name of the Indian allottee lessor(s) preceding the lease serial number. Otherwise, the sign must include the well number, the name of the operator, the lease serial number, and the surveyed location. All facilities at which Federal or Indian trust oil is stored must be clearly identified with a sign that contains the name of the operator, the lease serial number or communitization or unit agreement identification number, as appropriate, and in public land states, the quarter-quarter section, township, and range. All abandoned wells must be marked with a permanent monument. The requirement for a permanent monument may be waived in writing by the BLM.

Notice of Staking –3171.5(c)

43 CFR 3171.5(c) provides that a Notice of Staking may be submitted voluntarily. An operator that chooses to file a Notice of Staking must use the BLM’s electronic commerce application for oil and gas permitting and reporting, unless the respondent applies for, and the BLM grants, a waiver. The IC activity titled “Waiver Request” is discussed below.

The purpose of a Notice of Staking is to provide operators and the BLM an opportunity to gather information on a timely basis and better address site-specific resource concerns associated with a project while the operators prepare APDs.

Waiver Request –3171.16

Submission of a waiver request may be electronic or via hard copy. The request must be supported by an explanation of why the operator is not able to use the e-permitting system. In those exceptional cases, the BLM will review the operator’s request and determine whether a waiver allowing the operator to submit hard copies is warranted.

Application for Suspension or Other Relief – 43 CFR 3165.1

Under 43 CFR 3165.1, an operator that wants relief from either the operating or the producing requirements of a lease, or both, must file an application. The application must include a full statement of the circumstances that render such relief necessary.

An application for a suspension of operations or production, or both, must be filed with the BLM before the expiration date of the lease; must be executed by all operating rights owners or, in the case of a Federal unit, approved under 43 CFR 3180 by the unit operator on behalf of the committed tracts or by all operating rights owners of such tracts; and must include a full statement of the circumstances that make such relief necessary. The authorized officer will not approve an application for a suspension of a lease based on an APD filed less than 90 calendar days prior to the expiration date of the lease.

State Director Review – 43 CFR 3165.3(b)

Under 43 CFR 3165.3(b), any adversely affected party may request administrative review of a notice of violation or assessment or an instruction, order, or decision of the BLM issued under the regulations in 43 CFR 3160 or 3170. Such a request may be submitted to the appropriate state director, either with or without an oral presentation. Such request, including all supporting documentation, must be filed in writing with the appropriate state director within 20 business days of the date of receipt of the notice of violation or assessment or an instruction, order, or decision.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden and specifically how this collection meets GPEA requirements.

43 CFR 3171.5 generally requires the electronic filing (e-filing) of all Applications for Permit to Drill (Form 3160-3) and Notices of Staking (NOS). Those requirements are at sections 3171.5(a) and 3171.5(c).

43 CFR 3171.16 also include a provision that authorizes operators to request a waiver from the e-filing

requirements. Submission of that request may be electronic or via hard copy. The request would have to be supported by an explanation of why the operator is not able to use the e-permitting system. In those exceptional cases, the BLM will review the operator's request and determine whether a waiver allowing the operator to submit hard copies is warranted.

All forms for this collection are electronically available to the public in fillable, printable format at: <https://www.blm.gov/services/electronic-forms>. A respondent who has obtained a waiver (as described above) or who chooses to submit one of the other fillable, printable forms electronically, may do so by scanning and then emailing it to the appropriate BLM office.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

No duplication of information occurs in the information the BLM collects. The requested information is unique to the operator/operating rights owner and the lease and is not available from any other data source. No similar information is available or able to be modified. The information is required to receive a benefit.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The BLM is not required to collect information on whether the respondents qualify as small businesses or small entities. Because oil and gas operations and production tend to be capital-intensive activities, the BLM estimates that only about 5 percent of the respondents are small businesses or other small entities. The information required from all respondents is limited to the minimum necessary to authorize and regulate oil and gas operations on public lands.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The frequency of these ICs is "on occasion." Therefore, less frequent data collection would mean not collecting the information. If the BLM did not collect the information, or collected it less frequently, oil and gas leasing activities and operations could not occur on Federal or Indian trust leases, in compliance with pertinent statutes.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * requiring respondents to report information to the agency more often than quarterly;
- * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- * requiring respondents to submit more than an original and two copies of any document;
- * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- * in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- * requiring respondents to submit proprietary trade secrets, or other confidential information, unless

the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

Three categories of regulations present special circumstances within the meaning of this query:

- (1) Those that require respondents to report information to the agency more often than quarterly;
- (2) Those that require respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; and
- (3) Those that require respondents to retain records for more than three years

Retention of Records

43 CFR 3162.4-1

43 CFR 3162.4-1, with some exceptions, requires operators to maintain records of lease operations, production facilities and equipment, and for the following time periods:

- Seven years if the records were generated at Federal leases or at units or communitized areas that include Federal leases, but do not include Indian leases;
- Six years if the records were generated at Indian leases or at units or communitized areas that include Indian leases, but do not include Federal leases; and
- Six years if they were generated at units and communitized areas that include both Federal and Indian leases

The exceptions for Federal lease records apply after timely commencement of a judicial proceeding or demand involving such records. In such cases, the record holder must maintain the records until the final nonappealable decision in the judicial proceedings is made, or with respect to when that demand is rendered, unless the Secretary or the applicable delegated state authorizes in writing an earlier release of the requirement to maintain such records.

The exceptions for Indian lease records apply if the Secretary or his/her designee notifies the record holder that the DOI has initiated or is participating in an audit or investigation involving such records. In such cases, the record holder must maintain the records until the Secretary or his/her designee releases the record holder from the obligation to maintain the records.

The exceptions for units and communitized areas that include both Federal and Indian leases apply if the Secretary or his/her designee notifies the record holder within six years after the records are generated that the DOI has initiated or is participating in an audit or investigation involving such records. In such cases, the amount of time the record holder must maintain the records depends on whether a judicial proceeding or demand is commenced within seven years after the records are generated.

If a judicial proceeding or demand is commenced within seven years after the records are generated, the record holder must retain all records regarding production from the lease, unit, or CA until the final nonappealable decision in such judicial proceeding is made, or with respect to when that demand is rendered, unless the Secretary or his/her designee authorizes in writing a release of the requirement to maintain such records before a final nonappealable decision is made or rendered.

If a judicial proceeding or demand is not commenced within seven years after the records are generated, the record holder must retain all records regarding production from the unit or communitized area until the Secretary or his/her designee releases the record holder from the obligation to maintain the records.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On July 24, 2023 (88 FR 47562), the BLM published a notice of proposed rulemaking (NPRM) providing the general public and interested parties the opportunity to submit comments on the proposed regulatory changes. While the BLM received numerous comments in response to the NPRM, none of the comments specifically addresses the information collection requirements contained in the proposed rule. Comments that were submitted in response to the NPRM are addressed in the preamble to the final rule.

- 9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

The BLM does not provide payments or gifts to respondents.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

Under the privacy provisions of the E-Government Act of 2002, individuals/respondents were informed as to whether providing the information is mandatory to obtain a benefit. Each form displays a Privacy Act notice. There is no explicit assurance of confidentiality provided.

- 11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

The BLM does not require respondents to answer questions of a sensitive nature.

- 12. Provide estimates of the hour burden of the collection of information. The statement should:**
- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special**

surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here.

As shown at Table 12-1, below, the weighted average respondent hourly cost is \$71.38. This cost was determined using national Bureau of Labor Statistics data at http://www.bls.gov/oes/current/oes_nat.htm. The benefits multiplier of 1.4 is supported by information at <http://www.bls.gov/news.release/ecec.nr0.htm>.

Table 12-1: Estimated Weighted Average Hourly Costs

Position	Mean Hourly Pay Rate	Benefits Multiplier	Hourly Rate with Benefits	Percent of Collection Time	Weighted Average Hourly Cost
General Office Clerk (43-9061)	\$18.75	1.4	\$26.25	10%	\$2.63
Engineer (17-2199)	\$51.83	1.4	\$72.56	80%	\$58.05
Engineering Manager (11-9041)	\$76.43	1.4	\$107.00	10%	\$10.70
Totals:	—	—	—	100%	\$71.38

Estimated Hour and Cost Burdens: Hour and cost burdens to respondents include time spent for researching, preparing, and submitting information. The weighted average hourly wage associated with these ICs is shown at Table 12-1, above. The BLM's estimate of the time it takes a respondent to supply the information was verified by consultations with several respondents (see Item 8, above).

The estimated hour burdens for the use of Form 3160-5 (Sundry Notices) include both recurring burdens and one-time burdens. Most of the burdens are recurring (i.e., "on occasion").

Except for the one-time burdens and the monthly burden indicated in Column A of Table 12-2, the frequency of response for each of the ICs is "on occasion."

Table 12-2: Estimated Hour Burdens

Collection of Information	Number of Responses	Response Time (Hours)	Annual Burden Hours	Hourly Cost	Total Wage Equivalent
APD – 43 CFR 3162.3-1(a) through (i), 3172.3-1, and 3171.5(a) (Form 3160-3 and Related Information)	3,000	8	24,000	\$71.38	\$1,713,120
Subsequent Well Operations (formerly labeled “Sundry Notices and Reports on Wells”) – 43 CFR 3162.3-2 (Form 3160-5)	12,080	8	96,640	\$71.38	\$6,898,163
Plan for Well Abandonment – 43 CFR 3162.3-4	1,500	8	12,000	\$71.38	\$856,560
Justification for Temporary Well Abandonment – 43 CFR 3162.3-4(d) (NEW)	1,000	8	8,000	\$71.38	\$571,040
Reporting Shut-in Status – 43 CFR 3162.3-4(e) (NEW)	2,500	8	20,000	\$71.38	\$1,427,600
Verification of Mechanical Integrity – 43 CFR 3162.3-4(e)(2) and 3162.3-4(f) (NEW)	1,000	16	16,000	\$71.38	\$1,142,080
Plan and Timeline for Future Beneficial Use – 43 CFR 3162.3-4(e)(3)(iii) (NEW)	1,000	8	8,000	\$71.38	\$571,040
Well Completion or Recompletion Report and Log – 43 CFR 3162.4-1(a), (b), (d), and (e) (Form 3160-4 and Related Information)	5,000	4	20,000	\$71.38	\$1,427,600
Notification of Production Start or Resumption – 43 CFR 3162.4-1(c) (Form 3160-5)	1,000	8	8,000	\$71.38	\$571,040
Samples, Tests, and Surveys (formerly labeled “Drilling Tests, Logs, and Surveys”) – 43 CFR 3162.4-2	110	8	880	\$71.38	\$62,814
Environmental Obligations - Disposal of Produced Water – 43 CFR 3162.5-1(b), and 3177	1,500	8	12,000	\$71.38	\$856,560
Report of Spills, Discharges, or Other Undesirable Events – 43 CFR 3162.5-1(c)	215	8	1,720	\$71.38	\$122,774
Contingency Plan – 43 CFR 3162.5-1(d)	52	32	1,664	\$71.38	\$118,776
Horizontal and Directional Drilling – 43 CFR 3162.5-2(b)	2,100	8	16,800	\$71.38	\$1,199,184
Well Markers – 43 CFR 3162.6	1,000	8	8,000	\$71.38	\$571,040
Notice of Staking – 43 CFR 3171.5(c)	300	16	4,800	\$71.38	\$342,624

Collection of Information	Number of Responses	Response Time (Hours)	Annual Burden Hours	Hourly Cost	Total Wage Equivalent
Waiver Request – 43 CFR 3171.16	150	4	600	\$71.38	\$42,828
Application for Suspension or Other Relief – 43 CFR 3165.1	100	16	1,600	\$71.38	\$114,208
State Director Review – 43 CFR 3165.3(b)	14	16	224	\$71.38	\$15,989
Totals:	33,621		260,928		\$18,625,040

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

No capital and start-up costs are involved with this IC. Respondents are not required to purchase additional computer hardware or software to comply with these IC requirements. The Fiscal Year 2015 National Defense Authorization Act (PL 113-291) at 43 CFR 3021(b) (codified at 30 USC 191(d)) provides that in each of fiscal years 2016 through 2026, the BLM must collect a fee for each new APD (Form 3160-3). The amount of the fee was set initially at \$9,500, and must be revised annually for inflation, as measured by the Consumer Price Index.

The fee is \$11,805 for APD's (43 CFR 3162.3) is listed at 43 CFR 3000.120. The most recent update is at 87 FR 57637 (September 21, 2022). The BLM estimates that 3,000 of these applications are filed annually. The total estimated non-hour cost burden is \$35.4 million.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The hourly cost to the Federal Government is based on U.S. Office of Personnel Management Salary Table data at: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/RUS_h.pdf. The benefits multiplier of 1.6 is implied by information at <http://www.bls.gov/news.release/ecec.nr0.htm>. The hourly labor cost calculations are shown below:

Table 14-1: Weighted Average Hourly Federal Labor Cost

Position	Pay Grade	Hourly Pay Rate (\$/hour)	Benefits Multiplier	Hourly Rate with Benefits	Percentage of Collection Processing Time	Weighted Avg. (\$/hour)
Clerical	GS-5, step 5	\$19.61	1.6	\$31.38	10%	\$3.14
Professional	GS-9, step 5	\$29.72	1.6	\$47.55	80%	\$38.04
Managerial	GS-13, step 5	\$51.25	1.6	\$82.00	10%	\$8.20
Weighted Average Hourly Pay Rate (\$/hour): \$49.38						

The Table below shows the annualized Federal costs for each collection. The estimated time spent to process the ICs is based on the BLM's experience. The weighted average hourly wage associated with these ICs is shown at Table 14-1, above.

Table 14-2: Estimated Annual Cost to the Government

Collection of Information	Number of Responses	Processing Time Per Response (Hours)	Total Processing Hours	Hourly Cost	Total Wage Cost
APD – 43 CFR 3162.3-1(a) through (i), 3172.3-1, and 3171.5(a) Form 3160-3 and Related Information	3,000	2	6,000	\$49.38	\$296,280
Subsequent Well Operations – 43 CFR 3162.3-2 (formerly labeled “Sundry Notices and Reports on Wells”) Form 3160-5	12,080	3	36,240	\$49.38	\$1,789,531
Plan for Well Abandonment – 43 CFR 3162.3-4	1,500	1	1,500	\$49.38	\$74,070
Justification for Temporary Well Abandonment – 43 CFR 3162.3-4(d)	1,000	1	1,000	\$49.38	\$49,380
Reporting Shut-in Status – 43 CFR 3162.3-4(e)	2,500	.5	1,250	\$49.38	\$61,725
Verification of Mechanical Integrity – 43 CFR 3162.3-4(e)(2) and 3162.3-4(f)	1,000	.5	500	\$49.38	\$24,690
Plan and Timeline for Future Beneficial Use – 43 CFR 3162.3-4(e)(3)(iii)	1,000	1	1,000	\$49.38	\$49,380
Well Completion or Recompletion Report and Log – 43 CFR 3162.4-1(a), (b), (d), and (e) Form 3160-4 and Related Information	5,000	1	5,000	\$49.38	\$246,900

Collection of Information	Number of Responses	Processing Time Per Response (Hours)	Total Processing Hours	Hourly Cost	Total Wage Cost
Notification of Production Start or Resumption – 43 CFR 3162.4-1(c) Form 3160-5	1,000	1	1,000	\$49.38	\$49,380
Samples, Tests, and Surveys (formerly labeled “Drilling Tests, Logs, and Surveys”) – 43 CFR 3162.4-2	110	1	110	\$49.38	\$5,432
Environmental Obligations – Disposal of Produced Water – 43 CFR 3162.5-1(b), and 3177	1,500	1	1,500	\$49.38	\$74,070
Report of Spills, Discharges, or Other Undesirable Events – 43 CFR 3162.5-1(c)	215	1	215	\$49.38	\$10,617
Contingency Plan – 43 CFR 3162.5-1(d)	52	1	52	\$49.38	\$2,568
Horizontal and Directional Drilling – 43 CFR 3162.5-2(b)	2,100	2	4,200	\$49.38	\$207,396
Well Markers – 43 CFR 3162.6	1,000	1	1,000	\$49.38	\$49,380
Notice of Staking – 43 CFR 3171.5(c)	300	8	2,400	\$49.38	\$119
Waiver Request – 43 CFR 3171.16	150	4	600	\$49.38	\$29,628
Application for Suspension or Other Relief – 43 CFR 3165.1	100	16	1,600	\$49.38	\$79,008
State Director Review – 43 CFR 3165.3(b)	14	3	42	\$49.38	\$2,074
Totals:	33,621		62,811		\$3,101,628

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

Currently, there are 301,663 annual responses, 1,835,888 annual burden hours, and \$31,080,000 annual non-hour cost burdens inventoried under the OMB Control Number 1004-0137. This rule will create a new OMB Control Number and removes 28,121 annual responses, 208,928 annual burden hours, and \$31,080,000 annual non-hour cost burdens inventoried under OMB Control Number 1004-0137 into this OMB Control Number. This way the Measurement regulations are under a separate OMB Control Number from the information collection activities set forth in the regulations at 43 CFR 3160, 3171, 3172, 3176, and 3177. This new OMB control number is estimated to result in 33,121 annual responses, 252,928 annual burden hours, and \$35,400,000 non-hour cost burdens. The portion of this burden that would result from this rule is estimated to be 5,000 annual responses, 44,000 annual burden hours, and \$0 non-hour cost burdens, which would result from the new information collection requirements discussed below.

New Information Collection Requirements

43 CFR 3162.3-4 Well Abandonment

The BLM is proposing to modify paragraph (d) to include that no well may be temporarily abandoned unless the operator provides adequate and detailed justifications and verification of the mechanical integrity of the wells and isolation of the perforations from the surface. The BLM proposes to add a new paragraph (e) outlining new requirements for operators of shut-in wells. Paragraph (e)(1) provides for notification of the well’s status and shut-in date within the first year as well as each subsequent year during which the well is shut-in. Paragraph (e)(2) provides for the verification of the mechanical integrity of the well and confirmation that the well remains capable of producing in paying quantities within three years. When a well remains in a shut-in status by the fourth year, as

outlined in paragraph (e)(3), the operator must either (i) permanently abandon the well; (ii) resume production; or (iii) provide a detailed plan and timeline for the beneficial use for the well. The BLM may grant additional delays, provided the operator submits information that confirms the use and is making progress on returning the well to a beneficial use. The BLM believes these new requirements with yearly interval checks will help operators stay on top of shut-in wells, preventing them from becoming orphaned in the future. Finally, paragraph (f) would require the operator to verify the mechanical integrity for all wells that are temporarily abandoned or shut-in as required in paragraphs (d)(1) and (e)(2) of this section and must ensure that mechanical integrity is verified every 3 years thereafter. The new IC requirements would include:

- Justification for Temporary Well Abandonment – 43 CFR 3162.3-4(d)
- Reporting Shut-in Status – 43 CFR 3162.3-4(e)
- Verification of Mechanical Integrity – 43 CFR 3162.3-4(e)(2) and 3162.3-4(f)
- Plan and Timeline for Future Beneficial Use – 43 CFR 3162.3-4(e)(3)(iii)

The addition of these IC requirements would result in an addition of 5,500 annual responses (52,000 annual burden hours).

The remainder of burden hours under this new OMB Control Number are being transferred from OMB Control Number 1004-0137 in order to keep similar regulatory requirements under the same OMB Control Number.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The BLM will not publish the results of this collection.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The BLM will display the expiration date of the OMB approval on the forms included in this IC. The OMB number and expiration date are displayed on the form as well as at www.reginfo.gov.

18. Explain each exception to the topics of the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

There are no exceptions to the certification requirements of 5 CFR 1320.9.

###