WESTERN ENERGY ALLIANCE

PETROLEUM ASSOCIATION of WYOMING

NMOGA
NEW MEXICO OIL AND GAS ASSOCIATION

March 2, 2026

White House Office of Management and Budget
Natural Resources Programs
725 17th Street, NW,
Washington, DC 20503

Attention: OMB Control No. 1004–0137

Bureau of Land Management
1849 C St NW # 5665
Washington, DC 20240

Attention: Amanda Fox
afox@blm.gov

Re: Comments – OMB Information Collection Request - OMB Control No. 1004–0137 (RIN 1004–AF38) "Bureau of Land Management Requirements for Site Security and Production Handling; Applying for Commingling and Allocation Approval"

Dear OMB and BLM:

Western Energy Alliance (the Alliance), the New Mexico Oil & Gas Association (NMOGA) and the Petroleum Association of Wyoming (PAW) appreciate the opportunity to provide comments under the Paperwork Reduction Act (44 U.S.C. § 3501 *et seq.*) on the Information Collection Request (ICR) by the Office of Management and Budget (OMB) and Bureau of Land Management's (BLM) associated with the above-referenced proposed rule. We are submitting these comments solely with respect to the proposed rule's revised collection-of-information and third-party disclosure requirements under OMB Control Number 1004–0137, as described in the preamble's Paperwork Reduction Act discussion and "Revised Information Collections" section.

The Alliance appreciates the initiatives taken by the White House and the Department of the Interior to implement the provisions of the One Big Beautiful Bill Act (OBBBA) and to further President Trump's Unleashing American Energy agenda. The Alliance is working diligently with subject matter experts from its member companies to provide constructive comments on the draft diverse commingling regulations. The Alliance's goal is to ensure that the final regulations align with Congressional intent of the OBBBA commingling legislative provision in a manner that promotes significant benefits to the United States and American taxpayers from potential efficiency gains, enabling greater oil and natural gas production, and corresponding increase in federal oil and gas royalties.

The Alliance has been at the forefront of public lands and energy issues for over five decades. We have been in the trenches on policies to promote the responsible exploration and production of oil and natural gas on federal lands in the West. Our 165 members are independent producers and associated companies who operate on federal, tribal, and nonfederal lands in the West. As such, we collectively have detailed knowledge and expertise on how to responsibly expand oil and natural gas production on federal lands, how best to help you implement President Trump's energy agenda, and how best to ensure the information collection efforts align with applicable federal land management and leasing statutes.

The New Mexico Oil & Gas Association (NMOGA) is a coalition of oil and natural gas companies, individuals, and stakeholders dedicated to promoting the safe and environmentally responsible development of oil and natural gas resources in New Mexico. Representing over 1,000 members, NMOGA works with elected officials, community leaders, industry experts, and the general public, to advocate for responsible oil and natural gas policies and increase public understanding of industry operations and contributions to the state.

The Petroleum Association of Wyoming (PAW) represents companies involved in all aspects of responsible oil and natural gas development in Wyoming, including upstream production, oilfield services, midstream processing, pipeline transportation and essential work such as legal services, accounting, consulting and more.

Our comments are offered in a collaborative spirit, with the goal of ensuring that the final ICR: (1) requests only information that is necessary for BLM's programmatic purposes, (2) avoids duplication with existing state, tribal, and private processes, and (3) appropriately reflects total burden (including non-hour costs) as required by the Paperwork Reduction Act (PRA).

I. Third-Party Notice Requirements (Proposed 43 CFR 3173.14(a)(5))

Although the preamble's "Revised Information Collections" section focuses on changes to 43 C.F.R. §§ 3173.15 and 3173.16, the proposed rule also introduces a new third-party notice/disclosure component in § 3173.14(a)(5) that requires applicants to provide notice to "all interest owners" and to attest that notice was delivered by certified mail, return receipt requested, with copies of the application and attachments.

Because the PRA expressly covers third-party disclosure obligations, we respectfully recommend that OMB ensure this notice component is treated as part of the ICR, is burden-estimated transparently, and is right-sized to the practical utility it provides.

A. Notice—Need to Reduce Duplication and Align with Practical Utility

The proposed notice process may impose substantial incremental burden with limited incremental utility for BLM's measurement and royalty-verification functions. We understand and support the policy objective of ensuring affected parties are informed when their production will be included in a commingling arrangement.

In practice, however, a requirement to distribute full application packages and attachments by certified mail/return receipt to every interest owner can become administratively complex and costly (particularly where ownership is fractionated, changes frequently, involves hundreds of individual mineral owners, or includes numerous royalty interest holders). This process can also create a strong incentive to submit more voluminous application packages than necessary, increasing both applicant and agency handling burdens without necessarily improving the accuracy of the commingling methodology itself.

A lower-burden approach can still achieve the notice objective while better aligning the collection with PRA principles.

We encourage OMB to direct BLM to revise the draft rules to allow an operator certification that required notice has been provided to all mineral interest owners in accordance with applicable state or private requirements as described below (without mandating certified mail for all recipients), coupled with a requirement to retain notice records and produce them upon request. We also encourage OMB and BLM to consider an option for electronic notice where feasible.

B. The Draft Notice Requirements Duplicates State-Level and Other Existing Processes.

In many oil and gas producing jurisdictions, operators are already required to provide notice and obtain approvals through state oil and gas commissions and other state processes that address commingling-adjacent issues (spacing, pooling, unitization, facility permitting, and related production handling approvals). In addition, private contractual frameworks (JOAs, unit agreements, communitization agreements, and payment processes) often already establish how operational decisions are communicated to stakeholders.

We encourage OMB to request that BLM incorporate a "non-duplication" pathway that allows an applicant to satisfy any federal notice-related information collection through a certification that applicable state, tribal, or governing-agreement notice requirements have been met (with optional supporting documentation, such as a state order, where readily available). This approach would reduce duplication while preserving the practical utility of stakeholder awareness and operational transparency.

II. Request for Approval of a CAA—Proposed Additions to 43 CFR 3173.15 (OMB Control No. 1004–0137

We appreciate that BLM is broadening the types of sources that can be included in CAAs, including production associated with non-federal lands, and we understand why BLM seeks to ensure it can verify measurement and royalty reporting when federal/Indian production is commingled with other sources.

The PRA question, however, is whether the specific documentation requested is the least burdensome means of achieving that practical utility. The following comments are provided in this regard.

A. Acceptable Methodology (proposed § 3173.15(c))—supported.

We have no objection to allowing operators to provide a proposed allocation agreement for each CAA with calculated uncertainty percentages, including an allocation methodology that is acceptable to the BLM, to show how the allocation methodology is applied. Specifically, we appreciate the option to use periodic well testing methodologies.

We also support the use of BLM provided examples of periodic well testing procedures that industry could refer to when preparing CAA applications. To date, the omittance of an example procedure or clear definition of what an "approved well testing methodology" entails will result in multiple administrative submissions due to the lack of clarity regarding necessary requirements for streamlined approval.

B. Gas analysis / oil gravity (proposed § 3173.15(k))—supported.

We have no objection to providing the most recent gas analysis (including BTU content) and/or most recent oil gravity data, and we view BLM's shift from "all analyses for the last 6 years" to "most recent" as a meaningful burden reduction with clear utility for compatibility review.

We also support the flexibility to use analogous nearby BTU/gravity data where values are not explicitly known, which should reduce iterative follow-up requests and avoid delay.

C. Notice and Consent to the CAA

As discussed above, the proposed requirement to submit "documentation demonstrating that all other interest owners … consent to both the CAA and the BLM's inspection" is likely to be the single largest driver of incremental PRA burden to the point of creating an insurmountable barrier to commingling applications—especially where ownership is widely distributed with many owners being unlocatable. Beyond burden, the requirement also risks creating uncertainty and inconsistent implementation because "consent" can be defined differently across contexts (state law, private agreements, tribal law, and DOI/BIA practices).

A more PRA-efficient alternative that still provides BLM practical assurance would be to require an operator affidavit/certification stating that:

- Applicable notice requirements have been met; and
- The operator has the necessary operational authority to implement the CAA (including allocation methodology) under applicable agreements/orders.

This approach is common in other federal compliance contexts: it places responsibility clearly on the regulated entity while avoiding collection of voluminous third-party consents that may have limited relevance to BLM's verification oversight obligations.

D. Notice to Tribal and Allotted Lands

Regarding Tribal and Allotted lands, we recommend that the final regulations allow an operator certification or BIA/tribal authorization documentation to satisfy this requirement.

We also encourage OMB to request that BLM clarify how the "consent" concept in proposed § 3173.15(l) operates for Indian and especially Allotted lands. The proposed rule already contemplates BIA involvement for inclusion of Indian lease production, and the consent/approval pathway for allotted interests can be legally nuanced and administratively challenging.

To avoid an ICR that is difficult to comply with or inconsistently applied, we recommend that OMB direct BLM to specify that, for Indian/Allotted contexts, an applicant may satisfy the notice requirement through certification documentation discussed above or by showing via the applicable BIA approval and/or tribal authorization (as appropriate), rather than requiring operators to obtain and submit individualized consents from each allottee absent clear BIA direction.

E. BLM Inspection of Equipment

We recommend that the final regulations clarify when existing federal authorities/approvals already provide access. We appreciate BLM's need to appropriately verify measurement and protect royalty accuracy. At the same time, where measurement equipment and facilities are located "on lease," within an existing communitization or unit framework, and/or operating under a valid federal APD (including applicable COAs), BLM typically already has inspection and compliance mechanisms available under its existing authorities and approvals.

Accordingly, we recommend that OMB request that BLM:

> Limit any additional "inspection consent" documentation to circumstances where equipment is located off-lease on non-federal surface and existing federal approvals do not already establish access; and
>
> Clarify in the ICR and implementing guidance that a separate interest-owner "inspection consent" submission is not required where the equipment is within the footprint of an approved federal authorization that already contemplates inspection/compliance access under 43 C.F.R. 3173.23

This clarification would reduce unnecessary paperwork while maintaining the integrity of BLM's verification program.

F. Surface Access Rights for BLM Staff (proposed § 3173.15(m))—support affidavit-based documentation.

We understand BLM's need to ensure personnel can access measurement facilities located on private, state, or Indian surface. At the same time, surface-use agreements can contain sensitive commercial terms and can be administratively burdensome to compile for submission, particularly where multiple surface owners exist.

We recommend that OMB direct BLM to accept documentation in the form of an operator affidavit/certification for "fee access" (and other non-federal surface access), stating that the operator has secured the necessary rights to allow BLM access for inspection and verification purposes, and that supporting agreements will be retained and made available upon request if questions arise. This approach would reduce paperwork and protect sensitive information while still preserving BLM's ability to confirm access when it is operationally necessary.

III. Additions, Removals, or Modifications of Facility Layout (Form 3160-5)—43 CFR 3173.16 (Revised Collection)

We support BLM's direction to allow existing CAAs to remain in effect unless allocation is modified, and to use a Sundry Notice (Form 3160-5) to capture changes that are likely to affect allocation/uncertainty. To improve clarity and reduce unnecessary filings, we recommend two targeted refinements to the ICR description and corresponding regulatory text.

A. Clarify "previously approved CAA" in the Sundry Notice trigger statement

For clarity, we recommend BLM explicitly state:

> "If the operator adds or removes wells or modifies existing leases, unit Pas, or CAs in a previously approved CAA, a Sundry Notice (Form 3160-5) would be required."

This minor edit helps operators understand that the trigger relates to changes within an already-approved arrangement, supporting consistent compliance and better burden predictability.

B. Clarify that reapplication is tied to changes in contributing sources/agreements or allocation methods within the approved CAA

We recommend revising the reapplication trigger to read:

> "Additions to the contributing leases, unit PAs, or CAs or modifications to allocation methodology used within an approved CAA would require the operator to reapply for commingling approval prior to implementing the proposed changes."

As written, the rule would require operators to reapply for CAA approval each time a modification to a lease, unit PA, or CA is made, resulting in potential over-filings due to a variety of administrative changes not related to allocation methodology. In addition, the resulting regulatory uncertainty would put existing approvals into question each time a modification is made, such as for example, when a PA expansion occurs. Such uncertainty may be unmanageable for many operators. This phrasing focuses the requirement on changes that can directly affect allocation methodology and measurement uncertainty, and it reduces the risk that operators over-file based on unrelated administrative changes.

IV. The Need and Purpose for the ICR as it is Related to Commingling

The Alliance recognizes and supports BLM's stated objective to streamline diverse commingling and allocation approvals (CAAs) and reduce administrative barriers that can delay operational decisions, capital deployment, and production of federal oil and gas resources. We also appreciate BLM's efforts to modernize application content in ways that can improve efficiency—particularly where the collection has clear practical utility to implement the Congressional intent of the OBBBA commingling legislative provision.

The Alliance would very much appreciate this opportunity to serve as a valuable source of information to OMB and BLM as the agencies collect information that will ultimately result in a well-tailored rule that achieves Congressional intent and allows for efficient development of oil and natural gas resources on federal lands, specifically as it relates to CAAs.

A. BLM ICR Requests for Approval of a CAA -- 43 FR 3173.1 (Form 3160-5) and Related Information; and Response to Notice of Insufficient CAA -- 43 CFR 3173.16 and Related Information (Form 3160-5)

Generally, a CAA allows an operator to combine production from two or more sources (i.e., leases, Unit PAs, CAs, or non-federal properties) before that product reaches a facility measurement point (FMP).[1] 43 C.F.R. 3173.15 requires approval of a CAA, while 43 C.F.R. 3173.16 requires an operator to submit information to correct any inconsistencies or deficiencies identified by the BLM. Both information collection (IC) activities are one-time only. For example, ICs involved in a new CAA under 3173.15 include (among other information):

- A completed Sundry Notice for approval of commingling and allocation;
- A completed Sundry Notice for approval of off-lease measurement under §3173.23,
- A proposed allocation agreement, including an allocation methodology (including allocation of produced water), with an example of how the methodology is applied,
- A list of all Federal or Indian lease, unit PA, or CA numbers in the proposed CAA, specifying the type of production (i.e., oil, gas, or both) for which commingling is requested;

[1] 43 C.F.R. 3173.1; *see also* 43 C.F.R. 3173.14 (conditions for approval of a commingling and allocation agreement).

- A topographic map or maps of appropriate scale, and
- A surface use plan of operations if new surface

Under its review of an initial CAA, the BLM will notify the applicant of the CAA in writing of any inconsistencies or deficiencies and require the applicant to make corrections in the CAA. The operator must comply within 20 business days after receipt of the BLM's notice but may request an extension of time. When the BLM is satisfied that the operator has corrected any inconsistencies or deficiencies, the BLM will terminate the existing CAA and grant a new CAA based on the operator's corrections. If the existing CAA does not meet the standards and requirements of 43 C.F.R. § 3173.14 and the operator does not correct the deficiencies, the BLM may terminate the existing CAA and deny the request for an FMP number for the facility associated with the existing CAA.

Commonly, operators apply to the BLM for a CAA to reduce capital expenditures for constructing production facilities. If an operator is able to obtain commingling approval, it requires fewer separators, production equipment, and tanks at the facility. In order to approve commingling of surface production, the BLM has to review the application and ensure that it fulfills the requirements for commingling and is in the public's best interest.

We recommend that any non-mandatory supporting and supplemental information that an operator chooses to include in its CAA concerning expected cost savings, capital expenditure reduction, or similar economic benefits of CAA approval be considered as a net-positive benefit to a potential increase in agency processing and man-hour requirement stemming from the likely increase in CAA applications upon the finalization of the rules. Such full cycle consideration of costs and benefits of CAA approval will capture more comprehensively agency burden, operator burden, and benefit to public taxpayers.

We also recommend a standardized agency-wide template or checklist that clearly identifies minimum required elements of acceptable CAA applications. Such standardization, where feasible, would reduce the initial application deficiency issues inherent in the current process and minimize the iterative review cycle between initial CAA submission, agency review, and ultimate approval or denial. This will lead to improved submission quality and predictability for all parties involved.

Additionally, BLM should consider expressly allowing concurrent review of related approvals (*e.g.*, off-lease measurement approvals under § 3173.23 and associated FMP assignments) within the same review cycle as standard practice, if not performed already. Integrating these reviews into one process would eliminate duplicative submissions and internal routing delays, thereby reducing total agency man-hours per CAA and would not hinder potential production that generates federal royalties.

B. Existing ICs for CAA Approvals and Post-Approval Accounting are Sufficiently Effective at Protecting Federal Mineral Interests

The frequency of the existing information collections for CAAs is "on occasion" And generally has not created an onerous burden to date.

It is noted by the Alliance and industry that some oil and gas information collection activities are more frequent. The measurement rules, collectively subparts 3173, 3174, and 3175 for example, are risk based.[2] Requirements that are monthly or quarterly indicate a higher oil or gas production volume with corresponding greater risk to Federal royalties.[3] If the oil or gas production is high or are directly tied to royalty payments, the BLM has a monthly or quarterly information collection activity. Oil and gas operators are required to report oil and gas production and pay royalties to ONRR monthly. The frequency of information collection activities is designed to align with the risk to measurement or production reporting that directly affects Federal royalty income.[4]

The Alliance is not requesting any changes to the ICs that occur with CAA approvals at this time, as existing ICs and associated frequencies provide an appropriate, risk-based framework that sufficiently safeguards federal mineral interests while enabling efficient development of under the current regulatory structure with improvement of the CAA approval process, as proposed by the draft regulations.

[2] *Id.*
[3] *Id.*
[4] *Id.*

V. As a Result of the ICR Effort, the CAA Approval Process, Once Revised with Industry Input, Will Improve Development Efficiency and Decrease Hourly Burdens on Industry and BLM

A. BLM's Estimated Agency Resource Cost Per Hour

The ICR requires the BLM to provide estimates of the hourly burden of the IC efforts associated with each CAA. As such, the BLM has provided its "Estimated Weighted Average Hourly Costs" for CAA processing as such:

Table 12-1: Estimated Weighted Average Hourly Costs[5]

Position	Mean Hourly Pay Rate	Benefits Multiplier	Hourly Rate with Benefits	Percent of Collection Time	Weighted Average Hourly Cost
General Office Clerk (43-9061)	$20.94	1.4	$29.32	10%	$2.93
Engineer (17-2199)	$56.90	1.4	$79.66	80%	$63.73
Engineering Manager (11-9041)	$82.83	1.4	$115.96	10%	$11.60
Totals:	----	----	----	**100%**	**$78.26**

The occupational categories and the estimated burden are based on the BLM's experience with these ICs as well as its experiences interacting with industry experts on these regulatory requirements. Hour and cost burdens to operators include time spent for researching, preparing, and submitting information. The weighted average hourly wage associated with these information collections is shown at Table 12-1, above.

B. Federal Lease Holders and Operators are the Respondents to BLMs IC Requirements

Notwithstanding for the one-time burdens and the monthly burden indicated in Column A of Table 12-2 (below), the frequency of response for each of the information collections is "on occasion." The burden estimates are based on the BLM's years of experience of implementing these regulatory requirements within the onshore oil and gas industry as well as from feedback provided by actual respondents, such as what the Alliance is providing now. Based on the BLM's

[5] U.S. DOI, OMB 1004-0137 - Supporting Statement (2025 Renewal) at 16.

experience, there are approximately 864 entities holding onshore oil and gas leases on BLM public lands. It is this sector of the regulated community who are respondents to these information collection requirements.

Table 12-2: Estimated Hour Burdens[6]

Collection of Information	Number of Responses	Frequency	Response Time (hours)	Annual Burden Hours	Weighed Hourly Rate	Total Wage Equivalent
Request for Approval of a CAA -- 43 CFR 3173.15 (Form 3160-5 and Related Information)***	2,162	One-Time	40	86,480	$78.26	$6,767,925
Response to Notice of Insufficient CAA -- 43 CFR 3173.16 (Form 3160-5 and Related Information)***	150	On occasion	40	6,000	$78.26	$469,560
Request to Modify or Terminate a CAA -- 43 CFR 3173.18 and 3173.20 (Form 3160-5 and Related Information)***	500	On occasion	40	20,000	$78.26	$1,565,200
Totals:	**2,812**	—	—	**112,480**	----	**$8,802,685.00**

*The form 3160-5, Sundry Notice, is used broadly across the BLM's oil and gas program. The form is estimated to take 8 hours to complete. However, within the context of these ICs, the form is only part of the overall burden associated with these activities.

Table 14-2: Estimated Annual Cost to the Government[7]

Collection of Information	**Number of Responses**	**Processing Time Per Response (hours)**	**Total Processing Hours**	**Hourly Wage Cost**	**Total Wage Cost**
Request for Approval of a CAA 43 CFR 3173.15 Form 3160-5 and Related Information	2,162	16	34,592	$54.11	$1,871,773

[6] *Id.* at 17.
[7] *Id.* at 19.

Collection of Information	Number of Responses	Processing Time Per Response (hours)	Total Processing Hours	Hourly Wage Cost	Total Wage Cost
Response to Notice of Insufficient CAA 43 CFR 3173.16 Form 3160-5 and Related Information	150	5	750	$54.11	$40,583
Request to Modify or Terminate a CAA 43 CFR 3173.18 and 3173.20 Form 3160-5 and Related Information	500	0.25	125	$54.11	$6,764
				Total Cost:	**$1,919,120**

The ICR and subsequent final commingling rules do not require start-up or capital costs for the BLM as a result. In fact, it is industry who will likely experience more costs associated with the final rule change to accommodate the modifications to required supplemental information, documentation, and exhibits. However, we anticipate that with enhancements to clarify the proposed rule, changes and costs for industry will be heavily outweighed by the decrease in overall capital and operational costs made available through more certain CAA approvals.

Even under conservative assumptions, as a conservative estimate, if each finalized CAA approval yields approximately $1 million in operator savings through reduced capital and operational costs, the total estimated annual industry burden of $8.8 million would be offset after only 9–10 approvals, well below the 2,162 (see table 12-2) approval requests anticipated annually. Moreover, the government's estimated $1.9 million in annual processing costs will be readily recovered through accelerated production and increased federal royalty revenues attributable to more efficient and certain commingling approvals under the revised rules.

Lastly, the ICR's focus does not appear to be aimed at CAAs or their processing as much as being aimed at other BLM federal oil and gas program changes such as: (1) reducing the estimated number of respondents to one for three ICs pertaining to FMP applications, (2) increasing estimates for response times from 8 hours to 40 hours per response to prepare a variance under 43 C.F.R. § 3170.6, (3) increasing the response time from 8 hours per response to 10 hours per response to prepare a site facility diagram under 43 C.F.R. § 3173.11, and (4) more clearly documenting the burden for three ICs related to the burden associated with recordkeeping, reporting theft, and off-lease measurement approvals.[8]

As such, we recommend that BLM expressly reaffirm the existing risk-based framework embedded in subparts 3173–3175 and avoid expanding the frequency of CAA related information collections absent high demonstrated royalty risk. Maintaining alignment between reporting frequency and measurable royalty exposure ensures compliance with the PRA's mandate to minimize unnecessary burden on respondents (i.e., industry) while continuing to safeguard federal mineral interests.

Through the ICR process, BLM should also clarify that post-approval accounting requirements for CAAs should not be overly duplicative of ONRR reporting. To further reduce administrative inefficiencies, BLM should clarify that post-approval accounting or allocation reporting under CAAs will not duplicate monthly production and royalty reporting already submitted to ONRR. Recognizing the complementary roles of BLM measurement oversight and ONRR royalty accounting would prevent redundant data submissions and reduce cumulative burden without sacrificing federal royalty production, accountability, or accuracy.

We also recommend using the ICR to use this opportunity to emphasize data quality over increased reporting quantity. If modernization is a stated goal of the BLM's ICR (it is), the focus should remain on improving clarity and quality of initial CAA submissions rather than increasing the quantity or frequency of post-approval reporting. High-quality assisting the BLM in achieving stronger royalty protection with fewer total administrative hours expended by both BLM and operators.

VI. Burden and Non-Hour Cost Estimates—request reassessment to reflect new notice/consent/access elements

Finally, we respectfully encourage OMB to request that BLM revisit its conclusion that total burden hours and non-hour costs will not change as a result of the proposed revisions. The proposed additions—particularly certified-mail notice/return receipt documentation, interest-owner consent documentation, and access documentation—are likely to impose significant incremental hour burdens and non-hour costs (mailing, printing, tracking and record management) that should be transparently estimated and reflected in the final ICR.

[8] *Id.* at 20.

Industry is a reliable resource for providing reasonable estimates of burden hours and non-hour costs associated with performing the necessary and required aspects of its business. For example, during its initial ICR consultation process, the BLM consulted with three operators from varying basins to obtain their views on the availability of data, frequency of collection, clarity of instructions, recordkeeping, disclosure, reporting formats, and on the data elements to be recorded, disclosed or reported.[9] Each operator/respondent determined that the BLM's estimated hourly and resource burdens for CAA review was too low. As CAA's and similar requests are highly technical and require substantial authentication of information and data on the part of the BLM, such preparation and pre-review burdens are also apparent on the operators themselves. While the expected and realized benefits of CAA approval and the eventual improvements on operations, capital and operational efficiencies, and management of each CAA-approved location are expected to outweigh the upfront diligence required to obtain approval, we recommend OMB should request that BLM disaggregate and specifically quantify the incremental burdens associated with certified-mail notice, return-receipt tracking, interest-owner consent coordination, and access documentation to more fully assess the associated burdens. These requirements impose meaningful additional obligations, and the cumulative administrative time, mailing costs, and record-management requirements, particularly across thousands of annual CAAs expected as a result of the rule change, are unlikely to be cost-neutral and should be transparently reflected in the final ICR.

Recalibrate the BLM's agency estimates. Given that operators previously consulted during the ICR process uniformly indicated that BLM's burden estimates were understated, OMB should encourage a recalibration of preparation and technical authentication time for CAAs. These applications require detailed allocation methodologies, ownership verification, and cross-checking of lease and measurement data, all efforts that impose meaningful professional engineering and land administration hours that should be accurately captured.

Finally, acknowledge the upfront diligence necessary in CAA preparation while recognizing the net public benefit. Although incremental documentation and authentication efforts may increase upfront burden hours, those costs are justified where they improve clarity, potentially reduce subsequent disputes, and facilitate durable CAA approvals that enhance capital efficiency and help clear the way for royalty generating production. A more accurate and transparent burden estimate will strengthen the final rule's defensibility under the PRA (and other statutes) while

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[9] U.S. DOI, OMB 1004-0137 - Supporting Statement (2025 Renewal) at 15 (stating BLM met with Hilcorp, Marathon, and Devon, and each respondent believe BLMs estimated burdens for preparing CAAs was too low and should be increased, likely due to the amount of time required to both prepare and adjudicate CAAs for approval).

reinforcing that the long-term operational, fiscal, and public benefits of approved CAAs substantially outweigh the initial diligence required.

VII. Conclusion

We appreciate OMB's and BLM's work to modernize the diverse commingling regulatory framework to implement the OBBBA. The refinements suggested above are intended to preserve BLM's core compliance objectives while ensuring the final information collection is narrowly tailored, non-duplicative, and administratively efficient, consistent with the PRA.

The Alliance respectfully submits that the ICR effort, coupled with a revised and finalized commingling rule that incorporates industry input, will ultimately streamline CAA processing and reduce avoidable review cycles, deficiency notices, and duplicative submissions.

By clarifying requirements on the front end and aligning information collection with risk-based measurement oversight, the BLM can expect more complete initial applications and fewer corrective exchanges, thereby decreasing agency processing hours over time. In turn, more predictable and timely approvals will help accelerate production, correspondingly increase federal royalty revenue, and reduce administrative burden for both the agency and regulated entities. The result will be a modernized framework that lowers long-term processing burdens while delivering tangible benefits to the BLM, industry, and the American public.

The Alliance sincerely appreciates the opportunity to serve as an informed and constructive commenter and stands ready to continue providing technical expertise and practical field insight to assist the BLM in developing efficient, durable, and well-tailored regulations.

Please do not hesitate to contact me if you have any questions or would like additional information. Thank you.

Sincerely,

Melissa Simpson
President, Western Energy Alliance

Missi Currier
President, New Mexico Oil & Gas Association

Lily Simon
Director of Regulatory Affairs
Petroleum Association of Wyoming