

§ 216.30

§ 216.30 Special forms and reports.

When special forms or reports other than those referred to in the regulations in this part are necessary, instructions for the filing of such forms or reports will be provided by the Associate Director. Such requests will be made in conformity with the requirements of the Paperwork Reduction Act of 1980, and are expected to involve less than 10 respondents annually.

§ 216.40 Assessments for incorrect or late reports and failure to report.

(a) An assessment of an amount not to exceed \$10 per day may be charged for each report not received by MMS by the designated due date.

(b) An assessment of an amount not to exceed \$10 may be charged for each incorrectly completed report.

(c) For purposes of oil and gas reporting under the PAAS, a report is defined as each line of production information required on the Monthly Report of Operations (Form MMS-3160), Oil and Gas Operations Report (Form MMS-4054), Gas Analysis Report (Form MMS-4055), Gas Plant Operations Report (Form MMS-4056), and Production Allocation Schedule Report (Form MMS-4058).

(d) For purposes of solid minerals reporting under PAAS, a report is defined as each line of production information required on the Solid Minerals Operation Report (Form MMS-4059) and Solid Minerals Facility Report (Form MMS-4060).

(e) The MMS will not make assessments for reporting problems which are beyond the control of the reporter (e.g., reports received late because of bad weather). The reporter shall have the burden of proving that a reporting problem was unavoidable.

(f) An assessment under this section shall not be shared with a State, Indian tribe, Indian allottee, or Alaska Native Corporation.

(g) The amount of the assessment to be imposed pursuant to paragraphs (a) and (b) of this section shall be established periodically by MMS. The assessment amount for each violation will be based on MMS's experience with costs and improper reporting. The MMS will publish a Notice of the as-

essment amount to be applied in the FEDERAL REGISTER.

[51 FR 8175, Mar. 7, 1986, as amended at 52 FR 27546, July 22, 1987; 53 FR 16412, May 9, 1988; 58 FR 64903, Dec. 10, 1993; 59 FR 38905, Aug. 1, 1994]

Subpart B—Oil and Gas, General

§ 216.50 Monthly report of operations.

(a) You must submit a Monthly Report of Operations, Form MMS-3160, if you operate either an onshore Federal or Indian lease or an onshore federally-approved agreement that contains one or more wells that are not permanently plugged and abandoned. You may submit Form MMS-3160 electronically.

(b) You must submit a Form MMS-3160 for each well for each calendar month, beginning with the month in which you complete drilling, unless you have only test production from a drilling well or MMS tells you in writing to do otherwise.

(c) MMS must receive your completed Form MMS-3160 according to the following table:

If you submit your form . . .	We must receive it by . . .
(1) Electronically	The 25th day of the second month following the month for which you are reporting.
(2) Other than electronically ..	The 15th day of the second month following the month for which you are reporting.

(d) You must continue reporting until either:

(1) BLM approves all wells as permanently plugged or abandoned and you dispose of all inventory; or

(2) The lease or agreement is terminated.

(e) You are not required to submit Form MMS-3160 if:

(1) You are authorized to submit an Oil and Gas Operations Report, Form MMS-4054, instead of a Form MMS-3160; or

(2) You operate a gas storage agreement. You must report gas storage agreements to the appropriate BLM office.

(f) Specific and detailed guidance on how to prepare and submit the required production data on the Form MMS-3160 are contained in the MMS *PAAS Onshore Oil and Gas Reporter Handbook*. See § 216.15 of this part.