

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

(a) *General.* You must submit Form MMS-4425, Designation Form for Royalty Payment Responsibility, if you want to designate a person to make royalty payments on your behalf under §218.52.

(b) *Reporting options.* You must submit Form MMS-4425 manually. You may find the form on our Internet Web site at http://www.mrm.mms.gov/ReportingServices/Forms/AFSOil_Gas.htm or request the form from MMS at P.O. Box 5760, Denver, Colorado 80217-5760.

(c) *Reporting address.* You must submit completed Form MMS-4425 by:

(1) U.S. Postal Service regular or express mail addressed to Minerals Management Service, P.O. Box 25165, MS 357B1, Denver, Colorado 80217-0165; or

(2) Special courier or overnight mail addressed to Minerals Management Service, Building 85, Room A-614, MS 357B1, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225.

Subpart E—Production and Royalty Reports—Solid Minerals

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

§210.200 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.

§210.201 How do I submit Form MMS-4430, Solid Minerals Production and Royalty Report?

(a) *What to submit.* (1) You must submit a completed Form MMS-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 MMS a Courtesy Notice as defined in

§218.51(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 MMS-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 MMS-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 MMS-4430.

(3) Instructions for completing and submitting Form MMS-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 MMS-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 MMS-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 MMS-4430 on or before the date on which you must pay royalty under the terms of the lease.

(3) You must submit your Form MMS-4430 for payment of rents (other than those for which you receive from MMS a Courtesy Notice as defined in §218.51(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 MMS-4430 is no longer correct, you must submit a revised Form MMS-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

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falls on a weekend or holiday, your revised Form MMS-4430 is due on the first business day of the following month.

(c) *How to submit.* (1) You must submit Form MMS-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 MMS-4430 to us at one of the following addresses, unless MMS publishes notice in the FEDERAL REGISTER giving a different address:

(i) *For U.S. Postal Service regular mail or Express Mail:* Minerals Management Service, Minerals Revenue Management, P.O. Box 5810, Denver, Colorado 80217-5810; or

(ii) *For courier service or overnight mail (excluding Express Mail):* Minerals Management Service, Minerals Revenue Management, Building 85, Denver Fed-

eral Center, Room A-614, Denver, Colorado 80225.

[66 FR 45771, Aug. 30, 2001; 66 FR 50827, Oct. 5, 2001]

§ 210.202 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 MMS-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 |
|---|---------------|------------------|-------------------|---------------|--|---|
| (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 ₂ | 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 | As Requested |
| (xiii) P ₂ O ₅ % | 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. |