

## § 250.192

conducts under the authority of sections 22(d)(1) and (2) of the Act (43 U.S.C. 1348 d(1) and (2)), is a fact-finding proceeding with no civil or criminal issues and no adverse parties. The purpose of the investigation is to prepare a public report that determines the cause or causes of the accident. The investigation may involve panel meetings conducted by a chairperson appointed by MMS. The following requirements must be met for any panel meetings involving persons giving testimony:

(1) A person giving testimony may have legal and/or other representative(s) present to provide advice or counsel while the person is giving testimony. The chairperson may require a verbatim transcript to be made of all oral testimony. The chairperson also may accept a sworn written statement in lieu of oral testimony.

(2) Only panel members, panel's legal advisors, and any experts the panel deems necessary may address questions to any person giving testimony.

(3) The chairperson may issue subpoenas to persons to appear and provide testimony and/or documents at a panel meeting. A subpoena may not require a person to attend a panel meeting held at a location more than 100 miles from where a subpoena is served.

(4) Any person giving testimony may request compensation for mileage and fees for service within 90 days after the panel meeting. The compensated expenses must be similar to mileage and fees the U.S. District Courts allow.

### § 250.192 What evacuation statistics must I submit?

You must submit evacuation statistics to the Regional Supervisor for a natural occurrence such as an earthquake or hurricane. MMS will notify local and national authorities and the public, as appropriate. Statistics include facilities and rigs evacuated and amount of production shut-in for gas and oil. You must:

(a) Submit the statistics by fax or e-mail as soon as possible when evacuation occurs;

(b) Submit statistics on a daily basis by 11:00 a.m., as conditions allow, during the period of shut-in and evacuation;

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(c) Inform MMS when you resume production; and

(d) Submit statistics either by MMS district or the total figures for your operations in the Region.

### § 250.193 Reports and investigations of apparent violations.

Any person may report to MMS an apparent violation or failure to comply with any provision of the Act, any provision of a lease, license, or permit issued under the Act, or any provision of any regulation or order issued under the Act. When MMS receives a report of an apparent violation, or when an MMS employee detects an apparent violation after making an initial determination of the validity, MMS will investigate according to MMS procedures.

### § 250.194 What archaeological reports and surveys must I submit?

(a) If it is likely that an archaeological resource exists in the lease area, the Regional Director will notify you in writing. You must include an archaeological report in the EP or DPP. If the archaeological report suggests that an archaeological resource may be present, you must either:

(1) Locate the site of any operation so as not to adversely affect the area where the archaeological resource may be; or

(2) Establish to the satisfaction of the Regional Director that an archaeological resource does not exist or will not be adversely affected by operations. This requires further archaeological investigation, conducted by an archaeologist and a geophysicist, using survey equipment and techniques the Regional Director considers appropriate. You must submit the investigation report to the Regional Director for review.

(b) If the Regional Director determines that an archaeological resource is likely to be present in the lease area and may be adversely affected by operations, the Regional Director will notify you immediately. You must not take any action that may adversely affect the archaeological resource until the Regional Director has told you how to protect the resource.

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(c) If you discover any archaeological resource while conducting operations in the lease area, you must immediately halt operations within the area of the discovery and report the discovery to the Regional Director. If investigations determine that the resource is significant, the Regional Director will tell you how to protect it.

**§ 250.195 Reimbursements for reproduction and processing costs.**

(a) MMS will reimburse you for costs of reproducing data and information that the Regional Director requests if:

(1) You deliver geophysical and geological (G&G) data and information to MMS for the Regional Director to inspect or select and retain;

(2) MMS receives your request for reimbursement and the Regional Director determines that the requested reimbursement is proper; and

(3) The cost is at your lowest rate or at the lowest commercial rate established in the area, whichever is less.

(b) MMS will reimburse you for the costs of processing geophysical information (that does not include cost of data acquisition):

(1) If, at the request of the Regional Director, you processed the geo-

physical data or information in a form or manner other than that used in the normal conduct of business; or

(2) If you collected the information under a permit that MMS issued to you before October 1, 1985, and the Regional Director requests and retains the information.

(c) When you request reimbursement, you must identify reproduction and processing costs separately from acquisition costs.

(d) MMS will not reimburse you for data acquisition costs or for the costs of analyzing or processing geological information or interpreting geological or geophysical information.

**§ 250.196 Data and information to be made available to the public.**

MMS will protect data and information you submit under this part, as described in this section. The tables in paragraphs (a) and (b) of this section describe what data and information will be made available to the public without the consent of the lessee and under what circumstances and in what time period.

(a) MMS will disclose data and information you submit on MMS forms according to the following table:

Data and information that you submit on form	In the following items	Will be released	And
(1) MMS-123, Application for Permit to Drill.	All entries except items 17, 24, and 25.	At any time .....	The data and information in items 17, 24, and 25 will be released according to the table in paragraph (b) of this section or when the well goes on production, whichever is earlier.
(2) MMS-124, Sundry Notices and Reports on Wells.	All entries except item 36.	At any time .....	The data and information in item 36 will be released according to the table in paragraph (b) or when the well goes on production, whichever is earlier.
(3) MMS-125, Well Summary Report.	All entries except items 17, 24, 34, 37, and 46 through 87.	At any time .....	The data and information in the excepted items will be released according to the table in paragraph (b) of this section or when the well goes on production, whichever is earlier. However, items 78 through 87 will not be released when the well goes on production unless the period of time in the table in paragraph (b) has expired.
(4) MMS-126, Well Potential Test Report.	All entries except item 101.	When the well goes on production.	The data and information in item 101 will be released 2 years after you submit it.
(5) MMS-127, Request for Reservoir Maximum Efficient Rate (MER).	All entries except items 124 through 168.	At any time .....	The data and information in items 124 through 168 will be released according to the time periods in the table in paragraph (b) of this section.
(6) MMS-128, Semi-annual Well Test Report.	All entries .....	At any time.	

(b) MMS will disclose lease data and information that you submit, but that are not usually submitted on MMS forms, according to the following table: