

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF OCEAN ENERGY MANAGEMENT**

BOEM NTL No. 2012-N01

Effective Date: August 06, 2012
Expiration Date: August 06, 2017

**NOTICE TO LESSEES AND OPERATORS OF FEDERAL
OIL AND GAS OR SULPHUR LEASES, HOLDERS OF RIGHTS-OF-USE AND
EASEMENT OR PIPELINE RIGHTS-OF-WAY, AND SURETIES
ON THE OUTER CONTINENTAL SHELF**

**Electronic Submittal of Company, Qualification, Financial Assurance,
and Bonding Information and Documents**

This notice to lessees and operators of federal oil and gas or sulphur leases, holders of rights-of-use and easements (RUE) or pipeline rights-of-way (ROW), and sureties provides guidance on electronic submittal of company, qualification, financial assurance, and bonding information and documents to the Bureau of Ocean Energy Management (BOEM). Lessees, operators, RUE and ROW holders, and sureties can choose to submit required information and documents either electronically or in paper form. BOEM's ability to accept the information and documents in electronic form is new.

Background

Before a person or entity can bid on, hold, or operate an oil and gas or sulphur lease or hold a RUE or ROW on the Outer Continental Shelf (OCS), it must submit certain information and documents (hereinafter referred to as "company information") to BOEM to establish that it is qualified to be a lessee, operator, or RUE or ROW holder. After initial qualification, the lessee, operator, or RUE or ROW holder must submit information and documents regarding any change affecting its qualification or qualification records, including, but not limited to, a merger, conversion from one business form to another, change of name, change of authorized official or title of authorized official, or change of address, phone number, or website. Additionally, BOEM must receive financial assurance intended to secure performance of lease obligations and regulatory requirements before it will issue a lease or approve a RUE, change of designated operator, assignment of interest in a lease, exploration plan, development and production plan, or development operations coordination document. Subject to BOEM regulations and approval, financial assurance can take the form of a surety bond, Treasury note, letter of credit, trust agreement, or indemnity agreement. Historically, BOEM and its predecessor agencies have required paper submittals to establish or change the foregoing company information and financial assurances.

Federal Law Favors Acceptance of Electronic Submittals

The Government Paperwork Elimination Act (GPEA) and the Paperwork Reduction Act of 2002 (PRA 2002) encourage federal agencies to provide the option of electronic submittal of

information as a substitute for paper. These Acts also encourage the use and acceptance of electronic signatures and other forms of electronic authentication, urging that documents signed or authenticated electronically not be denied legal effect, validity, or enforceability because they are submitted in electronic form.

Procedures for Electronic Submittals

User ID and Password: Before an electronic submittal can be made, a current or potential bidder, lessee, operator, RUE or ROW holder, or surety must complete a Technical Information Management System (TIMS) administrator request form and/or user access request form and execute the agreement at the bottom of the form. A *TIMS Web User ID Application Manual*, which includes the administrator request form and user access request form, is attached to this NTL and available on the internet at www.boem.gov. The administrator request form and user access request form cannot be submitted electronically, but must be mailed or delivered to BOEM for authentication and approval before a lessee, operator, RUE or ROW holder, or surety can use the TIMS company information and financial assurance programs online. A lessee, operator, or RUE or ROW holder with an existing eWell user agreement, user ID, and password cannot use the eWell user ID and password to access the company information and financial assurance programs.

Company Information, Including Qualification: Instructions for the electronic submittal of company information and documents are set out in a *TIMS Web Company – Industry User Guide*, available on the internet at www.boem.gov. Company information includes qualification, merger, business conversion, change of name, change of authorized official or title of authorized official, and change to address, phone number, or website.

Financial Assurance, Including Bonding: Instructions for the electronic submittal of financial assurance information and documents are set out in a *TIMS Web Bonding – Industry User Guide*, available on the internet at www.boem.gov. A lessee or operator opting to submit bonding information and documents electronically may choose to forward this NTL and the *Guide* to its surety, as the NTL and *Guide* contain instructions applicable to the surety.

Updates: BOEM will post any update to or change in the web user forms, *Manual*, and *Guides* on the internet at www.boem.gov.

Training: BOEM may, from time to time, provide training on the use of the TIMS Web company information and financial assurance programs. Contact BOEM for more information by e-mailing TIMS.Communications@bsee.gov. Please include “TIMS Web company and financial assurance training” in the subject line of the e-mail.

Corporate Seal Not Required on Electronic Submittals Accepted by BOEM

BOEM has concluded that its procedures for electronic submittal, signature, and authentication are consistent with the intent of the GPEA and PRA 2002 and provide an equal or greater level of authentication than a corporate seal submitted in paper form. BOEM will not require a corporate seal for information and documents electronically submitted through a BOEM-approved secure website by a qualified lessee, operator, RUE or ROW holder, or surety. Unless

and until notified otherwise, for electronic submittals accepted by BOEM, BOEM hereby waives the requirement for a corporate seal set out in 30 CFR 556.46(e), 30 CFR 556.54(c), and the *Oil and Gas Leasing Procedures Guidelines*, OCS-Report 2001-076.

Guidance Document Statement

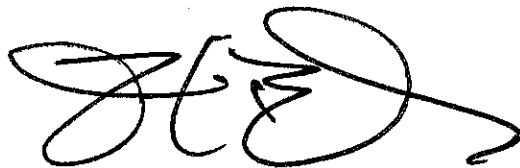
BOEM issues NTLs as guidance documents in accordance with 30 CFR 550.103 to clarify, supplement, and provide more detail about certain BOEM regulatory requirements and to outline the information that must be provided in submittals. Under that authority, this NTL sets out a policy on and an interpretation of regulatory requirements that provides a clear and consistent approach to complying with those requirements.

Paperwork Reduction Act of 1995 Statement

The collections of information referred to in this NTL are requirements contained in 30 CFR Part 556. The Office of Management and Budget (OMB) has approved the information collection requirements in these regulations under OMB control number 1010-0006. This NTL does not impose additional information collection requirements subject to the Paperwork Reduction Act of 1995.

Contacts

Both the TIMS Web *Company Guide* and *Bonding Guide* discussed above in “Procedures for Electronic Submittals,” list “Help Desk” contacts for technical and user account problems with TIMS. They also include BOEM regional contact information to assist with business process problems.

A handwritten signature in black ink, consisting of stylized, overlapping loops and lines, representing the name Tommy P. Beaudreau.

Tommy P. Beaudreau
Director

Attachment