

BEFORE THE BOARD OF OIL AND GAS CONSERVATION AND THE  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PROPOSED  
ARM 36.22.307 and 36.22.1243 ) AMENDMENT  
pertaining to adoption of forms and )  
reports from transporters, refiners, ) NO PUBLIC HEARING  
purchasers, and gasoline or ) CONTEMPLATED  
extraction plants )

TO: All Concerned Persons

1. On August 17, 2022, the Department of Natural Resources and Conservation (department) and the Board of Oil and Gas Conservation (board) propose to amend the above-stated rules.

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than June 30, 2022, to advise us of the nature of the accommodation that you need. Please contact Ben Jones, Board of Oil and Gas Conservation, 2535 St. Johns Ave, Billings, MT 59102, 406-656-0040, or e-mail mtogpub@mt.gov.

3. The rules proposed to be amended provide as follows, new matter underlined, deleted matter interlined:

36.22.307 ADOPTION OF FORMS (1) The forms listed are adopted by reference and made a part of these rules for all purposes, and the same must be used as directed in giving notice and in making reports and requests to the board. Copies of printed forms will be supplied by the board on request.

(a) through (g) remain the same.

~~(h) Form No. 9 Monthly Gas Report~~

~~(i) Form No. 10 Gasoline or Other Extraction Plant~~

~~(j) Form No. 10A Continuation Sheet Form 10~~

(k) through (r) remain the same but are renumbered (h) through (o).

AUTH: 82-11-111, MCA

IMP: 2-4-201, 82-11-111, MCA

REASON: The department proposes to amend this rule to remove Form 9 and Form 10 because the forms serve no regulatory purpose.

36.22.1243 REPORTS FROM TRANSPORTERS, REFINERS, PURCHASERS, AND GASOLINE OR EXTRACTION PLANTS (1) All refiners of crude oil shall make monthly reports to the board on Form No. 8. ~~All purchasers of~~

~~gas shall make monthly reports to the board on Form No. 9. All operators of gasoline or other extraction plants shall make monthly reports to the board on Form No. 10. Such forms~~ The form shall contain all information required therein and shall be filed with the board on or before the last day of each month covering the preceding month.

AUTH: 82-11-111, MCA

IMP: 82-11-123, MCA

REASON: The department proposes to amend this rule because Form 9 and Form 10, on which this rule is based, serve no current regulatory purpose and ARM 36.22.307 is proposed to be amended to remove Form 9 and Form 10.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to: Ben Jones, Board of Oil and Gas Conservation, Billings, Montana, 59102; telephone (406) 656-0040; fax (406) 652-5305; or e-mail [mtogpub@mt.gov](mailto:mtogpub@mt.gov), and must be received no later than 5:00 p.m., July 22, 2022.

5. If persons who are directly affected by the proposed actions wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Ben Jones at the above address no later than 5:00 p.m., July 22, 2022.

6. If the agency receives requests for a public hearing on the proposed action from either ten percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be three persons based on a review of recent form submissions.

7. The department maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in paragraph 2 above or may be made by completing a request form at any rules hearing held by the department.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sosmt.gov/ARM/Register>.

9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

10. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rules will not significantly and directly impact small businesses.

/s/ Roy Brown  
Roy Brown, Chairman  
Board of Oil and Gas  
Conservation

/s/ Amanda Kaster  
Amanda Kaster  
Director  
Department of Natural Resources and  
Conservation

/s/ Caitlin Buzzas  
Caitlin Buzzas  
Rule Reviewer

Certified to the Secretary of State June 14, 2022.