

§ 167b. Storage, transportation, and withdrawal of crude helium

(a) Storage, transportation, and withdrawal

The Secretary may store, transport, and withdraw crude helium and maintain and operate crude helium storage facilities, in existence on October 9, 1996, at the Bureau of Mines Cliffside Field, and related helium transportation and withdrawal facilities.

(b) Cessation of production, refining, and marketing

Not later than 18 months after October 9, 1996, the Secretary shall cease producing, refining, and marketing refined helium and shall cease carrying out all other activities relating to helium which the Secretary was authorized to carry out under this chapter before October 9, 1996, except activities described in subsection (a) of this section.

(c) Disposal of facilities

(1) In general

Subject to paragraph (5), not later than 24 months after the cessation of activities referred to in subsection (b) of this section, the Secretary shall designate as excess property and dispose of all facilities, equipment, and other real and personal property, and all interests therein, held by the United States for the purpose of producing, refining and marketing refined helium.

(2) Applicable law

The disposal of such property shall be in accordance with chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41.

(3) Proceeds

All proceeds accruing to the United States by reason of the sale or other disposal of such property shall be treated as moneys received under this chapter for purposes of section 167d(f) of this title.

(4) Costs

All costs associated with such sale and disposal (including costs associated with termination of personnel) and with the cessation of activities under subsection (b) of this section shall be paid from amounts available in the helium production fund established under section 167d(f) of this title.

(5) Exception

Paragraph (1) shall not apply to any facilities, equipment, or other real or personal property, or any interest therein, necessary for the storage, transportation, and withdrawal of crude helium or any equipment, facilities, or other real or personal property, required to maintain the purity, quality control, and quality assurance of crude helium in the Bureau of Mines Cliffside Field.

(d) Existing contracts

(1) In general

All contracts that were entered into by any person with the Secretary for the purchase by the person from the Secretary of refined helium and that are in effect on October 9, 1996,

shall remain in force and effect until the date on which the refining operations cease, as described in subsection (b) of this section.

(2) Costs

Any costs associated with the termination of contracts described in paragraph (1) shall be paid from the helium production fund established under section 167d(f) of this title.

(Mar. 3, 1925, ch. 426, §4, as added Pub. L. 86-777, §2, Sept. 13, 1960, 74 Stat. 920; amended Pub. L. 104-273, §3, Oct. 9, 1996, 110 Stat. 3316.)

CODIFICATION

In subsec. (c)(2), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, which Act enacted Title 40, Public Buildings, Property, and Works, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

PRIOR PROVISIONS

A prior section 4 of act Mar. 3, 1925, related to exportation of helium gas and was classified to section 165 of this title, prior to repeal by act Aug. 26, 1954, ch. 937, title V, §542(a)(13), 68 Stat. 861.

AMENDMENTS

1996—Pub. L. 104-273 amended section generally. Prior to amendment, section consisted of single par. authorizing Secretary to maintain and operate helium production and purification plants and to conduct or contract for research as to helium production, purification, transportation, liquefaction, storage, and utilization.

§ 167c. Fees for storage, transportation, and withdrawal

(a) In general

Whenever the Secretary provides helium storage withdrawal or transportation services to any person, the Secretary shall impose a fee on the person to reimburse the Secretary for the full costs of providing such storage, transportation, and withdrawal.

(b) Treatment

All fees received by the Secretary under subsection (a) of this section shall be treated as moneys received under this chapter for purposes of section 167d(f) of this title.

(Mar. 3, 1925, ch. 426, §5, as added Pub. L. 86-777, §2, Sept. 13, 1960, 74 Stat. 920; amended Pub. L. 104-273, §3, Oct. 9, 1996, 110 Stat. 3317.)

PRIOR PROVISIONS

A prior section 5 of act Mar. 3, 1925, authorized governmental cooperation with Department of the Interior to effectuate the purposes of this chapter and was classified to section 166 of this title, prior to the general amendment of this chapter by Pub. L. 86-777.

AMENDMENTS

1996—Pub. L. 104-273 amended section generally. Prior to amendment, section related to licensing for extraction, transportation, and sale of helium under Federal helium refining program, including provisions in subsec. (a) relating to rules and regulations, in subsec. (b) relating to terms, assignments, and revocations of licenses, in subsec. (c) relating to purpose of licenses, and in subsec. (d) relating to suspension of licenses and