

made, unless otherwise expressly stated in the grant. Temporary cessation or suspension of pipeline operations shall not cause the grant to expire. However, if the purpose of the grant ceases to exist or use of the associated pipeline is permanently discontinued for any reason, the grant shall be deemed to have expired.

[53 FR 10690, Apr. 1, 1988, as amended at 54 FR 50617, Dec. 8, 1989; 55 FR 47753, Nov. 15, 1990; 59 FR 53094, Oct. 21, 1994; 62 FR 27955, May 22, 1997. Redesignated and amended at 63 FR 29479, 29486, May 29, 1998; 63 FR 34597, June 25, 1998; 64 FR 9065, Feb. 24, 1999]

§ 250.1010 Applications for a pipeline right-of-way grant.

(a) You must submit an original and three copies of an application for a new or modified pipeline right-of-way grant to the Regional Supervisor. The application must address those items required by § 250.1007 (a) or (b) of this subpart, as applicable. It must also state the primary purpose for which you will use the right-of-way grant. If the right-of-way has been used before the application is made, the application must state the date such use began, by whom, and the date the applicant obtained control of the improvement. When you file your application, you must pay the rental required under § 250.1009(c)(2) of this subpart and a non-refundable filing fee of \$2,350 for a pipeline right-of-way grant to install a new pipeline or a non-refundable filing fee of \$300 for a pipeline right-of-way grant to convert an existing lease term pipeline into a right-of-way pipeline. MMS periodically will amend the filing fee based on its experience with the costs for administering pipeline right-of-way applications. If the costs change by a percentage of not more than the percentage change in the CPI "U" since the last change to the filing fee, MMS will amend the application fee by the percentage of the change in costs without notice and opportunity for comment. If costs increase by a percentage more than the percentage change in the CPI "U" since the last change to the filing fee, MMS will provide notice and an opportunity to comment before it changes the filing fee. An application to modify an approved right-of-way grant shall be accom-

panied by the additional rental required under § 250.1009(c)(2), if applicable. A separate application shall be filed for each right-of-way.

(b)(1) An individual applicant shall submit a statement of citizenship or nationality with the application. An applicant who is an alien lawfully admitted for permanent residence in the United States shall also submit evidence of such status with the application.

(2) If the applicant is an association (including a partnership), the application shall also be accompanied by a certified copy of the articles of association or appropriate reference to a copy of such articles already filed with MMS and a statement as to any subsequent amendments.

(3) If the applicant is a corporation, the application shall also include the following:

(i) A statement certified by the Secretary or Assistant Secretary of the corporation with the corporate seal showing the State in which it is incorporated and the name of the person(s) authorized to act on behalf of the corporation, or

(ii) In lieu of such a statement, an appropriate reference to statements or records previously submitted to MMS (including material submitted in compliance with prior regulations).

(c) The application shall include a list of every lessee and right-of-way holder whose lease or right-of-way is intersected by the proposed right-of-way. The application shall also include a statement that a copy of the application has been sent by registered or certified mail to each such lessee or right-of-way holder.

(d) The applicant shall include in the application an original and three copies of a completed Nondiscrimination in Employment form (YN 3341-1 dated July 1982). These forms are available at each MMS regional office.

[53 FR 10690, Apr. 1, 1988, as amended at 62 FR 39775, July 24, 1997. Redesignated and amended at 63 FR 29479, 29486, May 29, 1998; 64 FR 42598, Aug. 5, 1999]

§ 250.1011 Granting a pipeline right-of-way.

(a) In considering an application for a right-of-way, the Regional Supervisor