

Bureau of Mines, Interior

Budget (OMB) Circular No. A-25, as revised. In no case will a revised Schedule become effective in less than 30 days after date of distribution to all Bureau helium customers known at the time of distribution.

§ 601.6 Purchase price of helium.

(a) The purchase price of Grade-A helium shipped f.o.b. origin shall be the price stated in the Schedule that is in effect on the date the helium is shipped from the helium plant.

(b) [Reserved]

(c) The purchase price of Grade-A helium shipped f.o.b. destination shall be the price stated in the Schedule that is in effect on the date the helium is shipped from the helium plant plus any service charges, container charges, transportation charges, and other charges incurred in making such delivery. Delivery of helium f.o.b. destination is made only in Bureau-furnished containers.

§ 601.7 Service charges.

In addition to the purchase price of helium, the following charges for services and use of equipment rented from the Bureau shall be paid by the purchaser.

(a) *For filling containers.* The charge for filling helium containers shall be as shown in the Schedule that is in effect on the date the helium is shipped from the helium plant.

(b) *For ordinary work performed on containers supplied by the purchaser and for ordinary services performed in connection with shipment of helium from a helium plant.* The charge for ordinary work shall be as shown in the Schedule that is in effect on the date the work is performed.

(c) *For extraordinary expenses.* Such expenses incurred in connection with any contract or delivery for which prices are not stated in the effective Schedule including, but not limited to, costs of work on purchaser's containers, filling, servicing, and rental of containers of types other than those stated in the effective Schedule, purifying helium beyond normal plant purity, (delete "liquefying helium") analytical services, shipment of helium from other than a helium plant selected by the Bureau, and unusual han-

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dling, transportation, and communications, may be determined by the Bureau and charged to the purchaser as they arise on the basis of the cost of rendering the services, making due allowance for contingencies, overhead expense, and commercial common-carrier rates.

(d) *For use of helium containers supplied by the Bureau.* The charge for use of each Bureau-supplied container shall be as shown in the Schedule in effect on the date of shipment from a helium plant.

§ 601.8 Settlements under existing contracts.

Contracts for the purchase of helium or for the rent of Bureau-owned shipping containers which are in effect on the effective date of the amended regulations in this part shall remain in effect, subject to the terms and conditions of the amended regulations in this part, for a period of not more than 90 days after the effective date of these amended regulations or until replaced by new contract or contracts as described in these amended regulations, should such replacement occur prior to expiration of the 90 days. In the event that purchaser does not enter into replacement contract or contracts within 90 days after effective date of these regulations, the existing contract(s) shall terminate and purchaser shall pay any sums due Bureau under terms of the contracts and shall return any Bureau-owned shipping containers outstanding under any container rent contract so terminated.

§ 601.9 Shipping containers.

(a) *Containers may be provided by the purchaser or the Bureau.* The purchaser may provide containers or may request the Bureau to provide them under contract. Containers provided by the purchaser must be satisfactory to the Bureau in all respects, must be free internally from oil or water, and shall comply with the requirements for shipment in interstate commerce. The Bureau will not use or fill any container which in its opinion is unsafe or unsuitable.

(b) *Provisions applicable to all types of containers supplied by the Bureau.* Specific provisions for all types of containers, such as, cylinders, tank

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cars, tube trailers, tube modules, liquid helium trailers, and liquid helium dewars, are detailed in the container rental contract and the Schedule.

§ 601.10 [Reserved]

§ 601.11 Applicability to Federal Agencies.

The regulations in this part are applicable to Federal agencies procuring

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helium or services from Bureau or using containers furnished by Bureau; *except that* Federal agencies shall not be required to: (a) enter into contracts for the purchase of helium or lease of containers, (b) furnish advance payments, or (c) provide surety for the return of containers or payment of bills.