

organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public inspection in their entirety.

Dated: September 21, 2003.

**Aurene M. Martin,**

*Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 03–24690 Filed 9–29–03; 8:45 am]

BILLING CODE 4310–W7–P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### Conservation Helium Sales

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice implementing second Conservation Helium sale.

**SUMMARY:** The purpose of this action is to continue implementation of the terms of the Helium Privatization Act (HPA) of 1996 dealing with the disposal of the Conservation Helium reserve. The Act requires the Department of the Interior to *offer for sale*, beginning no later than 2005, a portion of the Conservation Helium stored underground at the Cliffside Field, north of Amarillo, Texas. The Department of the Interior, in consultation with the private helium industry, has determined that private companies with refining capacity along the crude helium pipeline will need a supply of helium in excess of that available from their own storage accounts and that available from crude helium extractors in the region, and that given the current market, Conservation Helium sold in this Sale will likely minimize market disruption. The Bureau conducted a 30-day comment period prior to the first pilot sale of Conservation Helium in March 2003. Eight comments were received. The comments were generally supportive with mainly long-term concerns expressed. However, some of the comments expressed concern over the allocation process and pricing methodology. The Bureau made some modifications to address concerns expressed by those comments. Since the first sale was not fully subscribed, the appropriateness of the allocation percentage was not fully tested. The second sale will provide the Bureau with further information to assess the overall process.

**DATES:** Submit bids and other documentation as required in Notice on or before October 30, 2003.

**ADDRESSES:** You may submit your bids and other documentation as required in this Notice to the Bureau of Land Management, Amarillo Field Office, 810 S. Fillmore, Suite 500, Amarillo, TX 79101, Attention: Crude Helium Sale.

**FOR FURTHER INFORMATION CONTACT:**

Timothy R. Spisak, (806) 356–1002.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:**

#### 1.01 What Is the Purpose of the Sale?

The purpose of this Sale is to continue implementation of the terms of the HPA dealing with the disposal of the Conservation Helium Reserve. The Act requires the Department of the Interior to *offer for sale*, beginning no later than 2005, a portion of the Conservation Helium stored underground at the Cliffside Field, north of Amarillo, Texas. The Department of the Interior, in consultation with the private helium industry, has determined that private companies with refining capacity along the crude helium pipeline will need a supply of helium in excess of that available from their own storage accounts and that available from crude helium extractors in the region. This is the second of 12 annual sales that the Department will conduct to dispose of the Conservation Helium stored underground at the Cliffside Field. The annual sales are being conducted in a manner intended to prevent pure helium market disruptions from occurring to end users; shortages of crude helium to pure helium refiners; and an oversupply of crude helium on the market for crude helium extractors. This second sale will be used to test the disposal process when the sales volume is expected to be fully subscribed. Subsequent sales may be adjusted as needed.

#### 1.02 What Terms Do I Need To Know To Understand This Sale?

*Allocated Sale*—That portion of the annual sale volume of Conservation Helium that will be set aside for purchase by the Crude Helium Refiners.

*Annual Conservation Helium Sale*—The sale of a certain volume of Conservation Helium to private entities conducted annually beginning no later than 2005.

*Bidder*—Any entity or person who submits a request for purchase of a volume of the Annual Conservation Helium Sale and has met the qualifications contained in part 1.05 in this Notice.

*BLM*—The Bureau of Land Management.

*Conservation Helium*—The crude helium purchased by the U.S. Government under the authority of the Helium Act of 1960 and stored underground in the Cliffside Field.

*Crude Helium*—A partially refined gas containing about 70 percent helium and 30 percent nitrogen. However, the helium concentration may typically vary from 50 to 95 percent.

*Crude Helium Refiners*—Those entities with a capability of refining crude helium and having a connection point on the crude helium pipeline and a valid Helium Storage Contract as of the date of a Conservation Helium Sale.

*Excess Volumes*—Allocated sale volumes not requested by the Crude Helium Refiners.

*Helium Storage Contract*—A contract between the BLM and a private entity allowing the private entity to store crude helium in underground storage at the Cliffside Field.

*HPA*—The Helium Privatization Act of 1996.

*In-Kind Crude Helium*—Conservation Helium purchased by private refiners in exchange for like amounts of pure helium sold to Federal agencies and their contractors in accordance with the HPA.

*MMcf*—One million cubic feet of gas measured at standard conditions of 14.65 pounds per square inch (psi) and 60° F.

*Mcf*—One thousand cubic feet of gas measured at standard conditions of 14.65 psi and 60° F.

*Non-Allocated Sale*—That portion of the annual sale volume of Conservation Helium that will be offered to all qualified Bidders.

#### 1.03 What Volume of Conservation Helium Will Be Offered in the Year 2004 Annual Conservation Helium Sale?

The volume of helium available for this Sale is 2,100 MMcf. In accordance with the HPA, this volume was determined by dividing the total volume of stored Conservation Helium less the statutory required reservation of 600 MMcf for Government purposes less estimated In-Kind Crude Helium transfers for 12 years divided by 12. The volume represents a straight-line basis for offering the helium for sale in accordance with the HPA.

#### 1.04 At What Price Will the Conservation Helium Be Sold?

The Conservation Helium will be sold at the same price as In-Kind Crude Helium. In accordance with the HPA, this price covers helium debt repayment

and its escalation by the Consumer Price Index since the helium debt was frozen in 1995. Additionally, the price includes administrative and storage costs associated with the Conservation Helium calculated on a per Mcf basis. For Fiscal Year 2004 that price is \$54 per Mcf.

#### **1.05 Am I Qualified To Purchase Conservation Helium at This Sale?**

Any person, firm, partnership, joint stock association, corporation, or other domestic or foreign organization operating partially or wholly within the United States who meets one or more of the following requirements are qualified to submit a purchase request:

- Operates a helium purification plant within the U.S., or
- Operates a crude helium extraction plant within the U.S., or
- Is a wholesaler of pure helium or purchases helium for resale within the U.S., or
- Is a consumer of pure helium within the U.S., or
- Has an agreement with a helium refiner to provide its helium processing needs, commonly referred to as a "tolling agreement."

All entities requesting participation in the Non-Allocated Sale must submit proof of being qualified to purchase Conservation Helium and must either have a Helium Storage Contract with the BLM or have a third-party agreement in place with a valid storage contract holder so that all Conservation Helium sold to the Bidder will be properly covered by a Helium Storage Contract (including associated storage charges).

#### **1.06 When Will the Conservation Helium Be Offered for Sale?**

The BLM, Amarillo Field Office, will accept requests for purchase of Conservation Helium from final publication of this Notice until October 30, 2003. On the next business day after this Notice closes, requests to purchase Conservation Helium will be opened and evaluated. Thereafter, volumes of this Conservation Helium Sale will be apportioned and allocated according to the Sale rules described in this Notice.

#### **1.07 What Must I Do To Submit a Request for Purchase?**

You must submit the following information to the BLM, Amarillo Field Office:

- Billing address information and name(s) of principle officers of the company.
- Proof of being an entity qualified to purchase Conservation Helium at this Sale as defined in part 1.05 above. Documents such as invoices for sale or

purchase of helium, Helium Storage Contracts, or other relevant documents may be submitted as proof of qualification.

- The amount (in Mcf) of Conservation Helium requested and deferment request (see part 1.09 below), if applicable.

- Certified check or money order in the amount of \$1,000 made payable to the Bureau of Land Management. This money will be used to cover administrative expenses to conduct this Sale and is nonrefundable.

#### **1.08 Where Do I Send My Request for Purchase?**

All requests for purchase of helium as part of this Sale must be sent by certified mail to: Bureau of Land Management, Amarillo Field Office, 810 S. Fillmore, Suite 500, Amarillo, TX 79101, Attention: Crude Helium Sale.

#### **1.09 When Do I Need To Submit Payment for Any Conservation Helium Sold to Me?**

Successful purchasers will submit payments according to the following schedule:

- 25 percent by October 30, 2003, or 30 days after notification of the award volumes, whichever is later.
- 25 percent by January 30, 2004.
- 25 percent by April 30, 2004.
- 25 percent by July 30, 2004.

Conservation Helium will not be transferred to the purchaser's storage account until payment is received for that portion. Successful purchasers may, at their option, accelerate the purchase schedule. Due to the transition of this annual sale from January to October, the successful purchaser may defer the first quarterly purchase from October 2003 to January 2004 upon written request in their request for purchase documents.

#### **1.10 To Whom Do I Make Payments for Awarded Conservation Helium Volumes?**

Make checks payable to the Bureau of Land Management at the address listed in part 1.08 in this Notice.

#### **1.11 What Are the Penalties for Not Paying for the Conservation Helium in a Timely Manner?**

If a payment is not received by the due date and after a written late notice by the BLM, the purchaser will forfeit the remainder of its allotment unless the purchaser can show that payment was late through no fault of its own. However, penalty interest will be accessed in accordance with the Debt Collection Act of 1982, 31 U.S.C. 951–953.

#### **1.12 How Will I Know if I Have Been Successful in My Purchase Request?**

Successful purchasers will be notified in writing by BLM no later than 2 weeks after the close of this Notice with the awarded volumes and payment schedule.

#### **Allocated Sale**

##### **2.01 What Is the Allocated Sale?**

That portion of the annual sale volume of Conservation Helium that will be set aside for purchase by the Crude Helium Refiners.

##### **2.02 Who Will Be Allowed To Purchase Conservation Helium in the Allocated Sale?**

Only those who meet the definition of Crude Helium Refiners as defined in part 1.02 in this Notice.

##### **2.03 What Volume of Conservation Helium Is Available in the Allocated Sale?**

The amount available will be 90 percent of the total volume of the Annual Conservation Helium Sale—1,890 MMcf.

##### **2.04 How Will the Conservation Helium Be Apportioned Among the Refiners?**

The apportionment to each Crude Helium Refiner will be based on its percentage share (rounded to the nearest 1/10th of 1 percent) of the total refining capacity as of October 1, 2000, connected to the BLM crude helium pipeline.

##### **2.05 What Will Happen if a Refiner or Refiners Request an Amount Other Than Their Share of What Is Offered for Sale?**

- If one or more refiners request less than their allocated share, any other refiner(s) that requested more than their share will be allowed to purchase the excess volume based on proportionate shares of remaining refining capacities.

- Requests by the Crude Helium Refiners that are in excess of the amount available above will be carried over to the Non-Allocated Sale and considered a separate bid under the Non-Allocated Sale rules.

##### **2.06 What Will Happen if the Total Amount Requested by the Crude Helium Refiners Is Less Than the 1,890 MMcf Offered in the Allocated Sale?**

Any excess volume not sold to the Crude Helium Refiners will be added to the Non-Allocated Sale volume.

### 2.07 Do You Have a Hypothetical Example of How an Allocated Sale Would Be Conducted?

2,100 MMcf available for total sale with 90 percent available for Allocated Sale (1,890 MMcf).

Bidder—allocated sale	Installed refining capacity (in percent)	Refiner bid volume*	Allocated volume*	Excess volume requested*	Proration percent	Excess allocated*	Total allocated*	Carry over to non-allocated sale*
Refiner A .....	10	225	189	36	20	36	225	0
Refiner B .....	50	750	750	0	0	0	750	0
Refiner C .....	40	985	756	229	80	156 +3	915	70
Total .....	100	1,960	1,695	265	100	195	1,890	0

\*All volumes in MMcf

After the initial allocation, Refiner B has received all requested. However, 265 MMcf is deemed excess of the total in the first iteration of the Allocated Sale and reallocated to the two remaining refiners based on the refining capacity between them. With the reallocation, Refiner A gets all requested, but Refiner C is still short by 73 MMcf. Additionally, 3 MMcf remains unallocated and without any other Refiners is awarded to Refiner C, who now has a remaining request of 70 MMcf that is posted into the Non-Allocated Sale. All percentages used in the calculation will be rounded to the nearest 1/10th of 1 percent. All volumes calculated will be rounded to the nearest 1 Mcf.

### Non-Allocated Sale

#### 3.01 What Is the Non-Allocated Sale?

That portion of the annual sale volume of Conservation Helium that will be offered to all qualified Bidders.

#### 3.02 What Is the Minimum Volume I Can Request?

The minimum request is 5 MMcf.

#### 3.03 What Volume of Conservation Helium Is Available for the Non-Allocated Sale?

The total volume of Conservation Helium available for this portion of the Sale is 210 MMcf plus any additional helium that is not sold as part of the Allocated Sale.

#### 3.04 How Is the Ratio of Allocated to Non-Allocated Sale Volumes Determined?

According to the terms of the HPA, the BLM must conduct the Annual Conservation Helium Sales in a manner not to cause undue helium market disruptions; and therefore, the majority of the Conservation Helium is being offered as part of the Allocated Sale. Currently, *the Crude Helium Refiners have refining capacity roughly double what can be supplied* through the Annual Conservation Helium Sales. Although there are other crude helium supplies available to the Crude Helium Refiners, these supplies are declining each year. The BLM must be sensitive to the Crude Helium Refiner's requirements while maintaining a balance with other helium industry requirements. The exact ratio of Allocated to Non-Allocated Sale volumes may change for subsequent Annual Conservation Helium Sales.

#### 3.05 How Will the Non-Allocated Conservation Helium Be Apportioned among the Bidders?

The Conservation Helium will be apportioned equally in 1 Mcf increments among the Bidders with no prospective Bidder receiving more than its request.

#### 3.06 What Will Happen if the Bidders Request More Than What Is Made Available for Sale in Part 3.03 of This Notice?

- If one or more Bidders request less than their apportioned amount, any

other Bidder(s) that requested more than its apportioned amount will be allowed to purchase equally apportioned amounts of the remaining volume available for this Sale.

- If all Bidders request more than their apportioned amount, each Bidder will receive its apportioned amount as determined in part 3.05 in this Notice.

#### 3.07 What Will Happen if a Bidder Requests Less Than Its Apportioned Amount?

Any Bidder requesting less than the calculated apportioned volume will receive the amount of its request, and amounts remaining will be reapportioned in accordance with part 3.05 in this Notice.

#### 3.08 What Will Happen if the Total Requests From All Bidders Are Less Than That Offered for Sale in the Non-Allocated Sale?

If the total non-allocated volume requested is less than the non-allocated volume offered for this portion of the Sale, the excess amount will not be sold and will be held in storage for future sales.

#### 3.09 Do You Have a Hypothetical Example of How a Non-Allocated Sale Would Be Conducted?

2,100 MMcf available for total sale with 10 percent available for Non-Allocated Sale (210 MMcf).

Bidder—non-allocated sale	Bid volume*	Apportioned volume*	Excess volume requested*	Proration percent	Excess apportioned	Total apportioned*	Amount requested not received*
Refiner C .....	70	52.5	17.5	50	15	67.5	2.5
Company D .....	100	52.5	47.5	50	15	67.5	32.5

Bidder—non-allocated sale	Bid volume*	Apportioned volume*	Excess volume requested*	Proration percent	Excess apportioned	Total apportioned*	Amount requested not received*
Company E .....	50	50	0	0	0	50	0
Company F .....	25	25	0	0	0	25	0
Total .....	245	180	65	100	30	210	35

\* All volumes in MMcf.

In this example, three companies submit a request, and there is a carryover amount from one of the Crude Helium Refiners in the Allocated Sale that is considered as a separate request. Each Bidder would be apportioned 52.5 MMcf, (*i.e.*, 210 MMcf of Non-Allocated Conservation Helium ÷ 4 Bidders = 52.5 MMcf per Bidder).

After the initial allocation, Companies E and F have received all they requested. However, 30 MMcf is deemed excess in the first iteration of the Non-Allocated Sale and reallocated to the two remaining Bidders. With the reallocation, Refiner C and Company D each receives an additional 15 MMcf. No more helium is available, Refiner C and Company D do not receive all that they requested, and the Sale is complete. All percentages used in the calculation will be rounded to the nearest 1/10th of 1 percent. All volumes calculated will be rounded to the nearest 1 Mcf.

Dated: July 23, 2003.

**Linda S.C. Rundell,**

*State Director, New Mexico.*

[FR Doc. 03-24667 Filed 9-29-03; 8:45 am]

**BILLING CODE 4310-AG-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-130-1020-PH; GP3-0299]

#### Notice of Public Meeting, Eastern Washington Resource Advisory Council Meeting

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM) Eastern Washington Resource Advisory Council (RAC), will meet as indicated below.

**DATES:** The Eastern Washington Resource Advisory Council (EWRAC) will meet on October 20, 2003, at the Spokane District Office, Bureau of Land

Management, 1103 North Fancher Road, Spokane, Washington, 99212-1275.

**SUPPLEMENTARY INFORMATION:** The meeting will start at 9 a.m. and adjourn about 4 p.m. Topics on the meeting agenda include:

- Sustaining Working Landscapes Initiative.
- Sagebrush Conservation Strategy.
- Washington State Land Exchange.

The RAC meeting is open to the public, and there will be an opportunity for public comment between 11 a.m. and 12 noon. Information to be distributed to Council members for their review is requested in written format 10 days prior to the Council meeting date.

**FOR FURTHER INFORMATION CONTACT:** Sandra Gourdin or Kathy Helm, Bureau of Land Management, Spokane District Office, 1103 N. Fancher Road, Spokane, Washington, 99212, or call (509) 536-1200.

Dated: September 25, 2003.

**Joseph K. Buesing,**

*District Manager.*

[FR Doc. 03-24834 Filed 9-29-03; 8:45 am]

**BILLING CODE 4310-33-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-090-03-0158]

#### Notice of Proposed Supplementary Rules on Public Land In Oregon

**AGENCY:** Bureau of Land Management, Eugene District, Oregon.

**ACTION:** Proposed supplementary rules for public land within the West Eugene Wetlands, Eugene District, Oregon.

**SUMMARY:** The Bureau of Land Management (BLM)'s Siuslaw Resource Area is proposing supplementary rules. These rules will apply to the public lands within the West Eugene Wetlands in the Siuslaw Resource Area, Eugene District, Lane County, Oregon. The rules are needed in order to protect the area's natural resources and provide for public health and safety.

**DATES:** You should submit your comments by October 30, 2003. In developing final rules, BLM may not

consider comments postmarked or received in person or by electronic mail after this date.

**ADDRESSES:** You may comment on the proposed supplementary rules in 3 ways.

*Personal delivery:* Bureau of Land Management, Siuslaw Resource Area, 2890 Chad Drive, Eugene, Oregon, 97408;

*Mail:* Bureau of Land Management, Siuslaw Resource Area/Field Office, at P.O. Box 10226, Eugene, Oregon, 97440-2226; or Internet email: [Eugene\\_mail@blm.gov](mailto:Eugene_mail@blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Steve Calish, Siuslaw Resource Area Manager, 2890 Chad Drive, Eugene, Oregon, 97408, telephone (541) 683-6600.

I. Public Comment Procedures

II. Discussion of the Supplementary Rules

III. Procedural Matters

### I. Public Comment Procedures

Please submit your comments on issues related to the proposed supplementary rules, in writing, according to the **ADDRESSES** section above. Comments on the proposed supplementary rules should be specific, should be confined to issues pertinent to the proposed supplementary rules, and should explain the reason for any recommended change. Where possible, your comments should reference the specific section or paragraph of the proposal that you are addressing. BLM may not necessarily consider or include in the Administrative Record for the final rule comments that BLM receives after the close of the comment period (*see DATES*) or comments delivered to an address other than those listed above (*see ADDRESSES*).

BLM will make your comments, including your name and address, available for public review at the Siuslaw Resource Area address listed in **ADDRESSES** above during regular business hours (7:45 a.m. to 4:15 p.m., Monday through Friday, except Federal holidays).

Under certain conditions, BLM can keep your personal information confidential. You must prominently state your request for confidentiality at