alternatives best accomplish the purposes and policies of the Act, the Director may, until September 18, 1983, require each bidder to submit bids for any OCS area in accordance with more than one of the bidding systems described in section 8(a)(1) of the Act. No more than 10 percent of the tracts offered each year shall contain such a requirement. Leases may be awarded using a bidding alternative selected at random for statistical purposes, if it is otherwise consistent with the purposes and policies of the Act.

Subpart G—Issuance of Leases

§ 556.35 Qualifications of lessees.

(a) In accordance with section 8 of the Act, leases shall be awarded only to the highest responsible qualified bidder.

(b) Mineral leases issued pursuant to section 8 of the Act may be held only by:

(1) Citizens and nationals of the United States;

(2) Aliens lawfully admitted for permanent residence in the United States as defined in 8 U.S.C. 1101(a)(20);

(3) Private, public or municipal corporations organized under the laws of the United States or of any State or of the District of Columbia or territory thereof; or

(4) Associations of such citizens, nationals, resident aliens, or private, public, or municipal corporations, States, or political subdivisions of States.

(c) BOEM may disqualify you from acquiring any new lease holdings or lease assignments if your operating performance is unacceptable according to 30 CFR 550.135.

§ 556.37 Lease term.

(a) All oil and gas leases shall be issued for an initial period of 5 years, or not to exceed 10 years where the authorized officer finds that such longer period is necessary to encourage exploration and development in areas because of unusually deep water or other unusually adverse conditions.

(b) If your oil and gas lease is in water depths between 400 and 800 meters, it will have an initial lease term of 8 years unless BOEM establishes a different lease term under paragraph (a)(1) of this section.

(c) Sulphur leases shall be issued for a term not to exceed 10 years and so long thereafter as sulphur is produced from the leasehold in paying quantities, or drilling, well reworking, plant construction, or other operations for the production of sulphur, as approved by the Secretary, are conducted thereon.

§ 556.38 Joint bidding provisions.

§ 556.40 Definitions.

The following definitions apply to §§556.38 through 556.44 of this part.

(a) Single bid means a bid submitted by one person for an oil and gas lease under section 8(a) of the Act.

(b) Joint bid means a bid submitted by two or more persons for an oil and gas lease under section 8(a) of the Act.

(c) Average daily production is the total of all production in an applicable production period which is chargeable under §556.43 of this title divided by the exact number of calendar days in the applicable production period.

(d) Barrel means 42 U.S. gallons.

(e) Crude oil means a mixture of liquid hydrocarbons including condensate that exists in natural underground reservoirs and remains liquid at atmospheric pressure after passing through surface separating facilities, but does not include liquid hydrocarbons produced from tar sand, gilsonite, oil shale, or coal.

(f) An economic interest means any right to, or any right dependent upon, production of crude oil, natural gas, or liquefied petroleum products and shall include, but not be limited to, a royalty interest, or overriding royalty interest, whether payable in cash or in...
§ 556.40  kind, a working interest, a net profits interest, a production payment, or a carried interest.

(g) Liquefied petroleum products means natural gas liquid products including the following: ethane, propane, butane, pentane, natural gasoline, and other natural gas products recovered by a process of absorption, adsorption, compression, or refrigeration cycling, or a combination of such processes.

(h) Natural gas means a mixture of hydrocarbons and varying quantities of nonhydrocarbons that exist in the gaseous phase.

(i) Oil and gas lease means an oil and gas lease either offered or issued pursuant to the provisions of the Act.

(j) Owned means:

(1) With respect to crude oil—having either an economic interest in or a power of disposition over the production of crude oil;
(2) With respect to natural gas—having either an economic interest in or a power of disposition over the production of natural gas; and
(3) With respect to liquefied petroleum products—having either an economic interest in or a power of disposition over any liquefied petroleum product at the time of completion of the liquefaction process.

(k) Prior production period means the continuous 6-month period of January 1 through June 30 preceding November 1 through April 30 for joint bids submitted during the 6-month bidding period from November 1 through April 30, and means the continuous 6-month period of July 1 through December 31 preceding May 1 through October 31 for joint bids submitted during the 6-month bidding period from May 1 through October 31.

(l) Production: (1) Of crude oil means the volume of crude oil produced worldwide from reservoirs during the prior production period. The amount of such crude oil production shall be established by measurement of volumes delivered at the point of custody transfer (e.g., from storage tanks to pipelines, trucks, tankers, or other media for transport to refineries or terminals) with adjustments for:

(i) Net differences between opening and closing inventories, and
(ii) Basic sediment and water;
(2) Of natural gas means the volume of natural gas produced worldwide from natural oil and gas reservoirs during the prior production period, with adjustments, where applicable, to reflect:
(i) The volume of gas returned to natural reservoirs; and
(ii) The reduction of volume resulting from the removal of natural gas liquids and nonhydrocarbon gases.

(3) Of liquefied petroleum products mean the volume of natural gas liquids produced from reservoir gas and liquefied at surface separators, field facilities, or gas processing plants worldwide during the prior production period; these liquefied petroleum products include the following:

(i) Condensate—natural gas liquids recovered from gas well gas (associated and non-associated) in separators or field facilities;
(ii) Gas plant products—natural gas liquids recovered from natural gas in gas processing plants and from field facilities. Gas plant products shall include the following as classified according to the standards of the Natural Gas Processors Association (NGPA) or the American Society for Testing and Materials (ASTM):

(A) Ethane—C₂H₆
(B) Propane—C₃H₈
(C) Butane—C₄H₁₀ including all products covered by NGPA specifications for commercial butane.

(1) Isobutane,
(2) Normal butane,
(3) Other butanes—all butanes not included as isobutane or normal butane;
(D) Butane-Propane Mixtures—All products covered by NGPA specifications for butane-propane mixtures;
(E) Natural Gasoline—A mixture of hydrocarbons extracted from natural gas, which meet vapor pressure, end point, and other specifications for natural gasoline set by NGPA;
(F) Plant Condensate—A natural gas plant product recovered and separated as a liquid at gas inlet separators or scrubbers in processing plants or field facilities; and
(G) Other Natural Gas Plant Products meeting refined product standards (i.e., gasoline, kerosene, distillate, etc.).

(m) 6-month bidding period means the 6-month period of time:
§ 556.43 Chargeability for production.

(a) As used in this section the following definitions shall control:

(1) Person means a natural person or company.

(2) Company means a corporation, a partnership, an association, a joint-stock company, a trust, a fund, or any group of persons whether incorporated or not; it also means any receiver, trustee in bankruptcy, or similar official acting for such a company.

(3) Subsidiary means a company 50 percent or more of whose stock or other interest having power to vote for the election of directors, trustees, or other similar controlling body of the company is directly or indirectly owned, controlled, or held with the power to vote by another company; a subsidiary shall be deemed a subsidiary of the other company owning, controlling, or holding 50 percent or more of the stock or other voting interest.

(4) Security or securities means any note, stock, treasury stock, bond, debenture, evidence of indebtedness, certificate of interest or participation in any profit-sharing agreement, collateral-trust certificate, pre-organization certificate or subscription, transferable