

**DEPARTMENT OF THE INTERIOR****Minerals Management Service****[Docket No. MMS-2007-OMM-0063]****MMS Information Collection Activity: 1010-0151 (30 CFR 250, Subpart B) Plans and Information, Extension of a Collection; Submitted for Office of Management and Budget (OMB) Review; Comment Request****AGENCY:** Minerals Management Service (MMS), Interior.**ACTION:** Notice of extension of an information collection (1010-0151).

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), we are notifying the public that we have submitted to OMB an information collection request (ICR) to renew approval of the paperwork requirements in the regulations under 30 CFR 250, Subpart B, Plans and Information, and related documents. This notice also provides the public a second opportunity to comment on the paperwork burden of these regulatory requirements.

**DATE:** Submit written comments by June 19, 2008.

**ADDRESSES:** You should submit comments directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1010-0141), either by fax (202) 395-6566 or e-mail (*OIRA\_DOCKET@omb.eop.gov*).

Please also send a copy to MMS by either of the following methods:

- <http://www.regulations.gov>. Under the tab "More Search Options," click "click Advanced Docket Search", then select "Minerals Management Service" from the agency drop-down menu, then click "submit." In the Docket ID column, select MMS-2008-OMM-xxxx to submit public comments and to view supporting and related materials available for this rulemaking. Information on using [Regulations.gov](http://Regulations.gov), including instructions for accessing documents, submitting comments, and viewing the docket after the close of the comment period, is available through the site's "User Tips" link. The MMS will post all comments.

- Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Cheryl Blundon; 381 Elden Street, MS-4024; Herndon, Virginia 20170-4817. Please reference "Information Collection 1010-0151" in your subject line and mark your message for return receipt. Include your name and return address in your message text.

**FOR FURTHER INFORMATION CONTACT:**

Cheryl Blundon, Regulations and Standards Branch, (703) 787-1607. You may also contact Cheryl Blundon to obtain a copy, at no cost, of the regulations and forms that require the subject collection of information.

**SUPPLEMENTARY INFORMATION:**

*Title:* 30 CFR 250, Subpart B, Plans and Information.

*Forms:* MMS-137, MMS-138, MMS-139, MMS-141, and MMS-142.

*OMB Control Number:* 1010-0151.

*Abstract:* The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.*, 31 U.S.C. 9701), authorizes the Secretary of the Interior to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition. Sections 11 and 25 of the amended OCS Lands Act require the holders of OCS oil and gas or sulphur leases to submit exploration plans (EPs) or development and production plans (DPPs) to the Secretary for approval prior to commencing these activities. As a Federal agency, we have a continuing affirmative duty to comply with the Endangered Species Act (ESA). This includes a substantive duty to carry out any agency action in a manner that is not likely to jeopardize protected species as well as a procedural duty to consult with the Fish and Wildlife Service (FWS) and National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries) before engaging in a discretionary action that may affect a protected species.

To provide supplementary guidance and procedures, MMS issues Notices to Lessees and Operators (NTLs) on a regional or national basis. Regulation 30 CFR 250.103 allows MMS to issue NTLs to clarify, supplement, or provide more detail about certain requirements.

Regulations at 30 CFR part 250 subpart B, implement these statutory requirements. The MMS engineers, geologists, geophysicists, environmental scientists, and other Federal agencies analyze and evaluate the information and data collected under subpart B to ensure that planned operations are safe;

will not adversely affect the marine, coastal, or human environment; and will conserve the resources of the OCS. We use the information to: (a) Report annually to NOAA Fisheries the effectiveness of mitigation, any adverse effects of the proposed action, and any incidental take, in accordance with 50 CFR 402.14(i)(3), and (b) allow the Regional Supervisor to make an informed decision on whether to approve the proposed exploration or development and production plans as submitted, or whether modifications are necessary without the analysis and evaluation of the required information. The affected States also review the information collected for consistency with approved Coastal Zone Management (CZM) plans.

Specifically, MMS uses the information to evaluate, analyze, determine, or ensure that:

- Ancillary activities comply with appropriate laws or regulations and are conducted safely, protect the environment, and do not interfere or conflict with the other uses of the OCS (*i.e.*, military use, subsistence activity).
- Points of contact and responsible parties are designated for proposed activities.
- Surveying, monitoring, or other activities do not interfere or conflict with preexisting and other uses of the area.
- Plans or actions meet or implement lease stipulation requirements.
- Proposed exploration, drilling, production, and pipeline activities are conducted in a safe and acceptable manner for the location and water depth proposed and conserve reservoir energy to allow enhanced recovery operations in later stages of lease development.
- Unnecessary or incompatible facilities are not installed on the OCS.
- Shallow drilling hazards (such as shallow gas accumulations or mudslide areas) are avoided.
- Areas are properly classified for H<sub>2</sub>S, and appropriate procedures are in place.
- Appropriate oil spill planning measures and procedures are implemented.
- Expected meteorological conditions at the activity site are accommodated.
- Environmentally sensitive areas are identified, and the direct and cumulative effects of the activities are minimized.
- Offshore and onshore air quality is not significantly affected by the proposed activities.
- Waste disposal methods and pollution mitigation techniques are appropriate for local conditions.

- State CZM requirements have been met.
  - Archaeological or cultural resources are identified and protected from unreasonable disturbances.
  - Socioeconomic effects of the proposed project on the local community and associated services have been determined.
  - Support infrastructures and associated traffic are adequately covered in plans.
- The following forms used in the Gulf of Mexico Region (GOMR) are also submitted to MMS.
- Form MMS-137 (Plan Information Form) is submitted to summarize plan information.
  - Forms MMS-138 (GOM Air Emission Calculations for Exploration Plans) and MMS-139 (GOM Air Emission Calculations for Development Operations Coordination Documents (DOCDs)) are submitted to standardize the way potential air emissions are

estimated and approved as part of the OCS plan.

- MMS-141 (ROV Survey Report) is submitted to report the observations and information recorded from 2 sets of ROV monitoring surveys to identify high-density biological communities that may occur on the seafloor in deep water. We also use the information to help assess the effectiveness of avoidance criteria and expand the knowledge base regarding the benthic habitats of the deep water seafloor.

- MMS-142 (Environmental Impact Analysis Worksheet) is a fill in the blank form that is submitted to identify the environmental impact-producing factors (IPFs) for the listed environmental resources. We use the information to assess impact and determine compliance with the National Environmental Policy Act.

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing

regulations (43 CFR part 2) and under regulations at 30 CFR 250.197, "Data and information to be made available to the public or for limited inspection." No items of a sensitive nature are collected. Responses are mandatory.

*Frequency:* On occasion.

*Estimated Number and Description of Respondents:* Approximately 130 Federal OCS oil and gas lessees and operators.

*Estimated Reporting and Recordkeeping "Hour" Burden:* The estimated annual "hour" burden for this information collection is a total of 291,414 hours. The following chart details the individual components and estimated hour burdens. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

**BILLING CODE 4310-MR-P**

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
200 thru 206	General requirements for plans and information.	Burden included with specific requirements below.		0
<b>Ancillary Activities</b>				
208	Notify MMS and other users of the OCS before conducting ancillary activities.	10	23 notices	230
210(a)	Submit report summarizing & analyzing data/ information obtained or derived from ancillary activities.	1	25 reports	25
210(b)	Retain ancillary activities data/information.	2	130 recordkeepers	260
<b>Subtotal</b>			<b>178 responses</b>	<b>515 hours</b>
<b>Contents of Exploration Plans (EP)</b>				
211 thru 228	Submit EP and accompanying information (including forms MMS-137, MMS 138, MMS-142 used in GOMR) and provide notifications.	640	200 plans	128,000
		\$3,250 x 454* EP surface locations = \$1,475,500		
		AKOCS – 1,000	1 plan	1,000
		<b>201 responses</b>		<b>129,000 hours</b>
<b>\$1,475,500 Non-Hour Costs</b>				
<b>Seismic Survey Mitigation Measures and Protected Species Observer Program</b>				
211 thru 228; 241 thru 262; NTLs	Submit to MMS observer training requirement materials and information.	½ hour	24 reports x 4 vessels = 96	48
	Training certification and recordkeeping.	½ hour	20	10
	If used, submit to MMS information on any passive acoustic monitoring system prior to placing it in service.	1 hour	3	3
	Submit to MMS marine mammal observation report(s) (This includes observer duty and training and are the occasional activities done in-house and not subcontracted out.)	345 hours**	2 reports	690
	Observer training*** (in-house training is in hours – contracted out training is in non-hour cost burdens).	8	3	24
	Observation Report/Form.	1 hour x 200 reports/forms = 200 x \$52/hr = \$10,400.		
	Observation Duty (3 observers fulfilling an 8 hour shift ea for 365 calendar days x 4 vessels = 35,040 man-hours).	3 observers x 8 hrs x 365 days = 8,760 hours x 4 vessels observing = 35,040 man-hours x \$52/hr = \$1,822,080.		
<b>124 responses</b>			<b>775 hours</b>	
<b>\$1,854,080 Non-Hour Costs</b>				
<b>Protected Species Report</b>				

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement	Hour Burden	Average No. of Annual Responses Annual	Burden Hours
211 thru 228: 241 thru 262; NTLs	Submit injured/dead protected species report.	½ hour	2 reports	1
			2 responses	1
<b>Trash and Debris Awareness/Elimination</b>				
211 thru 228: 241 thru 262; NTLs	Submit request for training video.	½ hour	100 requests	50
	Submit annual report to MMS on training process and certification.	½ hour	200 records	100
	Training recordkeeping.	½ hour	200 records	100
	Post placards on vessels and structures. (Exempt from information collection burden because MMS is providing exact language for the trash and debris warning, similar to the "Surgeon General's Warning" exemption.)		Exempt	0
<b>Subtotal</b>			827 responses	130,026 hours
			<b>\$3,329,580 Non-Hour Costs</b>	
<b>Review and Decision Process for the EP</b>				
231(b); 232(d); 234; 235(a); 281(d)(3); 283; 284; 285; 209	Submit amended, modified, revised, or supplemental EP, or resubmit disapproved EP.	120	224 changed plans	26,880
235(b); 272(b); 281(d)(3)(ii)	Appeal State's objection.	Burden exempt as defined in 5 CFR 1320.4(a)(2), (c)		0
<b>Subtotal</b>			224 responses	26,880 hours
<b>Contents of Development and Production Plans (DPP) and Development Operations Coordination Documents (DOCD)</b>				
241 thru 262; 209	Submit DPP or DOCD and accompanying information (including forms MMS-137, MMS 139, MMS-142 used in GOMR) and provide notifications.	690	110 plans	75,900
		\$3,750 x 306* DPP/DOCD wells = \$1,147,500		
		AKOCS – 1,700	1 plan	1,700
<b>Subtotal</b>			111 responses	77,600 hours
			<b>\$1,147,500 Non-Hour Costs</b>	
<b>Review and Decision Process for the DPP or DOCD</b>				
266(b); 267(d);	Submit amended, modified, revised, or supplemental DPP or DOCD, or resubmit	95	250 changed plans	23,750

Citation 30 CFR 250 Subpart B and NTLs	Reporting & Recordkeeping Requirement		Hour Burden	Average No. of Annual Responses Annual	Burden Hours
272(a); 273, 283; 284; 285; 209	disapproved DPP or DOCD.		POCS - 680	1 changed plan	680
269(b)	Submit information on preliminary plans for leases or units in vicinity of proposed development and production activities.		2	1 response	2
<b>Subtotal</b>				<b>252 responses</b>	<b>24,432 hours</b>
<b>Post-Approval Requirements for the EP, DPP, and DOCD</b>					
281(a)	Submit various applications.	Burdens included under appropriate subpart or form (1010-0050; 1010-0059; 1010-0141; 1010-0149).			0
282	Retain monitoring data/information.		2	313 records	626
	Submit monitoring plans.		1	30 plans	30
282(b)	Submit monitoring reports and data (including form MMS-141 used in GOMR).		2	2 each for 33 wells = 66	132
<b>Subtotal</b>				<b>409 responses</b>	<b>788 hours</b>
<b>Submit DWOPs, CIDs, and Departure/Alternative Compliance Requests</b>					
287 thru 295	Submit DWOP.		750	35 plans	26,250
			\$3,150 x 35 = \$110,250		
296 thru 298	Submit CID.		443	11 documents	4,873
			\$24,200 x 11 = \$266,200		
200 thru 299	General departure and alternative compliance requests not specifically covered elsewhere in subpart B regulations.		2	25 requests	50
<b>Subtotal</b>				<b>71 responses</b>	<b>31,173 hours</b>
				<b>\$376,450 Non-Hour Costs</b>	
<b>TOTAL BURDEN</b>				<b>2,072 Responses</b>	<b>291,414 Hours</b>
				<b>\$4,853,530 Non-Hour Costs</b>	

\* You may have multiple locations and/or wells for each EP, EPP, or DOCD.

\*\* Hours are based on 14 days of observing, attending a training session, and writing report(s).

\*\*\* Allowed minimal hour burden for in-house training.

*Estimated Reporting and Recordkeeping "Non-Hour Cost"*

**Burden:** We have identified seven non-hour costs associated with this information collection. Four of these non-hour cost burdens are cost recovery fees. They consist of fees being submitted with EP's, DPP's or DOCD's, DWOP's, and CID's. There are also three non-hour cost burdens that are associated with the Protected Species Observer Program. The costs associated with this program are due to activities that are, for the most part, subcontracted to other service companies with expertise in these areas. To allow for in-house training by lessees/operators, we have retained a minimal hour burden in the burden table for the Protected Species Observer Program training requirement. Since all the observation duty and reporting would be done while on the vessel and by contractors, these requirements were calculated as non-hour burden costs. See the hours, fees, and costs in the burden table.

We estimate that the annual non-hour cost burden is \$4,853,530. We have not identified any other "non-hour cost" burdens associated with this collection of information.

**Public Disclosure Statement:** The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

**Comments:** Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3501, *et seq.*) requires each agency " \* \* \* to provide notice \* \* \* and otherwise consult with members of the public and affected agencies concerning each proposed collection of information \* \* \*"

**Agencies must specifically solicit comments to:** (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

To comply with the public consultation process, on November 15, 2007, we published a **Federal Register** notice (72 FR 64238) announcing that we would submit this ICR to OMB for approval. The notice provided the required 60-day comment period. In addition, 250.199 provides the OMB

control number for the information collection requirements imposed by the 30 CFR 250 regulations and forms. The regulation also informs the public that they may comment at any time on the collections of information and provides the address to which they should send comments. We have received no comments in response to these efforts.

If you wish to comment in response to this notice, you may send your comments to the offices listed under the **ADDRESSES** section of this notice. The OMB has up to 60 days to approve or disapprove the information collection but may respond after 30 days. Therefore, to ensure maximum consideration, OMB should receive public comments by June 19, 2008.

**Public Availability of Comments:** Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**MMS Information Collection Clearance Officer:** Arlene Bajusz, (202) 208-7744.

Dated: March 21, 2008.

**E.P. Danenberger,**  
Chief, Office of Offshore Regulatory Programs.  
[FR Doc. E8-11287 Filed 5-19-08; 8:45 am]  
**BILLING CODE 4310-MR-P**

## **INTERNATIONAL TRADE COMMISSION**

[Investigation No. 337-TA-588]

### **In the Matter of Certain Digital Multimeters, and Products With Multimeter Functionality; Issuance of General Exclusion Order and Cease and Desist Orders; Termination of the Investigation**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has issued a general exclusion order and cease and desist orders directed to two defaulting domestic respondents in the above-identified investigation. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Haldenstein, Office of the General Counsel, U.S. International

Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3041. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S.

International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on November 13, 2006, based on a complaint filed on October 6, 2006, and supplemented on October 27 and 30, 2006, by Fluke Corp. of Everett, Washington, alleging violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain digital multimeters and products with multimeter functionality by reason of infringement of United States Trademark Registration No. 2,796,480 ("the '480 mark'") and also by reason of infringement of trade dress, the threat or effect of which is to destroy or substantially injure an industry in the United States. 71 FR 661940 (November 13, 2006). Complainant requested that the Commission issue a general exclusion order and cease and desist orders. The complaint named eighteen respondents in China, Hong Kong, and the United States. Fourteen respondents were terminated from the investigation by settlement agreement, consent order, or both. The four remaining respondents were found in default.

On July 3, 2007, complainant filed a motion seeking summary determination of violation of section 337. On January 14, 2008, the presiding administrative law judge ("ALJ") issued an initial determination ("ID") granting complainant's motion for summary determination of violation of section 337 as to the four defaulting respondents. He recommended issuance of a general exclusion order, issuance of cease and desist orders against respondents Electronix Express and HandsOnTools, and that the amount of bond for temporary importation during