

contact Ms. Helen Rucker, Chief, Environmental Assessment Section, Office of Environment (GM 623E), Bureau of Ocean Energy Management, Gulf of Mexico OCS Region, 1201 Elmwood Park Boulevard, New Orleans, Louisiana 70123-2394, telephone 504-736-2421, or email at [helen.rucker@boem.gov](mailto:helen.rucker@boem.gov).

**SUPPLEMENTARY INFORMATION:** The Council on Environmental Quality's NEPA implementing regulations encourage agencies to analyze similar or related proposals in one EIS (40 CFR 1508.25). Since the proposed lease sale area and the reasonably foreseeable OCS oil and gas activities are similar among GOM lease sales, BOEM plans to use the 2020 GOM Supplemental EIS, and the EISs it tiers from, to support decisions on lease sales proposed to be held in the GOM from 2020 through 2022. The 2020 GOM Supplemental EIS will tier from the 2017-2022 GOM Multisale EIS and the 2018 GOM Supplemental EIS, and will focus on any changes in the proposed action or the new information released since their publication. The resource estimates and scenario information for the 2020 GOM Supplemental EIS will include a range that encompasses the estimated resources and reasonably foreseeable post-lease activities that may result from a single proposed lease sale. At the completion of this Supplemental EIS process, a decision will be made only for the first proposed 2020 GOM lease sale. A separate decision will be made for the subsequent proposed GOM lease sales through 2022.

The proposed lease sales are within the same geographic scope, range of predicted activities, and dates as those analyzed in the 2017-2022 GOM Multisale EIS and 2018 GOM Supplemental EIS. Therefore, BOEM will continue to tier from the 2017-2022 GOM Multisale EIS and 2018 GOM Supplemental EIS, and will begin preparation of the 2020 GOM Supplemental EIS before the 2019-2024 National Program is finalized. Should the GOM lease sales ultimately included in the 2019-2024 National Program differ substantially from those scheduled previously, BOEM will refine the analyses in the 2020 GOM Supplemental EIS or prepare an additional supplemental EIS, as appropriate, to support an individual lease sale decision. Under 40 CFR 1502.9 scoping is not required for a Supplemental EIS. Given the recent publication of the 2017-2022 GOM Multisale EIS and 2018 GOM Supplemental EIS, BOEM is not conducting formal scoping for the 2020

GOM Supplemental EIS. This Notice of Intent (NOI) serves to announce the preparation of the *Gulf of Mexico Outer Continental Shelf Lease Sales: 2020, Draft Supplemental Environmental Impact Statement* (Draft 2020 GOM Supplemental EIS).

The 2020 GOM Supplemental EIS analysis will focus on the potential environmental effects from an oil and gas lease sale offering all available unleased acreage in the GOM, including the Western and Central Planning Areas, and the portion of the Eastern Planning Area not subject to Congressional moratorium (*i.e.*, the proposed action), including the effects of all reasonably foreseeable exploration, development, and production activities that may result from the lease sale. In addition to the no action alternative (*i.e.*, cancel the lease sale), other alternatives will be considered for each proposed lease sale, such as offering individual or multiple planning areas for lease (rather than a regionwide sale) or potentially deferring certain areas from the proposed lease sales. Practicable means of mitigating potential impacts from the proposed action will also be analyzed in the 2020 GOM Supplemental EIS.

**Cooperating Agencies:** BOEM invites other Federal agencies, and State, Tribal, and local governments to consider becoming cooperating agencies in the preparation of the 2020 GOM Supplemental EIS. BOEM invites qualified government entities to inquire about cooperating agency status for this Supplemental EIS. Following the guidelines from the Council on Environmental Quality (CEQ), qualified agencies and governments are those with "jurisdiction by law or special expertise" (40 CFR 1508.5). Potential cooperating agencies should consider their authority and capacity to assume the responsibilities of a cooperating agency and should remember that an agency's role in the environmental analysis neither enlarges nor diminishes the final decisionmaking authority of any other agency involved in the NEPA process. Upon request, BOEM will provide potential cooperating agencies with a written summary of expectations for cooperating agencies, including time schedules and critical action dates, milestones, responsibilities, scope and detail of cooperating agencies' contributions, and availability of predecisional information. BOEM anticipates this summary will form the basis for a Memorandum of Agreement between BOEM and any cooperating agency. Agencies should also consider the "Factors for Determining Cooperating Agency Status" in Attachment 1 to CEQ's January 30, 2002,

Memorandum for the Heads of Federal Agencies: *Cooperating Agencies in Implementing the Procedural Requirements of the National Environmental Policy Act*. This document is available on the internet at [http://energy.gov/sites/prod/files/nepapub/nepa\\_documents/RedDont/CEQ-CoopAgenciesImple.pdf](http://energy.gov/sites/prod/files/nepapub/nepa_documents/RedDont/CEQ-CoopAgenciesImple.pdf).

BOEM, as the lead agency, will not provide financial assistance to cooperating agencies. Even if an organization is not a cooperating agency, opportunities will exist to provide information and comments to BOEM during the normal public input stages of the NEPA process.

**Authority:** This NOI is published pursuant to the regulations (40 CFR 1501.7) implementing the provisions of NEPA.

Dated: December 19, 2018.

**Michael A. Celata,**

*Regional Director, Bureau of Ocean Energy Management, Gulf of Mexico OCS Region.*

[FR Doc. 2018-27877 Filed 12-21-18; 8:45 am]

**BILLING CODE 4310-MR-P**

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1050]

### Certain Dental Ceramics, Products Thereof, and Methods of Making the Same Termination of Investigation with a Finding of No Violation of Section 337

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has found no violation of section 337 of the Tariff Act of 1930 in the above-captioned investigation. The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:**

Sidney A. Rosenzweig, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone (202) 708-2532. 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 at <https://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://>

*edis.usitc.gov*. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on April 25, 2017, based on a complaint, as supplemented, filed by Ivoclar Vivadent AG of Schaan, Liechtenstein; Ivoclar Vivadent, Inc. of Amherst, New York; and Ardent, Inc. of Amherst, New York (collectively "Ivoclar"). 82 FR 19081 (Apr. 25, 2017). The complaint, as supplemented, alleged violations of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain dental ceramics, products thereof, and methods of making the same by reason of the infringement of certain claims of four United States patents: U.S. Patent No. 7,452,836 ("the '836 patent"); U.S. Patent No. 6,517,623 ("the '623 patent"); U.S. Patent No. 6,802,894 ("the '894 patent"); and U.S. Patent No. 6,455,451 ("the '451 patent"). The notice of investigation named as respondents GC Corporation of Tokyo, Japan; and GC America, Inc. of Alsip, Illinois (collectively, "GC"). The Office of Unfair Import Investigations was also named as a party.

Earlier in proceedings, the investigation was terminated as to certain asserted patent claims, including all of the asserted claims of the '623 patent and the '451 patent, based upon withdrawal of the complaint. Order No. 18 (Nov. 21, 2017), *not reviewed*, Notice (Dec. 6, 2017); Order No. 24 (Dec. 19, 2017), *not reviewed*, Notice (Jan. 18, 2017); Order No. 51 (Feb. 22, 2018), *not reviewed*, Notice (Mar. 23, 2018); Order No. 56 (Mar. 28, 2018), *not reviewed*, Notice (Apr. 27, 2018).

On July 23, 2018, the ALJ issued the final initial determination ("ID"). Remaining within the scope of the investigation, as to infringement, domestic industry, or both, were claims 1, 2, 4, 5, 7, 9, 10, 13, 15-19, and 21 of the '836 patent; and claims 1, 2, 4, 16-21, 34, 36 and 38 of the '894 patent. The ID finds, *inter alia*, that Ivoclar failed to demonstrate infringement of the above-referenced claims of the '836 patent. The ID finds, *inter alia*, that claims 36 and 38 ("the '894 flexure strength claims") are invalid as indefinite under 35 U.S.C. 112 ¶ 2. The ID further finds that Ivoclar failed to demonstrate infringement and failed to meet the technical prong of the domestic industry requirement as to the remaining claims of the '894 patent (claims 1, 2, 4, 5, 7,

9, 10, 13, 15-19, and 21) ("the '894 annealing claims"). The ID finds that some, but not all, of the '894 annealing claims are invalid in view of certain prior art.

After the issuance of the ID, the Commission solicited comments from the public concerning remedy and the public interest. On September 13, 2018, Representative Brian Higgins (R-N.Y.) filed comments in support of his constituent Ivoclar, whose headquarters is in Western New York. Letter from Rep. Brian Higgins to Chairman David S. Johanson at 1 (Sept. 13, 2018). In addition, Ivoclar, GC, and the Commission investigative attorney filed petitions for review and replies to the other parties' petitions.

On September 21, 2018, the Commission issued its notice of review. By that notice, the Commission determined not to review the ID with respect to the '836 patent and the '894 flexure strength claims, thereby terminating the investigation as to those patent claims. The Commission determined to review the ID's findings as to the '894 annealing claims and solicited further briefing from the parties on certain issues concerning those patent claims. The Commission also solicited briefing from the parties, interested government agencies, and members of the public on remedy, the public interest, and bonding. No non-parties filed such briefing. On October 5, 2018, the parties filed opening briefs in response to the Commission notice of review, and on October 12, 2018, the parties filed reply briefs.

Having reviewed the record of the investigation, including the final ID, the parties' petitions for review and responses thereto, and the parties' briefing to the Commission, the Commission has determined to affirm, with modified reasoning, the ID's conclusion that Ivoclar failed to demonstrate infringement of the '894 annealing claims. The Commission has also determined to affirm, with modified reasoning, the ID's finding that claims 1, 2, and 34 of the '894 patent are anticipated by U.S. Patent No. 4,189,325 (Barrett) (RX-27). The Commission has determined to take no position as to whether International Patent Application WO 00/34196 ("WO196") (RX-563) invalidates any of the '894 annealing claims or whether the technical prong of the domestic industry requirement was met for the '894 patent. The Commission has determined to affirm the ID's remaining findings concerning the '894 annealing claims. Accordingly, the Commission terminates the investigation with respect to the '894 annealing claims,

and thereby the investigation in its entirety, with a finding of no violation of section 337. The reasons for the Commission's determinations are set forth more fully in the Commission's accompanying opinion.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

Issued: December 18, 2018.

By order of the Commission.

**Lisa Barton,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

[OMB Number 1121-0352]

### **Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection National Standards to Prevent, Detect, and Respond to Prison Rape (28 CFR part 115)**

**AGENCY:** Bureau of Justice Assistance, Department of Justice.

**ACTION:** 60-Day notice.

**SUMMARY:** The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

**DATES:** Comments are encouraged and will be accepted for 60 days until February 25, 2019.

**FOR FURTHER INFORMATION CONTACT:** If you have additional comments on the estimated burden to facilities covered by the standards to comply with the regulation's reporting requirements, suggestions, or need additional information, please contact Emily Niedzwiecki, Policy Advisor, Bureau of Justice Assistance, 810 Seventh Street NW, Washington, DC 20531 (phone: 202-305-9317).

**SUPPLEMENTARY INFORMATION:** Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points: