

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 03/26/2012

Department of Commerce  
National Oceanic and Atmospheric Administration  
FOR CERTIFYING OFFICIAL: Simon Szykman  
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 12/29/2011

ACTION REQUESTED: Extension without change of a currently approved collection  
TYPE OF REVIEW REQUESTED: Regular  
ICR REFERENCE NUMBER: 201112-0648-015  
AGENCY ICR TRACKING NUMBER:  
TITLE: Deep Seabed Mining Regulations for Exploration Licenses  
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change  
OMB CONTROL NUMBER: 0648-0145

The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 03/31/2015

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	3	60	267
New	3	60	267
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	0	0	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Kevin F. Neyland  
Deputy Administrator,  
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Deep Seabed Mining Exploration License Annual Reports			15 CFR 971.801
Deep Seabed Mining Exploration License Extensions			15 CFR 970.201-208

# PAPERWORK REDUCTION ACT SUBMISSION

**Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.**

1. Agency/Subagency originating request	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	10. Abstract
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ Application for benefits e. ___ Program planning or management b. ___ Program evaluation f. ___ Research c. ___ General purpose statistics g. ___ Regulatory or compliance d. ___ Audit	16. Frequency of recordkeeping or reporting ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

**NOTE:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)

Signature

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT  
DEEP SEABED MINING EXPLORATION LICENSES  
OMB CONTROL NO. 0648-0145**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

This request is for extension of a current information collection.

[The Deep Seabed Hard Mineral Resources Act](#) (Act) (P.L. 96-283) and its implementing regulations ([15 CFR Part 970](#)) authorize the Administrator of NOAA to issue, to eligible United States citizens, licenses for exploration of deep seabed hard mineral resources beyond the continental shelf. The statutory requirements for the collection of information are contained in sections 102, 105, 113, and 114 of the Act.

The Act and NOAA's regulations require applicants for issuance or transfer of an exploration license to submit financial, technical and environmental information so that NOAA is able to make a determination as to the applicant's eligibility to meet the provisions of the legislation. The legislation also requires a licensee to annually submit a report which describes its exploration activities for the past year and its diligence in following its approved exploration plan.

**2. Explain how, by whom, how frequently and for what purpose the information will be used.**

The information with the application for a license or transfer of a license will be used by NOAA to determine the financial and technological eligibility of the applicant to meet the requirements of the Act to conduct exploration activities in an environmentally sound manner. The information will also be used in the preparation of the environmental impact statement required by the Act and the National Environmental Policy Act.

The specific requirements in the regulation for a license application, and the provision in the law that requires such information are:

§970.201 – Statement of financial resources. The application must contain information upon which to base a determination that the applicant will have sufficient resources to carry out the exploration plan. The information must include: (1) a description of how the applicant intends to finance the exploration program; (2) the estimated cost of the program; (3) the applicant's most recent audited financial statement, annual report, Form 10-K filed with the Securities and Exchange Commission, and the credit and bond rating of the applicant. [30 U.S.C. 1413(c)(1)]

§970.202 – Statement of technological experience and capabilities. The application must demonstrate that the applicant has the technological capability to carry out the exploration plan. The information must include a description of the exploration and monitoring equipment to be used and a description of the experience upon which the application will rely in using the equipment. [30 U.S.C. 1413(c)(2)]

§970.203 – Exploration plan. Each application must include an exploration plan that describes the projected exploration activities during the license period. The plan must demonstrate that the efforts are likely to lead to the ability to apply for a commercial recovery permit at the end of the license period. The plan must include the following information: (1) the proposed activities to be carried out; (2) a description of the area to be explored; (3) the intended exploration schedule; (4) a description of the methods to be used; (5) a description of the technology to be used and an evaluation of the technology; (6) an estimated schedule of expenditures; (7) measures to protect the environment and monitor the effectiveness of environmental safeguards; and (8) a description of the relevant activity completed prior to the submission of the application. [30. U.S.C. 1413(a)(1)(B)]

§970.204 – Environmental and use conflict analysis. The applicant must furnish information on physical, chemical, biological, and potential use conflict on the exploration area. The information is used in preparing NOAA's environmental impact statement. [30 U.S.C. 1419]

§970.205 – Vessel safety. The application must contain an affirmation that any U.S. flag vessel used in the exploration activities will possess a currently valid Coast Guard Certificate of Inspection. If a foreign flag vessel is to be used, applicable safety certificates must be obtained (SOLAS 60: International Convention for the Safety of Life at Sea, 1960 and SOLAS 74: International Convention for Safety of Life at Sea, 1974). [30 U.S.C. 1422)]

§970.206 – Statement of ownership. The application must include information to demonstrate that the applicant is a U.S. citizen. The information includes: the name, address, and telephone number of the U.S. citizen responsible for exploration operations; a description of the citizen engaging in the exploration (whether the citizen is an actual person, partnership, corporation, etc.); state of incorporation; name of registered agent and place of business; certificate of incorporation or articles of association; and the name of each member of an association. [30 U.S.C. 1413(a)(1)]

§970.207 – Antitrust information. The application must contain sufficient information for an antitrust review by the Attorney General and the Federal Trade Commission. This may include: a copy of each agreement between participating parties; identity of any affiliate; for any affiliate, the parent or subsidiary engaged in related production, purchase, or sale; annual tonnage and dollar value of minerals and metals purchased, sold, or produced for the two preceding years; copies of annual reports; and copies of documents submitted to the Securities and Exchange Commission. [30 U.S.C. 1413(d)]

§970.208 – Fee. A fee payment of \$100,000 must accompany each application to cover NOAA’s administrative costs for reviewing and processing the application [30 U.S.C 1414]

The information submitted with a request for a revision or extension of an exploration license or exploration plan will be used by NOAA to prepare a written finding that the revision or extension will comply with the requirements of the Act and regulations.

The information submitted with an application for an issuance, transfer, extension or revision of a license is also used by NOAA to fulfill its function under the Act for consultation and cooperation with other Federal agencies in relation to their programs and authorities, in order to reduce the number of separate actions required to satisfy Federal agencies’ responsibilities.

The information submitted in the annual report is used by NOAA to ensure that the licensee is diligent in following its approved exploration plan and to prepare a Biennial Report to Congress (the requirement for NOAA to submit the Biennial Report to Congress has been suspended because of the present low level of activity under the two NOAA-issued licenses.)

The specific information that may be required after issuance of the license is:

§970.510 – Objections to terms, conditions, and restrictions (TCRs). The licensee may file a notice of objection to any TCR within 60 days after a notice of issuance or transfer of a license. Any notice of objection must indicate the legal or factual basis for the objection and must provide information relevant to any underlying factual issues deemed by the licensee as necessary to NOAA’s decision on the objection. [30 U.S.C. 1415(b)(3)]

§970.513 – Revision of a license. During the term of the license the licensee may submit an application for a revision of either the license or the exploration plan associated with it [30 U.S.C. 1415(c)(2)]

§970.516 – Approval of license transfers. A licensee may submit a request for a license transfer. The proposed transferee will be deemed an applicant for a license and will be subject to the requirements and procedures of an original license application. [30 U.S.C. 1413(a)]

§970.522 – Monitoring requirements. Each exploration license requires the licensee to monitor the environmental effects of its activities in accordance with NOAA’s guidelines and to submit data and other information as necessary to permit evaluation of the environmental effects. [30 U.S.C. 1424]

Some of NOAA’s information requirements are consolidated with NOAA’s regulations for commercial recovery in 15 CFR 971.

§971.801 – Records to be maintained and information to be submitted by licensees. In addition to the other information specified, the licensee must keep such records, consistent with standard accounting principles, as NOAA may specify for each license. Such records must include information which will fully disclose expenditures for exploration for, or commercial recovery of, hard mineral resources in the area under license or permit, and any other information which will facilitate an effective audit of these expenditures. The licensee will be required to submit to the Administrator, upon request, data or other information the Administrator may reasonably need for purposes of: (1) making determinations with respect to the issuance, revocation, modification, or suspension of the license or permit in question; (2) evaluating the effectiveness of license or permit TCRs; (3) compliance with the biennial Congressional report requirements contained in section 309 of the Act; and (4) evaluation of the exploration or commercial recovery activities conducted by the licensee.

At a minimum, licensees must submit an annual written report within 90 days after each anniversary of the license issuance or transfer, discussing exploration or commercial recovery activities and expenditures. The report must address diligence requirements of 970.602 and environmental monitoring to address 970.522) and 970.702(a). [30 U.S.C. 1423, 1418]

§971.802- Request for confidential treatment of documents received by NOAA. A licensee requesting confidential treatment of information considered to be protected under the Trade Secrets Act (18 U.S.C. 1905) or of financial information that is privileged or confidential must submit a written request at the time the information is submitted. Request must state the period of time for which confidential treatment is requested, and must include the name, mailing address, and telephone number of agent of the submitter who is authorized to receive notice of requests for disclosure of the information. [30 U.S.C. 1423(c)]

As explained in the preceding paragraphs, the information gathered has utility. NOAA will retain control over the information and safeguard it from improper access, modification, and destruction consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The collection of information to support deep seabed mining exploration licenses could include applying Geographic Information Systems (GIS) data to identify areas where hard mineral resources are likely to exist or be explored, as well as using this technology

to consider potential impacts to surrounding resources. In addition, applicants are encouraged to submit those application materials that are readily available in electronic form for NOAA review. Other than those examples, the collection of information does not involve the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

**4. Describe efforts to identify duplication.**

There are no other collections gathering the same information. All information is required by the Act to be submitted by the license applicant or license holder to NOAA only.

**5. If the collection of information involves small business or other small entities, describe the methods used to minimize burden.**

Due to the large capital investments required for deep seabed mining, information collection does not involve small businesses or other small entities.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

The Act requires that an application for issuance, extension, revision or transfer of a license contain adequate financial, technical and environmental information in order for NOAA to make a determination as to the applicant's eligibility for these actions and to conduct exploration activities. Fulfilling NOAA's responsibility under the Act is impossible without the timely submission of adequate information.

If a licensee does not submit an annual report which describes exploration activities, it is in violation of the Act and may have its license suspended.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

Section 970.200 of the regulations requires 30 copies of an application for issuance or transfer of a license to be submitted to NOAA. Consultations are required with a number of other agencies, and the number of copies aid in the application's timely review. If an applicant finds this too burdensome, the regulations provide for a waiver of the number of copies. Since no applications have been received in several years, it is currently a moot point.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A Federal Register Notice published on October 20, 2011 (76 FR 65180) solicited comments. No comments were received.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payment or gifts are provided.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

Section 970.902 of the regulations provides a procedure for requesting confidential treatment for any information that the applicant considers to be: 1) protected by the Trade Secrets Act or 2) a trade secret or commercial or financial information which is privileged or confidential. Other than this option, confidentiality is not assured.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

There is no information required in an application for issuance, transfer, revision or extension of a license, or for annual reporting, that is of a sensitive nature as described above.

**12. Provide an estimate in hours of the burden of the collection of information.**

An application could take from 2,000 – 4,000 hours, depending on the complexity of the request. This estimate is based on the fact that much of the information required would otherwise be needed by the applicant anyway for management purposes and to obtain funding. NOAA has not received any applications for several years and expects no new applications in the PRA approval period being requested. However, NOAA's Office of Ocean and Coastal Resource Management is currently working with a licensee on extending two existing permits during the PRA approval period being requested.

The annual reports are estimated to take 20 hours per response. Again, much of the data would be required for business purposes. There is one existing licensee with two licenses, so the requested burden for annual reports is:

1 licensee x 20 hours x 2 annual reports = 40 hours.

The amount of additional information required for extension of a permit is minimal, given that NOAA has most of the necessary information already on file. The requested burden for two extension requests is:

1 licensee x 30 hours per extension request (2 extension requests during the three-year period) = 60 hours, annualized to 20.

Total estimated annualized responses would be  $2 + 2/3 = 2.67$  (3) and the burden,  $40 + 20 = 60$ .

At an estimated labor cost of \$50 per hour, annualized labor costs would be \$3,000.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.**

The cost of an application would be the \$100,000 fee; however, since no applications are expected the anticipated application cost is \$0. Copying and mailing costs for each annual reporting and extension document are estimated to be \$100. Since no at-sea exploration activities are anticipated, there will be no costs for environmental monitoring of deep seabed mining exploration activities. Thus, the total annualized costs are estimated to be  $\$200 + \$200/3 = \$267$ .

**14. Provide estimates of annualized cost to the Federal government.**

There is an estimated cost of \$200/year for reviewing each annual report: \$400, and \$1,500 for review of each permit extension: \$3,000 (annualized to \$1,000), for an annualized cost of all activities of \$1,400.

**15. Explain the reasons for any program changes or adjustments.**

There are no changes.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

No collection information will be published.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

Not applicable.

**18. Explain each exception to the certification statement.**

Not applicable.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection does not employ statistical methods.

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Application to Shuck Surf Clams/Ocean Quahogs at Sea**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before December 19, 2011.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Douglas Potts, (978) 281-9341 or [Douglas.Potts@noaa.gov](mailto:Douglas.Potts@noaa.gov).

**SUPPLEMENTARY INFORMATION:****I. Abstract**

National Marine Fisheries Service (NMFS) Northeast Region manages the Atlantic surfclam and ocean quahog fisheries of the Exclusive Economic Zone (EEZ) of the Northeastern United States through the Atlantic Surfclam and Ocean Quahog Fishery Management Plan (FMP). The Mid-Atlantic Fishery Management Council prepared the FMP pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The regulations implementing the FMP are specified at 50 CFR 648.70.

The recordkeeping and reporting requirements at § 648.74 and § 648.75 form the basis for this collection of information. NMFS Northeast Region requests information from Atlantic surfclam and ocean quahog individual transferable quota (ITQ) allocation holders in order to process and track requests from the allocation holders to transfer quota allocation to another entity. NMFS Northeast Region also requests information from Atlantic

surfclam and ocean quahog permit holders in order to track and properly account for Atlantic surfclam and ocean quahog harvest that is shucked at sea. Because there is not a standard conversion factor for estimating unshucked product from shucked product, NMFS requires vessels that choose to shuck product at sea to carry on board the vessel a NMFS-approved observer to certify the amount of Atlantic surfclam and ocean quahog harvested. This information, upon receipt, results in an increasingly more efficient and accurate database for management and monitoring of fisheries of the Northeastern U.S. EEZ.

**II. Method of Collection**

Requests from allocation holders to transfer quota use paper applications or an online form. Paper applications are used to process requests to shuck at sea.

**III. Data**

*OMB Control Number:* 0648-0240.

*Form Number:* None.

*Type of Review:* Regular submission (extension of a currently approved information collection).

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 205.

*Estimated Time per Response:* 5 minutes for the application to transfer quota, and 30 minutes for the application to shuck surfclams and ocean quahogs at sea.

*Estimated Total Annual Burden Hours:* 45.

*Estimated Total Annual Cost to Public:* \$109,421.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: October 14, 2011.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2011-27130 Filed 10-19-11; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****Proposed Information Collection; Comment Request; Deep Seabed Mining Exploration Licenses**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before December 19, 2011.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Kerry Kehoe (301) 713-3155 extension 151, or [Kerry.Kehoe@noaa.gov](mailto:Kerry.Kehoe@noaa.gov).

**SUPPLEMENTARY INFORMATION:****I. Abstract**

This request is for extension of a currently approved information collection.

NOAA's regulations at 15 CFR 970 govern the issuing and monitoring of exploration licenses under the Deep Seabed Hard Mineral Resources Act. Any persons seeking a license must submit certain information that allows NOAA to ensure the applicant meets the standards of the Act. The persons with licenses are required to conduct monitoring and make reports, and they may request revisions, transfers, or extensions of licenses.

## II. Method of Collection

Paper submissions are used; however, applicants are encouraged to submit supporting documentation electronically when feasible.

## III. Data

*OMB Control Number:* 0648-0145.

*Form Number:* None.

*Type of Review:* Regular submission (extension of a currently approved information collection).

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 2.

*Estimated Time per Response:* Applications, 2,000-4,000 hours (no applications are expected); license renewals, 250 hours; reports, 20 hours.

*Estimated Total Annual Burden Hours:* 290.

*Estimated Total Annual Cost to Public:* \$200 in recordkeeping/reporting costs.

## IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: October 14, 2011.

### Gwellnar Banks,

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2011-27131 Filed 10-19-11; 8:45 am]

**BILLING CODE 3510-08-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA703**

### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator), has made a preliminary determination that an exempted fishing permit application contains all of the required information and warrants further consideration. This permit would allow two commercial fishing vessels to test the economic viability of using electric rod and reel gear to target pollock in the Western Gulf of Maine Closure Area and to temporarily retain undersized catch for measurement and data collection. The study would be conducted by the School for Marine Science and Technology at the University of Massachusetts, Dartmouth.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed exempted fishing permits.

**DATES:** Comments must be received on or before November 4, 2011.

**ADDRESSES:** You may submit written comments by any of the following methods:

- *E-mail:* [nero.efp@noaa.gov](mailto:nero.efp@noaa.gov). Include in the subject line "Comments on Rod and Reel Fishing in WGOM Closed Area EFP."

- *Mail:* Patricia A. Kurkul, Regional Administrator, NMFS, NE Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on S Mast EFP."

- *Fax:* (978) 281-9135.

### FOR FURTHER INFORMATION CONTACT:

Brett Alger, Fisheries Management Specialist, 978-675-2153, [brett.alger@noaa.gov](mailto:brett.alger@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The School for Marine Science and Technology at the University of Massachusetts, Dartmouth (SMAS T) submitted a complete application for an

exempted fishing permit (EFP) on August 31, 2011, to conduct commercial fishing activities that the regulations would otherwise restrict. The EFP would authorize two vessels to use electric rod and reel gear in the Western Gulf of Maine (GOM) Closure Area and to temporarily retain undersized catch for measurement and data collection.

The project, titled "Utilization of Electric Rod and Reel to Target Pollock in WGOM Closed Area," is funded by NOAA's Northeast Cooperative Research Program through the network project GEARNET. In addition to testing the economic viability of using electric rod and reel gear to target pollock, and allow the vessels to temporarily retain undersized fish for data collection purposes, the project may also investigate if the gear could be used as an effective stock assessment tool within closed areas. The study would take place in the Western GOM Closure Area, during November and December 2011, with two vessels planning to fish 10 days each, for a total of 20 research days. The exemptions are necessary because groundfish vessels on commercial groundfish trips are prohibited from fishing in the Western GOM Closure Area and from retaining undersized fish. Each vessel would use four electric rod and reels each day and fish for approximately 8 hours, with an additional 4 hours of steaming, for a total trip of 12 hours. Fishing would primarily occur within the Western GOM Closure Area, with some effort being conducted outside the area. S Mast is requesting access to the Western GOM Closure Area based on its belief that pollock is concentrated in this area.

A technician would be on board the vessel to measure fish caught (retained and discarded), document fishing gear, bait, location, and fishing conditions to evaluate gear performance. Undersized fish would be discarded. All Northeast multispecies of legal size would be landed, with all catch being attributed to the sector vessel's annual catch entitlement. Proceeds from the sales would be retained by the vessels.

In order to ensure that catch does not exceed the amount of targeted and bycatch species estimated by S Mast, a trigger clause would be placed on the EFP. Based on reported landings and discards, the EFP would be rescinded should catch (landings and discards) exceed any of the following amounts (per vessel): Pollock: 6,000 lb (2,722 kg); cod: 1,000 lb (454 kg); haddock: 1,000 lb (454 kg); American plaice: 100 lb (45.4 kg); yellowtail flounder: 100 lb (45.4 kg); witch flounder: 100 lb (45.4 kg); winter flounder: 100 lb (45.4 kg);