

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 03/21/2013

Department of Commerce
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Simon Szykman
FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 03/21/2013

ACTION REQUESTED: Revision of a currently approved collection

TYPE OF REVIEW REQUESTED: Regular

ICR REFERENCE NUMBER: 201303-0648-012

AGENCY ICR TRACKING NUMBER:

TITLE: Northeast Region Surfclam and Ocean Quahog Individual Transfer Quota (ITQ) Administration

LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change

OMB CONTROL NUMBER: 0648-0240

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: 12/31/2015

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	388	33	109,374
New	6,932	2,433	111,346
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	6,544	2,400	1,972
Change due to Agency Adjustment	0	0	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Dominic J. Mancini
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs			
IC Title	Form No.	Form Name	CFR Citation
Application to Shuck Surf Clams/Ocean Quahogs at Sea	NA	Application to Shuck Surfclams/Ocean Quahogs at Sea	
ITQ Transfer Request Form	NA	Request for Atlantic Surfclam or Ocean Quahog ITQ Allocation or Cage Tag Transfer	
Protocol - submission of concurrence from state of landing			
Protocol - maintain and submit harvest records			
Protocol - compile and submit laboratory test results			
Protocol - Create and maintain a written onboard lot segregation plan			
Protocol - provide notification prior to unloading			

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 b. <input type="checkbox"/> None 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
	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
	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
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
SURF CLAM/OCEAN QUAHOG ITQ ADMINISTRATION
OMB CONTROL NO. 0648-0240**

A. JUSTIFICATION

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

The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) is requesting a revision of OMB Control No. 0648-0240, to continue management of the Atlantic Surfclam and Ocean Quahog Fishery Management Plan (FMP) developed under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (16 U.S.C. 1801 et seq, Section 303). This revision would enable NMFS to collect information required from an amendment to the regulations that reopened a portion of the Georges Bank (GB) Closed Area, per RIN 0648-BC21.

Individual transferable quota

Amendment 8 to the Atlantic Surfclam and Ocean Quahog Fishery Management Plan became effective September 30, 1990. The amendment provided for individual transferable quotas (ITQs) by species (surfclam or ocean quahog) for individuals who were qualified to receive an ITQ for either or both species. ITQs were issued in September 1990 to individual owners, based on their percentage share of the annual allowed quota for harvest.

Allocations are expressed in terms of bushels, but tracked and transferred in terms of the cages in which harvested product is landed and shipped (a cage contains 32 bushels of product). To facilitate enforcement and tracking, sequentially numbered tags are issued to each owner on an annual basis and all cages of product must be tagged, with tag use reported by both the harvesting vessel and the purchasing dealer. Each allocation owner is issued an allocation permit which specifies the amount of their allocation and the tag numbers they are required to use during the harvest of their allocation. Individual allocations are transferable per regulations found at 50 CFR 648.74(b). Owners may transfer their allocation on a permanent basis or may transfer tags to other vessel owners to use on a temporary (annual) basis. This transferability means that the allocation ownership frequently changes.

The ITQ Allocation Transfer Form is required by NMFS to process and register ITQ transactions. Information required on the transfer form includes allocation owner name, allocation number (assigned by NMFS for internal tracking), and the numbers of tags associated with the transfer. Once processed, new allocation permits are issued and all NMFS databases are updated.

Shucking clams at sea

Because of potential difficulties in disposing of clam shells on shore, Amendment 8 allowed for the Regional Administrator to approve requests to shuck product at sea. However, because of the difficulties involved in converting the volume of shucked clam meats to bushels, the regulations allow shucking at sea only if the vessel carries a NMFS-approved observer. The observer is necessary to certify the amount, in bushels, of unshucked product that the vessel has processed at sea. The regulations authorizing this collection are found at 50 CFR 648.75.

This information collection includes the form to request the transfer of ITQ allocation or cage tags and the application to request authorization to shuck product at sea. The latter collection includes the cost of carrying a NMFS-approved observer if the application is accepted. These two information collections are necessary to the administration and the monitoring of quota for the Atlantic surfclam and ocean quahog ITQ programs.

Reopened Portion of the GB Closed Area

The GB Closed Area has been closed to the harvest of surfclams and ocean quahogs since 1990 due to red tide blooms that cause paralytic shellfish poisoning (PSP). The closure was implemented based on advice from the U.S. Food and Drug Administration (FDA), after samples tested positive for toxins that cause PSP. Shellfish contaminated with the toxin, if eaten in large enough quantity, can cause illness or death in humans.

Due to inadequate testing or monitoring of this area for the presence of PSP-causing toxins, the closure was made permanent in 1999. NMFS has issued exempted fishing permits (EFPs) since 2008 to surfclam and ocean quahog vessels to conduct research in the closure area. Testing of clams on GB by the FDA in cooperation with NMFS and the fishing industry under the EFPs demonstrate that PSP toxin levels have been well below the regulatory limit established for public health safety. The FDA, the industry, and NMFS also developed a Protocol for Onboard Screening and Dockside Testing in Molluscan Shellfish that is designed to test and verify that clams harvested from the GB continue to be safe. The protocol was formally adopted into the National Shellfish Sanitation Program (NSSP) at the October 2011 Interstate Shellfish Sanitation Conference (ISSC).

This action will reopen a portion of the existing GB Closed Area for the harvest of surfclams and ocean quahogs at the request of the Mid-Atlantic Fishery Management Council (MAFMC) and the industry. The reopening is based upon the recent adoption of the protocol and the regulatory authority of the NMFS Northeast Regional Office Regional Administrator to impose harvest restrictions when considering reopening PSP closures. NMFS published a similar proposal to open a portion of the GB Closed Area in the Federal Register on June 30, 2010 (75 FR 37745); this rule was later withdrawn due to comments in opposition of opening the GB Closed Area without a testing protocol in place. Now that the protocol has been formally adopted, NMFS is reopening a portion of the GB Closed Area with the requirement that the protocol be used on all trips into the area. The protocol is necessary to ensure shellfish harvested are safe for human consumption.

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

ITQ transfer form

The information on the ITQ transfer form is used by NMFS to maintain a proper accounting of an individual or corporation's quota share. Allocation permits, which are mailed to the allocation holder after each transaction, serve as receipts showing the allocation holder's current account balance. The allocation permits are used by NMFS Office of Law Enforcement to verify that individual harvesters are authorized to use the tags they possess, and to ensure that individual allocations are not exceeded since overfishing of individual allocations would lead to overfishing of the overall species quota. Specific questions on the form include the type of transfer requested (permanent or temporary), the name and ITQ allocation numbers of the transferor and the transferee, and the cage tags requested to be transferred. These data fields are necessary in order to identify the companies or individuals and ITQ tags involved in the transaction.

If an entity is a new entrant to the fishery, an ITQ allocation number needs to be assigned. This is a one-time requirement per entity. Section 4 of the application requests standard contact information (name, address, fishing vessel, and telephone number) as well as verification that the entity is eligible to own a documented vessel under the terms of [46 U.S.C. 12102\(a\)](#), Vessels Requiring Documentation. This section of the United States Code outlines the U.S. citizenship requirements for documenting a vessel with the U.S. Coast Guard. Since the ITQ program conveys certain ownership rights over a natural resource of the Northeastern U.S., it is required that the allocation owner meet the same citizenship requirements as that required to document a fishing vessel. This requirement is authorized at [50 § 648.74\(b\)\(1\)](#). Both parties involved in the transfer, or their authorized agents, are required to sign the form.

Shucking clams at sea

The information contained in the application to shuck product at sea is used by the NMFS to evaluate if the process used to shuck at sea allows for the proper accounting of the harvest in terms of unshucked bushels, which is the measure used to monitor the quota. The NMFS-approved observer is necessary to certify the information reported in the vessel's shellfish logbook. Information requested includes the applicant's contact information (name, address, and ITQ allocation number), specifications of the harvesting vessel, and accommodations for the observer. Specifications on the harvesting vessel and the harvesting process are required in order to evaluate if the operations facilitate the proper accounting of harvested unshucked product. As mentioned previously, the quotas are monitored and enforced using unshucked bushels. Thus any authorization to deviate from this method of accounting needs to be thoroughly evaluated. Since a NMFS-approved observer is required to certify the vessel's shellfish logbook, NMFS requires that suitable accommodations for the observer are available on the vessel.

Reopened Portion of the GB Closed Area

The results from the testing protocol will be used regularly by a number of entities including the harvesters, the FDA, laboratories, seafood dealers, the State Shellfish Control Authority (SSCA) in the state of landing, and possibly the general public as well to assist with the coordination, testing, and monitoring of shellfish harvested from the reopened area. Although a number of entities may use the information, they will all essentially be utilizing the data for the same purpose: to determine if shellfish harvested are safe for human consumption. Secondly, data obtained from test results may also be archived and further analyzed to assist in determining if additional areas are suitable for reopening or if there should be additional closures. The following information is required under the protocol:

- Submission of concurrence from state of landing
- Maintain and submit harvest records
- Compile and submit laboratory test results
- Create and maintain a written onboard lot segregation plan
- Provide notification prior to unloading.

NOAA Fisheries 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 to Question 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. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NOAA Fisheries Service decide to disseminate the information, it will be subject to the 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.

Both the application to shuck at sea and the ITQ transfer form are available online in a fillable and printable version through the NMFS forms portal at http://www.nmfs.noaa.gov/gpea_forms/forms.htm.

Because the ITQ transfer form is used to transfer a privilege, NOAA General Counsel requires a hard copy of the ITQ Transfer Form with an original signature. However, General Counsel has since revised this decision and has now determined that a unique electronic password and pin are also acceptable forms of verification in lieu of original signatures. NMFS is currently working to allow ITQ transfer forms to be completed and submitted electronically through our existing fish-on-line web application currently used in the Northeast Region for similar leasing programs in other fisheries.

The method of transmitting the collection of information requirements in the protocol is not specifically outlined. The protocol was developed primarily by the industry, the FDA, and the SSCA and was approved by the NSSP at the ISSC. NMFS adopted the protocol as it was approved. Therefore, it is not NMFS's position to further dictate the terms and conditions of the protocol including the methods of transmission outside of what is in the currently approved protocol. Therefore, the method of submission will be worked out by the industry, the FDA, and the SSCA. NMFS is only concerned that the protocol is followed, hence the method of submission will be largely up to the industries discretion. Due to the nature of the requirements in the protocol, it is likely that the majority of the requirements will likely need to be completed in writing and submitted as such, however it is not required to be hand written and, therefore, could be hand written and could be completed and submitted through a computer. However the notification requirement only requires a notification be made, and, therefore, it is likely electronic means will be used such as cellular phone or via shipboard electronic equipment such as VHF radio, email, or the vessel's vessel monitoring system.

Upon implementation a copy of the protocol will be mailed to all Atlantic surfclam and ocean quahog permit holders. A copy of the protocol is also available online at www.nero.noaa.gov/sfd/clams/ApprovedProtocol.pdf

4. Describe efforts to identify duplication.

The information requested is unique to this fishery; thus, there is no duplication of items in this collection with other collections. Since NMFS is the lead agency implementing the Magnuson-Stevens Act, NMFS is very aware of all information collections required from fishermen.

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

Small businesses are the primary respondents of the data collection. The form used to gather data on ITQ transfers is designed to be simple and easy to complete, thus saving time for both the respondents and managers of the system. The ability to make timely transfers gives these businesses the flexibility to make rational business decisions. The application to shuck product at sea is required only if the entity wishes to shuck product at sea.

The authorization to shuck at sea is valid for one year.

Vessels are only required to follow the protocol if they wish to fish in the reopened portion of the GB Closed Area. The protocol was developed by the industry and NMFS did not add any additional reporting requirements to it that would further increase burden.

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

The frequency of submission is dependant upon how often the allocation holder desires to transfer quota. If the information collection was not conducted, NMFS could not properly monitor and enforce the quota restrictions in the Atlantic surfclam and ocean quahog ITQ

program. If the application and the requirement to carry an observer for operations where product is shucked at sea were removed then a means to verify the quantity of product harvested by the vessel would not exist. The consequences from the removal of either of these information collections would compromise the ability of NMFS to conserve and manage the resource.

If the collection is not conducted under the protocol, shellfish harvested from the reopened portion of the GB Closed Area would not be adequately monitored and screened for PSP. This could potentially result in toxic shellfish being released to the public for human consumption. This could be harmful to public health as well as it would likely result in long term damage to the industry as the public may purchase and consume less shellfish products if incidences of illness increase as a result of consuming shellfish.

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

This information collection is consistent with OMB guidelines.

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 recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The proposed rule for the reopening of GB action published August 31, 2012, and a number of comments were received in support of the collection of information requirements in this action. However, because the Federal Register notice did not specifically request comments on the collection of information requirements, a second Federal Register Notice, with a 30-day comment period, was published on October 22, 2012 (77 FR 64488), which specifically solicited public comment on the information collection requirements. Two comments were received, both in support of the information collection requirements contained in the rule. These comments also stated that Federal Register Notice for the PRA measures overestimated the public burden associated with these requirements, because they expected fewer states to be used for landing, and that smaller vessels would not find it feasible to fish in this area and then economically land their catch at the nearest available processing plant. Because PRA burden is estimated at the maximum number of participants, no changes are necessary as a result of these comments.

Further, the regulatory action requiring this collection of information was requested by the industry, including the specifics of the collection of information requirements. Specifically, the collection of information requirements required under this regulatory action were collaboratively developed by the industry the United States Food and Drug Administration, and State marine resource agencies. As such, NMFS is implementing these requirements on request of the industry. The collection of information requirements under this action have been tested and under development since 2008 and are fully supported by the industry and requested by the

industry. Further, these requirements were officially nationally recognized as the industry operating standard in October 2011. As such no further consultation with industry on these requirements is necessary at this point in time.

The ITQ management system was developed under the Magnuson-Stevens Act, and was the subject of extensive public hearing and public comment. As the ITQ management system has evolved operationally, comment has been obtained on an ongoing basis through the Mid-Atlantic Fishery Management Council's Industry Advisors and Surfclam/Ocean Quahog Subcommittee.

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

No payments or gifts are made.

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

The NMFS General Counsel has ruled that allocation information is public information because the ITQ system assigns shares of a public resource to the allocation holders. Industry participants are well aware of this fact, and they are among the primary requesters of this information as they seek to transfer or obtain allocation.

The information submitted under the protocol is also public as it is distributed to state and other Federal agencies with the intent of making it publicly available for analysis. It is in fact beneficial to make this information available to the public as it displays that the product being harvested is safe for human consumption and could potentially lead to other areas being reopened for shellfish harvesting.

The respondents are aware that the data collected with the testing protocol is not confidential, and is available to the public. The industry was involved in developing the protocol, and they know that having the information publicly available for use by the FDA is essential to continuing to monitor the area, in order to ensure shellfish harvested are safe for human consumption. It is in fact advantageous for the industry to make this information publicly available so the public is informed that shellfish harvested are safe for consumption, allowing the industry to maintain the Atlantic surfclam and ocean quahog markets.

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.

No sensitive questions are asked.

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

Table 1 below summarizes the burden hours estimated for this collection. The average annual number of ITQ transfer requests processed by NMFS from 2009 to 2011 was 387. It is estimated that each form takes approximately 5 minutes to complete. Thus, the annual burden for the ITQ Transfer Request Form is approximately 33 hours. NMFS did not receive any applications to shuck at sea from 2009 to 2011. It is estimated that the time to gather the necessary information pertaining to the shuck at sea application takes 30 minutes per submission. The requirements under the protocol are based on the number of vessels that landed surfclams or ocean quahogs and the number of trips taken into the area in 2011. All of the requirements under the protocol include an annual burden of 2,400 hours. **The total burden for this collection of information is 2,433 hours.**

Table 1. Cost and burden hours

Information Collection	Number of Respondents	Frequency of Responses	Number of Responses	Average Time per Response	Total Response Time	Cost to Public	Cost to Government
ITQ Transfer Request Form ^{1,2,3}	169 ²	5 ²	387	5 minutes	32 hours	\$174	\$807
Shuck-at-Sea Application ¹	1	1	1	30 minutes	30 minutes (rounded to 1 hour)	\$109,200	\$25
Protocol - Submission of concurrence from state of landing	11	1	11	60 minutes	11 hours	\$5	\$25
Protocol - Maintain and submit harvest records	47	46 ⁵	2,162	30 minutes	1,081 hours	\$973	0
Protocol - Compile and submit laboratory test results	47	46 ⁵	2,162	30 minutes	1,081 hours	\$973	0
Protocol - Create and maintain a written onboard lot segregation plan	47	1	47	60 minutes	47 hours	\$21	\$100
Protocol - Provide notification prior to unloading	47	46 ⁵	2,162	5 minutes	180 hours	\$0	\$0
TOTAL	369	146	6,932		2,433 hours	\$111,346 ⁴	\$957
PERVIOUS APPROVAL TOTAL	170	6	388		33 hours	\$109,371 ⁴	\$832
NET CHANGE	+199	+140	+6,544		+2,400 hours	+\$1,975	+\$125

¹ Based on 2009 to 2011 annual averages.

² The “Number of Respondents” and “Frequency of Responses” treats each surfclam and ocean quahog ITQ allocation permit as separate and distinct entity. This creates a numerical inconsistency because a single entity can hold both types of ITQ allocation permits.

³ The total number of entities using the ITQ Transfer Request Forms will always be two, a transferor and a transferee. This causes a numerical inconsistency between the “Number of Respondents” “Frequency of Responses” and “Number of Responses” because entities frequently submit multiple forms as either transferors or transferees.

⁴ This cost includes the cost to carry a NMFS-approved observer on board the vessel during trips where product is shucked at sea.

⁵ Number of total items based on maximum number of trips per vessel that occurred in the area in 2011.

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

The annual cost burden of this collection of information is summarized in Table 1.

The cost burden for the ITQ Transfer Request Form or the Shuck-at-Sea Application is based on the postage of \$0.45 per first-class stamp.

The cost to carry an observer as part of the authorization to shuck product at sea is based upon a rate of \$700 per day at sea to carry the observer, for an average of 156 sea days per vessel.

In regard to the protocol, four of the five new elements require document submission, two of which are annual submissions and the other two are required on each trip; the fifth requires no document submission. Of the 6,544 responses, 4,382 have postage costs in total of 1,972 (4,382 x \$0.45).

The fifth element, the offload notification requirement, does not impose any additional costs as the notification would be completed through a pre-existing email or cellular phone account and is not required to be submitted in writing.

This yields an annual cost of approximately \$111,346 for this collection of information.

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

The annual cost to the Federal government is summarized in Table 1.

The cost to the Federal government to process an ITQ Transfer Request Form is based on a rate of \$25 per hour and a processing time of 12 transfers per hour. This gives an annual cost of \$807. The application to shuck product at sea takes approximately 30 minutes per application to process at a rate of \$25 per hour. This gives an annual cost of \$25. Receiving, reviewing, and filing the written onboard lot segregation plan takes 5 minutes per plan received, for a total of 4 hours of burden to the Federal government, at \$25 an hour for a total of \$100. Receiving and processing the concurrence from the state of landing letter will take 5 minutes, at \$25 hour for a total of \$25. Thus, the total cost to the Federal government for this collection of information is estimated to \$957.

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

This revision includes new collection of information requirements under the terms and conditions of the PSP testing protocol. Responses added: 6,544; hours, 2,400 and recordkeeping/reporting costs, \$1,975.

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

The results collected under the protocol are not planned for publication; however, it is possible that the data may be published in the future in support of scientific research to reopen or close additional areas on GB. Further, NMFS does not own the information collected under the protocol, so we do not have control over how and if information collected under the protocol 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.

The expiration date will be displayed for the forms under this collection, with the exception of the protocol. The requirements in the protocol do not include any forms for the information submitted under this requirement. Further, NMFS is also not able to display the expiration number on the protocol itself. The testing protocol was developed by industry and was formally adopted into the NSSP at the ISSC. Therefore, although NMFS requires vessels to follow the terms and conditions of the protocol, the protocol itself and the requirements within it are not maintained by NMFS and it is not NMFS's position to modify the document. Therefore, NMFS will also not be able to display the expiration date on the testing protocol itself. However, an expiration date will be displayed in the bulletin that will be mailed to each permit holder who may be required to report under the terms and conditions of the protocol.

Further, vessels harvesting under the protocol are also required to obtain a letter of authorization (LOA) from NMFS. The LOA outlines the harvesting requirements for the reopened area, including the protocol, and by obtaining the LOA, a vessel is acknowledging and agreeing to the terms and conditions of the protocol and the LOA. The LOA is created and issued by NMFS and will therefore include an OMB expiration date. The collection of information requirements for the LOA is being reviewed in conjunction with this package through a revision to the 0202 family of forms.

18. Explain each exception to the certification statement.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Section IV Guidance Documents Chapter II. Growing Areas .03

Example of Protocol for Onboard Screening and Dockside Testing for PSP in Closed Federal Waters

Protocol for the Landing of Shellfish from Federally Closed Waters due to PSP

When the harvest of molluscan shellfish is closed in Federal Waters due to Paralytic Shellfish Poison (PSP), exceptions to the prohibitions may be authorized provided the Authority in the State of landing in cooperation with appropriate Federal agencies shall develop agreements or memorandums of understanding between the Authority and individual shellfish harvesters or individual shellfish dealers. This guidance provides descriptions of the specific information to be included in the protocol.

A. Harvest Permit Requirements

The Authority in the landing state will only allow the landing of shellfish from federal waters closed due to PSP from vessels in possession of an appropriate Exempted Fishing Permit (EFP) issued by the National Marine Fisheries Service (NMFS). The NMFS shall receive concurrence from the SSCA in the State of landing.

B. Training

The Authority shall ensure that all shipboard persons conducting onboard sampling have been trained by a National Shellfish Sanitation Program (NSSP) Laboratory Evaluation Officer (LEO) or a US Food and Drug Administration (FDA) marine biotoxin expert to conduct onboard PSP screening using a NSSP recognized method(s).

C. Vessel Monitoring

The Authority shall ensure that the harvesting location(s) of each landing vessel has been appropriately monitored. This requirement may be met by the vessel participating in the Federal Vessel Monitoring System (VMS).

D. Identification of Shellfish

Prior to landing each vessel shall provide the Authority with a record identifying each lot of shellfish as follows: For each harvesting trip the Captain or Mate shall record the following information on a "Harvest Record." Electronic logging of this information may be permitted provided it is made available to the authorized individual at dockside.

1. Vessel name and Federal Fishing Permit number
2. Name and telephone number of the vessel Captain and vessel owner
3. Date(s) of harvest
4. Number of lots and volume of catch per lot or number of containers per lot
5. Location(s) of harvest (GPS coordinates or latitude/longitude coordinates in degrees:minutes:seconds)
6. Identification of each harvest lot, including cage tag numbers for surfclams and ocean quahogs, and container numbers or identification codes for other shellfish species.

7. Location (GPS coordinates or latitude/longitude coordinates in degrees:minutes:seconds) of each PSP screening sample
8. Results of each PSP screening test.
9. Destination(s) and purchaser(s) of each lot and amount of each lot to each destination

The Captain or Mate shall sign the "Harvest Record." The "Harvest Record" shall be checked by the individual authorized to sample the harvested shellfish. Failure to provide complete and accurate information will result in revocation or suspension of the NMFS EFP and rejection of the entire lot(s) of harvested shellfish. Four (4) copies of the "Harvest Record" shall be prepared. One (1) copy shall remain with the vessel, one (1) copy shall be provided to the SSCA in the state of landing, one (1) copy shall accompany the catch to the processing firm(s), and one (1) copy shall be retained by the laboratory authorized to conduct lot sample analyses.

CONTAINER LABELING:

Each container of shellfish shall be clearly labeled with the following NSSP required information at the time of harvest:

1. For surfclams and ocean quahogs existing NMFS tagging requirements
2. For all other molluscan shellfish (including Stimpson clams also known as Arctic surfclams) using Tyvek tags:
 - a. Vessel name
 - b. Type and quantity of shellfish
 - c. Date of harvest
 - d. Harvest lot area defined by GPS coordinates or latitude/longitude coordinates in degrees:minutes:seconds

E. Pre-Harvest Sampling

Prior to commercial harvesting of molluscan shellfish, a minimum of five (5) screening samples shall be collected within each area of intended harvest (lot area) and tested for PSP toxins in accordance with a NSSP recognized screening method. Each screening sample shall be collected during a separate and distinct gear tow. Screening sample tows shall be conducted in a manner that evenly distributes the five (5) samples throughout the intended harvest area for each area of intended harvest (see Section H.). Only shipboard officials trained in the use of the designated NSSP screening method may conduct these tests. Each of the five (5) samples must test negative for PSP toxins. A positive result from any one (1) sample shall render the "lot area" unacceptable for harvest. The harvest vessel captain shall immediately report all positive screening test results, by telephone, to the SSCA within the intended state of landing and the NMFS. The Captain should also notify other permitted harvest vessels of the positive screening test and advise them to avoid the questionable area. For each screening test, positive and negative, the remaining sample material (homogenate) shall be maintained under refrigeration for later use should the SSCA in the State of landing request confirmatory testing using a NSSP recognized test method.

Each screening sample shall be comprised of at least twelve (12) whole animals with the exception of mussels and "whole" or "roe-on" scallops. For mussels each sample shall be comprised of thirty (30) animals. For "whole" scallops each sample shall be comprised of

twenty (20) scallop viscera and gonads. For “roe-on” scallops each sample shall be comprised of twenty (20) scallop gonads.

F. Submittal of Onboard Screening Homogenates and Test Results

All screening results shall be recorded on the “Harvest Record” as stipulated in Section D. of this Protocol. Upon landing of the harvest vessel, the “Harvest Record” and screening homogenates shall be provided to the authority in the State of landing authorized to sample the harvested shellfish as described in Section G. of this Protocol.

G. Dockside Sampling

After dockside samples are collected, molluscan shellfish may be processed while awaiting PSP analytical results. Each lot must be identified and segregated during storage while awaiting dockside sample test results. Under no circumstances will product be released from the processor prior to receiving satisfactory paralytic shellfish toxin test results.

The dockside sampling protocol for molluscan shellfish shall be as follows:

1. For each lot of molluscan shellfish, a minimum of seven (7) composite samples, each comprised of at least twelve (12) whole animals, shall be taken at random by the individual authorized to sample, with the following exceptions:
 - a. For each lot of mussels, a minimum of seven (7) composite samples, each comprised of at least thirty (30) whole animals, shall be taken at random by the individual authorized to sample.
 - b. For each lot of “whole” scallops, a minimum of seven (7) composite samples, each comprised of twenty (20) scallop viscera and gonads, shall be taken at random by the individual authorized to sample.
 - c. For each lot of “roe-on” scallops, a minimum of seven (7) composite samples, each comprised of twenty (20) scallop gonads, shall be taken at random by the individual authorized to sample.
2. Shellfish samples collected in accordance with G.1 shall be tested for the presence of paralytic shellfish toxins using NSSP recognized methods.
3. Laboratory test results for each lot of shellfish shall be forwarded to the SSCA in the state in which the shellfish is being held prior to the product being released by the SSCA.

H. Holding and Lot Separation

A harvest lot is defined as all molluscan shellfish harvested during a single period of uninterrupted harvest activity within a geographic area not to exceed three (3) square miles. Once harvesting has ceased and the harvest vessel moves to another location, regardless of the distance, a new harvest lot will be established. Any harvest vessel containing more than one lot shall clearly mark and segregate each lot while at sea, during off loading, and during transportation to a processing facility. Prior to harvesting in Federal waters, each harvest vessel shall submit to the NMFS a written onboard lot segregation plan. The SSCA in the intended state of landing and the FDA Regional Shellfish Specialist must approve the proposed lot segregation plan.

I. Disposal of Shellfish

If test results of any one (1) of the seven (7) samples collected in accordance with G.1 equal or exceed 80ug of paralytic shellfish toxins/100g of shellfish tissue (n=7, c=0), the entire lot must be discarded or destroyed at the cost of the harvester under the supervision of the SSCA in accordance with state laws and regulations except when:

A lot of “whole” or “roe-on” scallops equals or exceeds 80ug paralytic shellfish toxins/100g of tissue, the adductor muscle may be shucked from the viscera and/or gonad and marketed. The remaining materials (viscera and/or gonad) must be discarded or destroyed under supervision of the SSCA in accordance with state laws and regulations.

Confirmatory PSP analyses shall be according to NSSP recognized methods and shall be conducted by laboratories certified in accordance with NSSP guidelines. Private laboratories may be used if certified by a Federal or state shellfish Laboratory Evaluation Officer (LEO) in accordance with NSSP guidelines.

J. Notification Prior to Unloading

Prior to the issuance of an EFP, the harvester shall be responsible for notifying the SSCA in the state of landing and in a manner approved by the SSCA that molluscan shellfish is being harvested for delivery to the intended receiving processor.

Each vessel shall give at least twelve (12) hours notice to the individual authorized to sample prior to unloading shellfish. Notice of less than twelve (12) hours may be approved by the authorized individual at his/her discretion. SSCAs may approve industry sampling and sample transport to the NSSP certified testing laboratory in accordance with the practices and procedures used by the SSCA under the NSSP. Such procedures may be approved by the SSCA only when sample collection and sample transport training is provided by the SSCA.

Shellfish from a federally closed harvest area must be kept separate and not sold until so authorized by the SSCA.

Failure to comply with the provisions of this Protocol will result in the suspension or revocation of the vessel's EFP.

K. Unloading Schedule

Unloading shall take place between 7:00 A.M. and 5:00 P.M. Monday through Friday, unless otherwise mutually agreed upon by the individual authorized to sample, the processing plant manager, the harvest vessel captain, and the SSCA in the state of landing, sample testing, and processing.

L. Access for Dockside Sampling

Individuals authorized to sample shall be provided access to the catch of shellfish.

M. Record Keeping

Record keeping requirements shall be as follows:

1. The vessel shall maintain Harvest Records for at least one (1) year.
2. The processor(s) shall maintain Harvest Records for at least one (1) year or two (2) years if the product is frozen.
3. The SSCA in the State of landing shall retain Harvest Records for at least two (2) years.

N. Early Warning/Alert System

PSP sample data acquired as a result of onboard screening and dockside testing shall be transmitted to a central data register to be maintained by the FDA. These data, both screening and confirmatory, shall be transmitted to the FDA by the NSSP certified laboratory conducting PSP analyses of the sampled lot(s) within one week of the completion of the PSP analyses. The data provided shall include the following:

1. shellfish species
2. harvest location name and coordinates (GPS or latitude/longitude)
3. harvest date
4. onboard screening test method, date, and results
5. laboratory test date and test results

Results of all samples having acceptable levels of paralytic shellfish toxins (<80ug/100g) shall immediately be reported to the SSCA in the state of landing. If the results of any one (1) sample equal or exceed 80ug/100g the testing laboratory shall immediately notify the FDA Regional Shellfish Specialist, the SSCA, and the processor by telephone. The FDA shall notify the NMFS. The NMFS shall notify permitted harvesters to advise them to cease fishing in the affected area(s).

NOTE: Due to the resources necessary to meet the requirements of this Protocol, State Shellfish Control Authorities (SSCAs) may find it necessary to require industry to fund associated costs. These costs may include sample collection, screening, transportation, analysis, inspection, enforcement, and other related expenses.

to participate solely in the roundtable, the fee will be \$750.00 (\$650.00 for SME) for either a primary or secondary representative.

An SME is defined as a firm with 500 or fewer employees or that otherwise qualifies as a small business under SBA regulations (see <http://www.sba.gov/size>). Parent companies, affiliates, and subsidiaries will be considered when determining business size. The dual pricing reflects the Commercial Service's user fee schedule that became effective May 1, 2008. For additional information, see <http://www.export.gov/newsletter/march2008/initiatives.html>

Exclusions & Expenses:

The conference fee does not include any personal travel expenses such as lodging, most meals, incidentals, local ground transportation, except as stated in the proposed timetable, and air transportation from the U.S. to the event location and return to the United States. Delegation members will be able to take advantage of U.S. Embassy rates for hotel rooms and group rates for train tickets. Business visas may be required. Government fees and processing expenses to obtain such visas are also not included in the Roundtable/Tour costs. However, the U.S. Department of Commerce will provide instructions to each participant on the procedures required to obtain necessary business visas.

Conditions for Participation:

An applicant must register online at http://export.gov/reee/eg_main_054052.asp. In addition, the applicant must send an email to the U.S. Department of Commerce staff (see Contacts) addressing how he/she satisfies the four selection criteria listed below.

- Whether the applicant represents a U.S. company that fits one of the following profiles:

- (1) Companies that manufacture technology or provide services in the renewable energy sector (particularly solar, wind, biomass, geothermal, and small/medium hydro);

- (2) Developers of renewable energy projects with global experience; and

- (3) Companies active in the smart grid industry.

- The applicant's potential for or interest in doing business in Japan;

- The applicant's ability to identify and discuss policy issues relevant to U.S. competitiveness in the renewable energy or smart grid sectors;

- Consistency of the applicant's goals and objectives with the stated scope of the event.

Diversity of company size and location may also be considered during the selection process. Referrals from

political organizations and any documents containing references to partisan political activities (including political contributions) will be removed from an applicant's submission and not considered during the selection process.

Selected applicants will be asked to sign a Participation Agreement with the Department of Commerce in addition to the following mandatory certifications (applicants that cannot attest to these certifications cannot participate):

- The export of the products and services that it wishes to promote would be in compliance with U.S. export controls and regulations;

- Company/Organization has identified to the Department of Commerce for its evaluation any business pending before the Department of Commerce that may present the appearance of a conflict of interest;

- Company/Organization has identified any pending litigation (including any administrative proceedings) to which it is a party that involves the Department of Commerce;

- Company/Participant agrees that it and its affiliates (1) have not and will not engage in the bribery of foreign officials in connection with the Company's/Participant's involvement in this mission, and (2) maintain and enforce a policy that prohibits the bribery of foreign officials.

Timeline for Recruitment and Applications

Recruitment for the Roundtable/Tour will begin immediately and conclude no later than November 9, 2012. The U.S. Department of Commerce will review applications and make selection decisions on a rolling basis beginning on or about October 25, 2012. Applications received after November 9, 2012 will be considered only if space and scheduling constraints permit.

Dated: October 16, 2012.

Edward A. O'Malley,

Director, Office of Energy and Environmental Industries.

[FR Doc. 2012-25940 Filed 10-19-12; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-BC21

Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fishery

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

ACTION: Notice; request for comments.

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 information collections, as required by the Paperwork Reduction Act of 1995. This request for comments is for information collection requirements from a recently published proposed rule regarding an action to reopen a portion of the Georges Bank Closed Area to the harvest of Atlantic surfclams and ocean quahogs. The full details of this action can be found in the proposed rule. This **Federal Register** notice is soliciting comments only on the burden estimates for the collection of information requirements under the testing protocol and the letter of authorization requirements that are associated with the proposed rule.

DATES: Written comments must be submitted on or before November 21, 2012.

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

- *Electronic Submissions:* Submit all electronic public comments via the Federal e-Rulemaking portal <http://www.regulations.gov>.

- *Fax:* (978) 281-9135, Attn: Jason Berthiaume.

- *Mail:* John K. Bullard, Regional Administrator, NMFS, Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope: "Comments on the Collection of Information Requirements for the Proposed Reopening of the GB Closed Area."

Instructions: All comments received are part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not

submit confidential business information or otherwise sensitive or protected information.

NMFS will accept anonymous comments. Attachments to electronic comments will be accepted via Microsoft Word, Microsoft Excel, WordPerfect, or Adobe PDF file formats only.

FOR FURTHER INFORMATION CONTACT: Jason Berthiaume, Fishery Management Specialist, phone (978) 281-9177, fax (978) 281-9135.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Georges Bank (GB) Closed Area has been closed to the harvest of surfclams and ocean quahogs since 1990 due to red tide blooms that cause Paralytic Shellfish Poisoning (PSP). The action associated with the collection of information requirements discussed in this **Federal Register** notice, if implemented, would open a portion of the GB Closed Area for harvesting surfclams and ocean quahogs, provided harvesting is conducted under the terms and conditions of the Protocol for Onboard Screening and Dockside Testing in Molluscan Shellfish. The full details of this action can be reference in the **Federal Register** notice that was published for the proposed rule (77 FR 53164; August 31, 2012). The protocol is designed to test and verify that clams harvested from GB are safe for human consumption. The protocol was formally adopted into the National Shellfish Sanitation Program at the October 2011 Interstate Shellfish Sanitation Conference. The protocol includes a detailed procedure outlining how shellfish are to be harvested, tested, and handled. The PSP testing protocol includes the following requirements that require analysis under the Paperwork Reduction Act (PRA): Submission of concurrence from the state of landing; maintain and submit harvest records; compile and submit laboratory results; create and maintain a written onboard lot segregation plan; and provide notification prior to unloading.

Additionally, to monitor and control the harvest of surfclams and ocean quahogs from the area, and to ensure vessels adhere to the protocol, vessels fishing in the area would be required to apply for and obtain a letter of authorization (LOA) from NMFS. The LOA would help to ensure that vessels are adhering to the regulations for harvesting within the area and would provide a mechanism for NMFS to restrict harvesting in the area should a vessel not comply with the terms and

conditions of the LOA and/or the PSP testing protocol. The full protocol is available for viewing at www.nero.noaa.gov/sfd/clams/ApprovedProtocol.pdf.

II. Method of Collection

In regards to the requirement to obtain an LOA, in 2011, there were 47 Federal open-access surfclam and/or ocean quahog permitted vessels that landed surfclams and/or ocean quahogs that may wish to fish in the area proposed to be reopened. Each vessel could apply up to once a year, for a maximum of 47 applications. It is expected that each application would take 5 minutes to complete, for a fleet maximum of 4 hours. There is no additional public cost associated with this change as the application would be submitted with the previously existing annual permit renewal package.

In regards to the information collection required under the protocol, if all of the permitted vessels in 2011 fished in the area, there would be a total of 47 entities, as well as 11 states, that would be required to adhere to the terms and conditions of the PSP testing protocol. While the PSP testing protocol outlines what is required, there would be differences in the complexity of the documents as well as varying methods of submission. For this PRA analysis, it is assumed that the traditional method of submission will be used, physical mail at 45 cents per submission; however, it is likely that many submissions will be completed electronically and, therefore, the overall cost would be reduced.

The testing protocol requires numerous elements that contain collection of information requirements, including elements that are submitted to NMFS, as well as to state and private entities. The submission of concurrence from state of landing element is required only of the state, which would total 11 entities. This submission would be in the form of an annual written letter, with a total time burden estimate of 11 hr (11 submissions \times 1 hr) and would cost \$5 (11 submissions \times \$0.45).

The remainder of the requirements in the protocol apply to individual vessels, and is based on the maximum number of trips that occurred in the area in 2011 (46 trips). Three of these elements would require document submission, one of which is an annual submission, and the other two which are required on each trip. The result is 4,370 submissions $((47 \times 46) \times 2) + 46$ with a total public cost burden of \$1,967 (4,370 \times \$0.45). The offload notification requirement does not impose any additional costs, as the notification

would be completed through a pre-existing email or cellular phone account and is not required to be submitted in writing.

It is estimated that both the requirement to submit and maintain harvest records and compile and submit laboratory test results would take 30 minutes each to complete. Based on the number of anticipated trips into the area, there would be 4,324 submissions and a public burden of 2,162 hr (4,324 submissions \times 30 min). The element to create and maintain a written onboard lot segregation plan is required annually and would take approximately 60 min to complete for a public burden of 47 hr (47 submissions \times 1 hr). The notification element is required on each trip and is estimated to take 5 min per notification, resulting in 180 hr of burden (2,162 notifications \times 5 min). The total resulting time burden to the public from all of the requirements to fish in the reopened portion of the GB Closed Area is 2,404 hr (4 + 11 + 2,162 + 47 + 180).

III. Data

Northeast Region Permit Family of Forms Collection

OMB Control Number: 0648-0202.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Business and other for-profit organizations.

Estimated Number of Respondents: 47.

Estimated Time per Response: 5 min per LOA application.

Estimated Total Annual Cost to Public: \$0 in recordkeeping/reporting costs

Surfclam/Ocean Quahog Administration.

OMB Control Number: 0648-0240.

Form Number: None.

Type of Review: Regular submission.

Affected Public: State, local, or tribal government; business or other for-profit organizations.

Estimated Number of Respondents: 58.

Estimated Time per Response: 60 min per submission of the concurrence from the state of landing; 30 minutes per response to maintain and submit harvest records; 30 min per response compile and submit laboratory test results; 60 min per response to create and maintain a written onboard lot segregation plan; and 5 min per response to provide notification prior to unloading

Estimated Total Annual Cost to Public: \$1,972 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.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 16, 2012.

Alan D. Risenhoover,

Director, Office of Sustainable Fisheries, performing the functions and duties of the Deputy Assistant Administrator for Regulatory Programs.

[FR Doc. 2012-25982 Filed 10-19-12; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC305

New England Fishery Management Council; Public Meeting

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

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a public meeting of its Scallop Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Wednesday, November 7, 2012 at 9 a.m.

ADDRESSES: The meeting will be held at the Four Points by Sheraton, 407 Squire Road, Revere, MA 02151; telephone: (781) 284-7200; fax: (781) 289-3176.

Council address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, Executive Director, New

England Fishery Management Council; telephone: (978) 465-0492.

SUPPLEMENTARY INFORMATION: The Advisors will review analyses and make final recommendations on Framework 24. Framework 24 includes fishery specifications for FY2013, and possibly FY2014 and 2015, as well as a handful of other measures. The other measures include: (1) Possible modification of Georges Bank access area opening dates; (2) measures to address sub-ACL of yellowtail flounder for the LAGC fishery; (3) modification of the effective date of yellowtail sub-ACL AMs; (4) leasing LAGC IFQ during the year and after fishing some fishing has occurred; and (5) expanding the observer set-aside program to include LAGC open area trips. Other business may be discussed.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard, Executive Director, at (978) 465-0492, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 17, 2012.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2012-25874 Filed 10-19-12; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XC307

North Pacific Fishery Management Council (NPFMC); Public Meeting

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

ACTION: Notice of a public committee meeting.

SUMMARY: The North Pacific Fishery Management Council's (Council) Steller Sea Lion Mitigation Committee (SSLMC) will meet in Juneau, AK.

DATES: The meeting will be held November 7-9, 2012, from 8:30 a.m. through 5 p.m. AST.

ADDRESSES: The meeting will be held in the 4th floor conference room at the Federal Building at 700 West 9th Street, Juneau, AK.

Council address: North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

FOR FURTHER INFORMATION CONTACT: Steve MacLean, NPFMC; telephone: (907) 271-2809.

SUPPLEMENTARY INFORMATION: At this meeting the SSLMC will be reviewing proposals for alternatives to be considered in the 2012 Steller Sea Lion Protection Measures EIS currently being prepared by NMFS. The SSLMC will begin drafting one or more alternatives for delivery to the Council in December, 2012. Proposals under consideration will be posted on the Council's Web site at <http://www.alaskafisheries.noaa.gov/npfmc/conservation-issues/ssl.html>. Please note that State or Federal ID will be required to enter the Federal Building in Juneau. Foreign nationals wishing to attend this meeting in person should contact the Council as soon as possible to expedite security clearance at the Federal Building in Juneau.

Additional information is posted on the Council Web site: <http://www.alaskafisheries.noaa.gov/npfmc/>. The meeting will be webcast to allow the public to watch and hear presentations. Comments will not be accepted via webcast or teleconference.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Gail Bendixen, (907) 271-2809, at least 5 working days prior to the meeting date.