

In calculating the information collection burdens, BOEM accounted for decreases in the number of plans submitted annually and for the changes resulting from the GOM BiOp. BOEM currently requires monthly marine mammal observation and monitoring reports and a final report within 90 days of the completion of a lessee's OCS survey, consistent with GOM BiOp Appendix A, "Seismic Survey Mitigation and Protected Species Observer Protocols." The GOM BiOp requirements supersede BOEM's Notice to Lessees and Operators 2016-G02, which had required two reports each month. Therefore, BOEM estimates an overall decrease in the burden related to these monitoring reports.

The GOM BiOp requires additional reporting if one or more individuals from a protected species are observed within an enclosed moon pool, which is an opening in the bottom of a marine platform, drill ship, or vessel through which drilling is done. The operator must report the observation within 24 hours and daily thereafter as long as any individual from a protected species remains within the moon pool. With this new requirement, BOEM estimates a slight increase in annual reporting.

While the GOM BiOp increased certain reporting burdens for lessees and operators in the Gulf of Mexico, the overall burdens are estimated to decrease slightly due to the anticipated reduction in the number of plans submitted to BOEM.

A **Federal Register** notice with a 60-day public comment period on this proposed ICR was published on March 3, 2023 (88 FR 13459). BOEM received one comment during the 60-day comment period, which was supportive of the Federal Government's reporting and burden updates. No burdens were changed in connection with the public comment.

BOEM is again soliciting comments on the proposed ICR. BOEM is especially interested in public comments addressing the following issues: (1) is the collection necessary to the proper functions of BOEM; (2) what can BOEM do to ensure that this information is processed and used in a timely manner; (3) is the burden estimate accurate; (4) how might BOEM enhance the quality, utility, and clarity of the information to be collected; and (5) how might BOEM minimize the burden of this collection on the respondents, including minimizing the burden through the use of information technology?

Comments submitted in response to this notice are a matter of public record and will be available for public review

on [www.reginfo.gov](http://www.reginfo.gov). BOEM will include or summarize each comment in its ICR to OMB for approval of this information collection. You should be aware that your entire comment—including your address, phone number, email address, or other personally identifiable information included in your comment—may be made publicly available at any time. Even if BOEM withholds your information in the context of this ICR, your comment is subject to the Freedom of Information Act (FOIA). If your submission is requested under FOIA, your information will only be withheld if a determination is made that one of the FOIA exemptions to disclosure applies. Such a determination will be made in accordance with the Department's FOIA regulations (43 CFR part 2) and applicable law.

In order for BOEM to consider withholding from disclosure your personal identifying information, you must identify, in a cover letter, any information contained in your comment that, if released, would constitute a clearly unwarranted invasion of your personal privacy. You must also briefly describe any possible harmful consequences of the disclosure of information, such as embarrassment, injury, or other harm. Note that BOEM will make available for public inspection all comments in their entirety (except for proprietary information submitted by organizations and businesses, or by individuals identifying themselves as representatives of organizations or businesses).

BOEM protects proprietary information in accordance with FOIA (5 U.S.C. 552), the DOI's implementing regulations (43 CFR part 2), and 30 CFR part 550.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**Karen Thundiyil,**

*Chief, Office of Regulations, Bureau of Ocean Energy Management.*

[FR Doc. 2023-14822 Filed 7-12-23; 8:45 am]

**BILLING CODE 4340-98-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Safety and Environmental Enforcement**

[Docket ID BSEE-2023-0013; EEEE50000 234E1700D2 ET1SF0000.EAQ000; OMB Control Number 1014-0034]

**Agency Information Collection Activities; Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf**

**AGENCY:** Bureau of Safety and Environmental Enforcement, Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act (PRA) of 1995, the Bureau of Safety and Environmental Enforcement (BSEE) proposes to renew an information collection with revisions.

**DATES:** Interested persons are invited to submit comments on or before September 11, 2023.

**ADDRESSES:** Send your comments on this information collection request (ICR) by either of the following methods listed below:

- Electronically go to <http://www.regulations.gov>. In the Search box, enter BSEE-2023-0013 then click search. Follow the instructions to submit public comments and view all related materials. We will post all comments.

- Email [nikki.mason@bsee.gov](mailto:nikki.mason@bsee.gov), fax (703) 787-1546, or mail or hand-carry comments to the Department of the Interior; Bureau of Safety and Environmental Enforcement; Regulations and Standards Branch; ATTN: Nikki Mason; 45600 Woodland Road, Sterling, VA 20166. Please reference OMB Control Number 1014-0034 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Nikki Mason by email at [nikki.mason@bsee.gov](mailto:nikki.mason@bsee.gov) or by telephone at (703) 787-1607.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at <http://www.reginfo.gov/public/do/PRAMain>.

**SUPPLEMENTARY INFORMATION:** In accordance with the PRA and 5 CFR

1320.8(d)(1), all information collections require approval under the PRA. We may not conduct, or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;

(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Abstract:** BSEE will use the information to oversee facility design, fabrication, installation, and safety management systems; ensure the safety of operations, including inspection programs and incident reporting and investigations; enforce compliance with all applicable safety, environmental, and other laws and regulations through

enforcement actions (such as noncompliance notices, cessation orders, and certain lease suspensions); and oversee decommissioning activities. These responsibilities include enforcement provisions under the existing part 285, subpart D, various information submittal requirements under Subpart F, as well as provisions governing activities conducted under an approved plan, including the design, construction, operation, and decommissioning of facilities under subparts G, H, and I. The requirements for and standards of review regarding the Facility Design Report (FDR) and Facility Fabrication and Installation Report (FIR) are unchanged: the FDR and FIR will continue to be evaluated for consistency with the Construction and Operations Plan (COP) and applicable engineering standards. Decommissioning requirements related to rights-of-use and easement for alternate uses of existing OCS facilities (Alternate Use RUE) have also been transferred from the existing subpart J to part 285.

BSEE assumes the responsibility for ordering a lease or grant suspension when continued activities pose an imminent threat of serious or irreparable harm or damage to natural resources, life, property, the marine coastal, or human environment, or sites, structures, or objects of historical or archaeological significance. BSEE may also order a suspension when necessary to comply with a judicial decree. Under the rule, BSEE also assumes authority to issue cessation orders to address noncompliance on the part of the grantee or lessee.

The Department does not issue Suspensions for Alternate Use RUEs upon the grantee's request, but only by order. BOEM will retain authority to order suspensions required for National security, and BSEE will assume authority to order suspensions to address a threat of harm from continued operations. Either bureau may order a suspension when necessary to comply with a judicial decree. BSEE will order suspensions when operations are halted on the existing facility and BSEE determines continuation of the alternate use is unsafe or causes undue interference with the facility.

Part 285, subpart D, Lease and Grant Administration, includes the authority to issue notices of noncompliance (NONCs) and cessation orders, and to pursue civil penalties and recommend criminal penalties. BSEE assumes authority for oversight and enforcement of the design, construction, operation, and decommissioning phases of offshore wind development, as well as

enforcement of requirements related to Alternate Use RUEs.

This ICR includes a new form: Form BSEE-1835, *Notification of Noncompliance* (NONC).

BSEE will use the information to determine that respondents have corrected all Notifications of Noncompliance (NONCs) identified during inspections. Everything on the NONC form is filled out by a BSEE inspector/representative. The only thing industry does with this form is sign the document upon receipt and respond to BSEE when each NONC has been corrected. Dependent on the severity of the non-compliance identified by the BSEE inspector, the responses are assigned different intervals and are described in the form table titled Enforcement Timeline:

1—At Time of Inspection  
14—Within 14 Days  
30—Within 30 Days  
50—Prior to Returning to Service/  
Operation  
60—Prior to Next Scheduled  
Maintenance  
70—During Next Scheduled  
Maintenance  
80—Prior to Next scheduled Audit  
90—During Next Scheduled Audit

*Title of Collection:* 30 CFR part 285, Renewable Energy and Alternate Uses of Existing Facilities on the Outer Continental Shelf.

*OMB Control Number:* 1014-0034.

*Form Number:* Form BSEE-1835,  
*Notice(s) of Noncompliance.*

*Type of Review:* Revision of a currently approved collection.

*Respondents/Affected Public:* Primary respondents comprise Federal OCS companies that submit unsolicited proposals or responses to **Federal Register** notices; or are lessees, designated operators, and ROW or RUE grant holders. Other potential respondents are companies or state and local governments that submit information or comments relative to alternative energy-related uses of the OCS; certified verification agents (CVAs); and surety or third-party guarantors.

*Total Estimated Number of Annual Respondents:* Currently there are approximately 47 Lessees in the OCS. Not all the potential respondents will submit information in any given year, and some may submit multiple times.

*Total Estimated Number of Annual Responses:* 103.

*Estimated Completion Time per Response:* Varies from 30 minutes to 6,000 hours, depending on activity.

*Total Estimated Number of Annual Burden Hours:* 8,908.

*Respondent's Obligation:* Responses are mandatory and are required to obtain or retain a benefit.

*Frequency of Collection:* generally occasional or annual.

*Total Estimated Annual Nonhour Burden Cost:* \$1,908,000.

**BURDEN TABLE**

Citations in 30 CFR 285	Reporting and recordkeeping requirement <sup>1</sup>	Hour burden	Average number of annual responses	Annual burden hours
Non-hour cost burdens				
<b>Subpart A—General Provisions</b>				
102; 105; 110 .....	These sections contain general references to submitting comments, requests, applications, plans, notices, reports, and/or supplemental information for BSEE approval—burdens covered under specific requirements.			
103; 904 .....	Request general departures not specifically covered elsewhere in part 285.	.5 .....	6 requests .....	3
105(c) .....	Make oral requests or notifications and submit written follow up within 3 business days not specifically covered elsewhere in part 285.	1 .....	2 requests .....	2
1016 .....	Request reconsideration and/or hearing. ....	Requirement not considered IC under 5 CFR 1320.3(h)(9).		0
111(b)(3); (b)(5); (b)(6) .....	Within 30 days of receiving bill, submit processing fee payments for BSEE document or study preparation to process applications and other requests.	.5 .....	2 submissions .....	1
			2 payments × \$4,000 = \$8,000.	
111(b)(2), (3) .....	Submit comments on proposed processing fee or request approval to perform or directly pay contractors for all or part of any document, study, or other activity, to reduce BSEE processing costs.	2 .....	2 requests .....	4
111(b)(3) .....	Perform, conduct, develop, etc., all or part of any document, study, or other activity; and provide results to BSEE to reduce BSEE processing fee. Pay processing fee for all or part of any document, study, or other activity, and provide results to BSEE to reduce BSEE processing costs.	6,000 .....	1 submission .....	6,000
			1 contractor payment × \$950,000 = \$950,000.	
111(b)(7) .....	Appeal BSEE estimated processing costs, decisions, or orders pursuant to 30 CFR 290.	Exempt under 5 CFR 1320.4(a)(2), (c).		0
115 .....	Request approval to use later edition of a document incorporated by reference or alternative compliance.	1 .....	1 request .....	1
118 .....	Request appeal within 15 days of bid rejection, request reconsideration of bid decision or rejection.	Requirement not considered IC under 5 CFR 1320.3(h)(9).		0
<b>Subpart B—Reserved</b>				
<b>Subpart C—Reserved</b>				
<b>Subpart D—Lease and Grant Administration</b>				
400; 401; 402 NONCs .....	These sections contain references to information submissions, approvals, requests, applications, plans, payments, etc., the burdens for which are covered elsewhere in part 285.			0
401(b) .....	Take measures directed by BSEE in cessation order and submit reports to resume activities.	100 .....	1 report .....	100
417(b) .....	Conduct, and if required pay for, site-specific study to evaluate cause of harm or damage; and submit copies of study and results, in format specified.	110 .....	1 study/submission	110
			1 study × \$950,000 = \$950,000.	
437 .....	Provide information for reconsideration of BSEE decision to contract or cancel lease or grant area.	Requirement not considered IC under 5 CFR 1320.3(h)(9).		0

## BURDEN TABLE—Continued

Citations in 30 CFR 285	Reporting and recordkeeping requirement <sup>1</sup>	Hour burden	Average number of annual responses	Annual burden hours
<b>Subpart E—Reserved</b>				
<b>Subpart F—Plans and Information Requirements</b>				
** indicate the primary cites for Site Assessment Plans (SAPs), Construction and Operations Plans (COPs), and General Activities Plans (GAPs); and the burdens include any previous or subsequent references throughout part 285 to submission and approval. This subpart contains references to other information submissions, approvals, requests, applications, plans, etc., the burdens for which are covered elsewhere in part 285.				
** 606; 614; 810 .....	Within time specified after issuance of a competitive lease or grant, or within time specified after determination of no competitive interest, submit copies of SAP, including required information to assist BSEE to comply with NEPA/CZMA such as hazard info, air quality, SMS, and all required information, certifications, requests, etc., in format specified.	48 .....	2 SAPs .....	96
** 621; 632; 637; 810 .....	If requesting an operations term for commercial lease, within time specified before the end of site assessment term, submit copies of COP, or FERC license application, including required information to assist BSEE to comply with NEPA/CZMA such as hazard info, air quality, SMS, and all required information, surveys and/or their results, reports, certifications, project easements, supporting data and information, requests, etc., in format specified.	200 .....	2 COPs .....	400
** 641; 651; 810 .....	Within time specified after issuance of a competitive lease or grant, or within time specified after determination of no competitive interest, submit copies of GAP, including required information to assist BSEE to comply with NEPA/CZMA such as hazard info, air quality, SMS, and all required information, surveys and reports, certifications, project easements, requests, etc., in format specified.	48 .....	2 GAPs .....	96
** 632(c); 907 .....	Submit revised or modified COPs, including project easements, and all required additional information.	10 .....	1 revised or modified COP.	10
602 .....	Until BSEE releases financial assurance, respondents must maintain, and provide to BSEE if requested, all data and information related to compliance with required terms and conditions of SAP, COP, or GAP. <sup>2</sup>	2 .....	9 records/submissions.	18
615; 800(b) .....	Submit annual, or at other time periods as BSEE determines, SAP compliance certification, effectiveness statement, recommendations, reports, supporting documentation, etc.	40 .....	4 certifications .....	160
633; 800(b) .....	Submit annual, or at other time periods as BOEM/BSEE determines, COP compliance certification, effectiveness statement, recommendations, reports, supporting documentation, etc.	45 .....	9 certifications .....	405
636(a) .....	Notify BSEE in writing no later than 30 days after commencing activities associated with placement of facilities on lease area.	1 .....	2 notices .....	2
636(b) .....	Notify BSEE in writing no later than 30 days after completion of construction and installation activities.	1 .....	2 notices .....	2
636(c) .....	Notify BSEE in writing at least 7 days before commencing commercial operations.	1 .....	1 notice .....	1
651 .....	Before beginning construction of OCS facility described in GAP, demonstrate operational SMS identified in GAP, submit initial findings.	27.5 .....	2 notices .....	55
653(a), (b); 800(b) .....	Submit annual, or at other time periods as BSEE determines, GAP compliance certification, recommendations, reports, etc.	40 .....	4 certifications .....	160

BURDEN TABLE—Continued

Citations in 30 CFR 285	Reporting and recordkeeping requirement <sup>1</sup>	Hour burden	Average number of annual responses	Annual burden hours
<b>Subpart G—Facility Design, Fabrication, and Installation</b>				
<p>*** indicate the primary cites for the reports discussed in this subpart, and the burdens include any previous or subsequent references throughout part 285 to submitting and obtaining approval. This subpart contains references to other information submissions, approvals, requests, applications, plans, etc., the burdens for which are covered elsewhere in part 285.</p>				
<p>*** 700(a) (1), (c); 701 .....</p>	<p>Submit Facility Design Report, including copies of the cover letter, certification statement, and all required information (1–3 paper or electronic copies as specified).</p>	<p>200 .....</p>	<p>1 report .....</p>	<p>200</p>
<p>*** 700(a)(2), (c); 702 .....</p>	<p>Submit Fabrication and Installation Report, including copies of the cover letter, certification statement, and all required information, in format specified.</p>	<p>160 .....</p>	<p>1 report .....</p>	<p>160</p>
<p>705(a); 707(a); 712 .....</p>	<p>Certified Verification Agent (CVA) conducts independent assessment of the facility design and submits copies of all reports/certifications to lessee or grant holder and BSEE—interim reports if required, in format specified.</p>	<p>100 ..... 100 .....</p>	<p>1 interim report ..... 1 final report .....</p>	<p>100 100</p>
<p>705(a); 707(b); 708; 709; 710; 712; 637.</p>	<p>CVA conducts independent assessments/inspections on the fabrication and installation activities, informs lessee or grant holder if procedures are changed or design specifications are modified; and submits copies of all reports/certifications to lessee or grant holder and BSEE—interim reports if required, in format specified.</p>	<p>100 ..... 100 .....</p>	<p>1 interim report ..... 1 final report .....</p>	<p>100 100</p>
<p>*** 703; 705(a); 712; 815 .....</p>	<p>CVA/project engineer monitors major project modifications and repairs and submits copies of all reports/certifications to lessee or grant holder and BSEE—interim reports if required, in format specified.</p>	<p>20 ..... 15 .....</p>	<p>1 interim report ..... 1 final report .....</p>	<p>20 15</p>
<p>705(b), (c) .....</p>	<p>Request waiver of CVA requirement in writing; lessee must demonstrate standard design and best practices.</p>	<p>16 .....</p>	<p>1 waiver .....</p>	<p>16</p>
<p>706 .....</p>	<p>Submit for approval with SAP, COP, or GAP, initial nominations for a CVA or new replacement CVA nomination and required information.</p>	<p>6.5 .....</p>	<p>2 nominations .....</p>	<p>13</p>
<p>708(b)(2) .....</p>	<p>Notify BSEE if modifications identified by CVA/project engineer are accepted.</p>	<p>1 .....</p>	<p>1 notice .....</p>	<p>1</p>
<p>709(a); 710 .....</p>	<p>Make fabrication quality control, installation towing, and other records available to CVA/project engineer for review (retention required by § 285.714).</p>	<p>1 .....</p>	<p>3 records .....</p>	<p>3</p>
<p>713 .....</p>	<p>Notify BSEE within 10 business days after commencing commercial operations.</p>	<p>1 .....</p>	<p>1 notice .....</p>	<p>1</p>
<p>714; 703(b) .....</p>	<p>Until BOEM releases financial assurance, compile, retain, and make available to BSEE and/or CVA the as-built drawings, design assumptions/analyses, summary of fabrication and installation examination records, inspection results, and records of repairs not covered in inspection report. Record original and relevant material test results of all primary structural materials; retain records during all stages of construction <sup>2</sup>.</p>	<p>100 .....</p>	<p>1 lessee .....</p>	<p>100</p>
<b>Subpart H—Environmental and Safety Management, Inspections, and Facility Assessments for Activities Conducted Under SAPs, COPs, and GAPs</b>				
<p>802(a); 902(e) .....</p>	<p>Notify BSEE of archaeological resource within 72 hours of discovery.</p>	<p>3 .....</p>	<p>1 notice .....</p>	<p>3</p>
<p>802(d) .....</p>	<p>If applicable, submit payment for BSEE costs in carrying out National Historic Preservation Act responsibilities.</p>	<p>.5 .....</p>	<p>1 payment .....</p>	<p>1</p>
<p>810; 614(b); 632(b); 651 .....</p>	<p>Submit safety management system description with the SAP, COP, or GAP.</p>	<p>30 .....</p>	<p>2 submissions .....</p>	<p>60</p>
<p>813(b)(1) .....</p>	<p>Report within 24 hours when any required equipment taken out of service for more than 12 hours; provide written confirmation if reported orally.</p>	<p>.5 ..... 1 .....</p>	<p>2 reports ..... 1 written confirmation.</p>	<p>1 1</p>

BURDEN TABLE—Continued

Citations in 30 CFR 285	Reporting and recordkeeping requirement <sup>1</sup>	Hour burden	Average number of annual responses	Annual burden hours
813(b)(3)	Notify BSEE when equipment returned to service; provide written confirmation if reported orally.	.5	2 notices	1
815	When required, analyze cable, P/L, or facility damage or failures to determine cause and as soon as available submit comprehensive written report.	1.5	1 report	2
816	Submit plan of corrective action report on observed detrimental effects on cable, P/L, or facility within 30 days of discovery; take remedial action and submit report of remedial action within 30 days after completion.	2	1 plan/report	2
822	Maintain records of design, construction, operation, maintenance, repairs, and investigation on or related to lease or ROW/RUE area; make available to BSEE for inspection <sup>2</sup> .	1	4 records retention	4
823	Request reimbursement within 90 days for food, quarters, and transportation provided to BSEE reps during inspection.	2	1 request	2
824(a)	Develop annual self-inspection plan covering all facilities; retain with records and make available to BSEE upon request.	24	2 plans	48
824(b)	Conduct annual self-inspection and submit report by November 1 ..	36	2 reports	72
825	Based on API RP 2A–WSD, perform assessment of structures, initiate mitigation actions for structures that do not pass assessment process, retain information, and make available to BSEE upon request..	60	2 assessments/actions.	120
830(a), (c); 831 thru 833	Immediately report incidents to BSEE via oral communications, submit written follow-up report within 15 business days after the incident, and submit any required additional information..	.5 Oral 4 Written	2 incidents 1 incident	1 4
830(d)	Report oil spills as required by BSEE 30 CFR part 254. ....	2	1 report	2

Subpart I—Decommissioning

\*\*\*\* indicate the primary cites for the reports discussed in this subpart, and the burdens include any previous or subsequent references throughout part 285 to submitting and obtaining approval. This subpart contains references to other information submissions, approvals, requests, applications, plans, etc., the burdens for which are covered elsewhere in parts 285.

**** 902; 905, 906; 907; 908(b), (c); 909; 638(a).	Submit for approval, in format specified, copies of the SAP, COP, or GAP decommissioning application and site clearance plan at least 2 years before decommissioning activities begin, 90 days after completion of activities, or 90 days after cancellation, relinquishment, or other termination of lease or grant. Include documentation of coordination efforts regarding requests that certain facilities remain in place for other activities, be converted to an artificial reef, or be toppled in place. Submit additional information/evidence requested or modify and resubmit application.	19	1 application	19
902(d); 908(a)	Notify BSEE at least 60 days before commencing decommissioning activities.	1	1 notice	1
910(b)	Within 60 days after removing a facility, verify to BSEE that site is cleared.	1	1 verification	1
912	Within 60 days after removing a facility, cable, or pipeline, submit a written report.	8	1 report	8

BSEE does not anticipate decommissioning activities for at least 5 years, so the requirements have been given a minimal burden.

Total Burden			103 Responses	8,908 Hours.
			\$1,908,000 Non-Hour Costs Burdens.	

An agency may not conduct, or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

**Kirk Malstrom,**

*Chief, Regulations and Standards Branch.*

[FR Doc. 2023-14812 Filed 7-12-23; 8:45 am]

**BILLING CODE 4310-VH-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1347]

### Certain Location-Sharing Systems, Related Software, Components Thereof, and Products Containing Same; Notice of Commission Determination Not To Review Three Initial Determinations Terminating the Investigation as to Certain Respondents and in Its Entirety; Termination of the Investigation

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

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review three initial determinations (“IDs”) of the presiding administrative law judge (“ALJ”) that terminate the above-captioned investigation as to: (1) respondent OnePlus Technology (Shenzhen) Co., Ltd. based on settlement (Order No. 24); (2) respondents Xiaomi Corporation, Xiaomi H.K. Ltd., Xiaomi Communications Co., Ltd., and Xiaomi Inc. based on settlement (Order No. 25); and (3) the remaining respondents based on withdrawal of the complaint (Order No. 26). The investigation is terminated.

**FOR FURTHER INFORMATION CONTACT:** Richard P. Hadorn, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3179. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email [EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the

Commission’s TDD terminal, telephone (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on December 30, 2022, based on a complaint filed by Advanced Ground Information Systems, Inc. of Jupiter, Florida and AGIS Software Development LLC of Marshall, Texas (collectively, “AGIS”). 87 FR 80568-69 (Dec. 30, 2022). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based on the importation into the United States, the sale for importation, and the sale within the United States after importation of certain location-sharing systems, related software, components thereof, and products containing same by reason of the infringement of certain claims of U.S. Patent Nos. 8,213,970 (“the ‘970 patent”); 9,445,251 (“the ‘251 patent”); 9,467,838 (“the ‘838 patent”); 9,749,829 (“the ‘829 patent”); and 9,820,123 (“the ‘123 patent”). *Id.* at 80568. The complaint further alleges that a domestic industry exists. *Id.*

The notice of investigation named 26 respondents: (1) Kyocera Corporation (“Kyocera”) of Kyoto, Japan; (2) OnePlus Technology (Shenzhen) Co., Ltd. (“OnePlus”) of Shenzhen, Guangdong, China; (3) Xiaomi Corporation of Grand Cayman, Cayman Islands; Xiaomi H.K. Ltd. of Kowloon City, Hong Kong; Xiaomi Communications Co., Ltd. of Beijing, China; and Xiaomi Inc. of Beijing, China (collectively, “Xiaomi”); and (4) Google LLC of Mountain View, California; Samsung Electronics, Co., Ltd. of Suwon, Republic of Korea; Samsung Electronics America, Inc. of Ridgefield Park, New Jersey; TCL Technology Group Corporation of Huizhou, Guangdong, China; TCL Electronics Holdings Limited of Hong Kong Science Park, Hong Kong; TCL Communication Technology Holdings Limited of Hong Kong Science Park, Hong Kong; TCT Mobile (US) Inc. of Irvine, California; Lenovo Group Ltd. of Beijing, China; Lenovo (United States) Inc. of Morrisville, North Carolina; Motorola Mobility LLC of Chicago, Illinois; HMD Global of Espoo, Finland; HMD Global OY of Espoo, Finland; HMD America, Inc. of Miami, Florida; Sony Corporation of Tokyo, Japan; Sony Mobile Communications, Inc. of Tokyo, Japan; ASUSTek Computer Inc. of Taipei, Taiwan; ASUS Computer International of Fremont, California; BLU Products of Doral, Florida; Panasonic Corporation of Osaka, Japan; Panasonic Corporation of North America of Secaucus, New Jersey

(collectively, the “Remaining Respondents”). *Id.* at 80569. The Office of Unfair Import Investigations (“OUII”) is also named as a party. *Id.*

On February 17, 2023, the Commission amended the complaint and notice of investigation to substitute Panasonic Holdings Corporation of Osaka, Japan, in place of named respondent Panasonic Corporation. Order No. 7 (Feb. 1, 2023), *unreviewed* by 88 FR 11477 (Feb. 23, 2023).

On June 6, 2023, the Commission terminated the investigation as to the following asserted claims based on withdrawal: (i) claim 2 of the ‘970 patent; (ii) claims 1-2, 7-8, 23, 25, 29-30, and 35 of the ‘251 patent; (iii) claims 3, 5-8, 10, 16, 19, 38, 40, 55-56, 61-64, 68, 71-72, 80 and 84 of the ‘838 patent; (iv) claims 1, 8, 34, and 41 of the ‘829 patent; and (v) claim 14 of the ‘123 patent. Order No. 16 (May 17, 2023), *unreviewed* by Comm’n Notice (June 6, 2023).

On June 27, 2023, the Commission terminated the investigation as to Kyocera based on settlement. Order No. 19, *unreviewed* by Comm’n Notice (June 27, 2023).

On June 14, 2023, AGIS and OnePlus filed a joint motion to terminate the investigation as to OnePlus based on a settlement agreement. On June 16, 2023, OUII filed a response supporting the motion. No other responses to the motion were filed.

On June 15, 2023, AGIS and Xiaomi filed a joint motion to terminate the investigation as to Xiaomi based on a settlement agreement. On June 16, 2023, OUII filed a response supporting the motion. No other responses to the motion were filed.

On June 15, 2023, AGIS filed a motion to terminate the investigation as to the Remaining Respondents based on withdrawal of the complaint. On June 16, 2023, OUII filed a response supporting the motion. On June 20, 2023, the Remaining Respondents filed a response stating that they do not oppose the motion. No other responses to the motion were filed.

On June 20, 2023, the ALJ issued all three subject IDs (Order Nos. 24, 25, and 26). Order Nos. 24 and 25 grant the unopposed joint motions to terminate the investigation as to OnePlus and Xiaomi, respectively, finding that the motions comply with the requirements of Commission Rule 210.21(b)(1) (19 CFR 210.21(b)(1)), and that the proposed settlements do not adversely affect the public interest in accordance with Commission Rule 210.50(b)(2) (19 CFR 210.50(b)(2)). Order No. 24 at 2-3; Order No. 25 at 2-3. Order No. 26 grants the unopposed motion to terminate the