

Base for all three DARRP component organizations. The Direct Labor Cost Base is computed by allocating total indirect cost over the sum of direct labor dollars, plus the application of NOAA's leave surcharge and benefits rates to direct labor. Direct labor costs for contractors from ERT, Inc. (ERT), Freestone Environmental Services, Inc. (Freestone), and Genwest Systems, Inc. (Genwest) were included in the direct labor base because Cotton determined that these costs have the same relationship to the indirect cost pool as NOAA direct labor costs. ERT, Freestone, and Genwest provided on-site support to the DARRP in the areas of injury assessment, natural resource economics, restoration planning and implementation, and policy analysis. Subsequent federal notices have been published in the **Federal Register** as follows:

- FY 2002, published on October 6, 2003 (68 FR 57672)
- FY 2003, published on May 20, 2005 (70 FR 29280)
- FY 2004, published on March 16, 2006 (71 Fed Reg. 13356)
- FY 2005, published on February 9, 2007 (72 FR 6221)
- FY 2006, published on June 3, 2008 (73 FR 31679)
- FY 2007 and FY 2008, published on November 16, 2009 (74 FR 58948)
- FY 2009 and FY 2010, published on October 20, 2011 (76 FR 65182)
- FY 2011, published on September 17, 2012 (77 FR 57074)
- FY 2012, published on August 29, 2013 (78 FR 53425)
- FY 2013, published on October 14, 2014 (79 FR 61617)
- FY 2014, published on December 17, 2015 (80 FR 78718)
- FY 2015, published on August 22, 2016 (81 FR 56580)

Empirical Concepts developed the DARRP indirect rates for FY 2016 and 2017. Empirical reaffirmed that the Direct Labor Cost Base is the most appropriate indirect allocation method for the development of the FY 2016 and 2017 indirect cost rates. The federal notice for these rates can be found at the following:

- FY 2016 and FY 2017, published on October 16, 2019 (84 FR 55283)

Empirical Concepts developed the DARRP indirect rates for FY 18 and reaffirmed the Direct Labor Cost Base as the most appropriate indirect allocation for the development of the FY 2018 indirect cost rates.

#### The DARRP's Indirect Cost Rates and Policies

The DARRP will apply the indirect cost rates for FY 2018 as recommended

by Empirical for each of the DARRP component organizations as provided in the following table:

DARRP component organization	FY 2018 indirect rate (%)
Office of Response and Restoration (ORR) .....	148.84
Restoration Center (RC) .....	71.94
General Counsel Natural Resources Section (GCNRS)	79.21

The FY 2018 rates will be applied to all damage assessment and restoration case costs incurred between October 1, 2017 and September 30, 2018 effective October 1, 2020. DARRP will use the FY 2018 indirect cost rates for future fiscal years, beginning with FY 2019, until subsequent year-specific rates can be developed.

For cases that have settled and for cost claims paid prior to the effective date of the fiscal year in question, the DARRP will not re-open any resolved matters for the purpose of applying the revised rates in this policy for these fiscal years. For cases not settled and cost claims not paid prior to the effective date of the fiscal year in question, costs will be recalculated using the revised rates in this policy for these fiscal years. Where a responsible party has agreed to pay costs using previous year's indirect rates, but has not yet made the payment because the settlement documents are not finalized, the costs will not be recalculated.

#### Scott Lundgren,

*Director, Office of Response and Restoration, National Ocean Service, National Oceanic and Atmospheric Administration.*

[FR Doc. 2020-17100 Filed 8-4-20; 8:45 am]

**BILLING CODE 3510-JE-P**

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities: Notice of Intent To Revise Collection 3038-0005, Adoption of Revised Notice of Exemption Under Regulation 4.13(b)(1)

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** The Commodity Futures Trading Commission (CFTC or Commission) is announcing an opportunity for public comment on the recent revision to the collection of certain information by the Commission. Under the Paperwork Reduction Act (PRA), Federal agencies are required to publish notice in the **Federal Register**

concerning each proposed collection of information and to allow 60 days for public comment. The Commission revised its regulation requiring the filing of a notice of exemption by persons seeking to claim relief from registration as a commodity pool operator (CPO). This **Federal Register** notice solicits comments on the PRA implications of the revision to that required notice of exemption, including comments addressing adjustments in burden to the relevant information collection requirement of the revised exemption notice.

**DATES:** Comments must be submitted on or before October 5, 2020.

**ADDRESSES:** You may submit comments, identified by "OMB control number 3038-0005; Adoption of Revised Notice of Exemption under 17 CFR 4.13(b)(1)," by any of the following methods:

- **CFTC Comments Portal:** <https://comments.cftc.gov>. Select the "Submit Comments" link for this notice and follow the instructions on the Public Comment Form.
- **Mail:** Send to Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.

- **Hand Delivery/Courier:** Follow the same instructions as for Mail, above. Please submit your comments using only one of these methods. Submissions through the CFTC Comments Portal are encouraged.

All comments must be submitted in English or, if not, be accompanied by an English translation. Comments will be posted as received to <https://comments.cftc.gov>. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act (FOIA), a petition for confidential treatment of the exempt information may be submitted according to the procedures established in Commission regulation 145.9.<sup>1</sup>

The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse, or remove any or all of your submission from <https://comments.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the information collection request will be retained in the public comment file and will be considered as

<sup>1</sup> 17 CFR 145.9.

required under the Administrative Procedure Act and other applicable laws, and may be accessible under the FOIA.

**FOR FURTHER INFORMATION CONTACT:** Joshua Sterling, Director, (202) 418–6700, [jsterling@cftc.gov](mailto:jsterling@cftc.gov); Amanda Olear, Deputy Director, (202) 418–5283, [aolear@cftc.gov](mailto:aolear@cftc.gov); or Elizabeth Groover, Special Counsel, (202) 418–5985, [egroover@cftc.gov](mailto:egroover@cftc.gov), Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, 1155 21st Street NW, Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** Under the PRA, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. “Collection of Information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information before submitting the collection to OMB for approval. 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 number. The Commission believes that its revision of the notice of exemption required by Regulation 4.13(b)(1), as discussed further below, results in a collection of information within the meaning of the PRA. As such, the Commission is publishing for notice and comment the following revisions to the information collection associated with that notice.

*Title:* Rules Relating to the Operations and Activities of Commodity Pool Operators and Commodity Trading Advisors and to Monthly Reporting by Futures Commission Merchants (OMB control number 3038–0005). This is a request for extension and revision of this currently approved information collection.

*Abstract:* The Commission recently revised the notice of exemption required by Regulation 4.13(b)(1) of any person who desires to claim the relief from CPO registration.<sup>2</sup> The various collections of information required by part 4 of the Commission’s regulations, including the notice required by Regulation 4.13(b)(1), were previously approved by OMB in accordance with the PRA and assigned OMB control number 3038–0005. The

Commission offers the following summary of the revision to the notice and the resulting estimated impact on existing burden hour estimates associated with this information collection.

#### Revision to the Notice of Exemption

On June 4, 2020, the Commission adopted an amendment to Regulation 4.13(b)(1) that added a representation to the notice already required to be electronically filed with the Commission by persons claiming an exemption from CPO registration thereunder.<sup>3</sup> With that amendment, the Commission is requiring persons filing a notice of exemption thereunder to also represent that neither the person nor any of its principals has in its background a statutory disqualification listed in section 8a(2) of the Commodity Exchange Act (CEA or Act) that would require disclosure, if the person sought registration. Subject to one limited exception, the amended regulation provides that a person who has, or whose principals have, in their backgrounds a statutory disqualification under CEA section 8a(2) will generally be prohibited from claiming an exemption from CPO registration under Regulation 4.13. The Commission intended this amendment to eliminate the inconsistent treatment of exempt CPOs as compared to registered CPOs (and the principals thereof), whereby certain persons could avoid the CEA’s basic conduct requirements established for all persons registering as intermediaries with the Commission by claiming an exemption from CPO registration instead. Ultimately, the Commission’s stated purpose in adopting this amendment was to improve the customer protection and general investor confidence experienced by exempt pool participants.

The Commission noted in the Statutory Disqualifications Final Rule that the amendment in its proposed form had not implicated an additional or existing collection of information, and thus, the proposed regulation was not considered in the PRA context.<sup>4</sup> Because the Statutory Disqualifications Final Rule resulted in a representation being added to the existing notice filing in Regulation 4.13(b), the Commission determined that this amendment

constitutes the modification of an existing information collection; as such, its PRA implications are being considered in this separately published notice.

By adding this representation to the notice of exemption, the Commission recognizes that the existing information collection burden for that notice, currently 0.1 hours, is expected to increase. The Commission estimates that the representation would add a total of 0.2 burden hours to the information collection burdens currently estimated for the notice of exemption under Regulation 4.13(b)(1), for an aggregate total of 0.3 burden hours. Additionally, the Commission estimates that currently, approximately 8,600 respondents would claim an exemption via the Regulation 4.13(b)(1) notice filing.

#### Invitation to Comment

Regarding the information collection discussed above, the CFTC invites comments on:

- Whether the proposed revision to the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission’s estimate of the burden of the proposed revision to the collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of collection of information on those who are to respond, including through the further use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

*Burden Statement:* As explained above, the Commission believes that the addition of a representation to the notice of exemption required by Regulation 4.13(b)(1) increases the information collection burden associated with that notice under OMB control numbers 3038–0005.

*OMB Control Number 3038–0005:*

The Commission estimates that as a result of revising the notice of exemption under Regulation 4.13(b)(1), the burden of the collection of information under OMB control number 3038–0005<sup>5</sup> would be as follows:

<sup>3</sup> Amendments to Registration and Compliance Requirements for Commodity Pool Operators and Commodity Trading Advisors: Prohibiting Exemptions under Regulation 4.13 on Behalf of Persons Subject to Certain Statutory Disqualifications, 85 FR 40877 (July 8, 2020) (Statutory Disqualifications Final Rule).

<sup>4</sup> Statutory Disqualifications Final Rule, 85 FR 40887.

<sup>5</sup> OMB control number 3038–0005 currently covers two separate Information Collections (“IC”): (1) Part 4 Commodity Pool Operators and

<sup>2</sup> 17 CFR 4.13(b)(1).

*Respondents/affected entities:* (1) All persons filing a notice of exemption as required by Regulation 4.13(b)(1) for the purpose of claiming relief from CPO registration, and (2) all principals of such persons.

*Estimated number of respondents:* 8,600.

*Estimated number of exempt pools/reports per respondent:* 3.

*Estimated total annual burden on respondents:* 8,600 hours.<sup>6</sup>

*Frequency of collection:* Annually.

There are no capital costs or operating and maintenance costs associated with this collection.

**Authority:** 44 U.S.C. 3501 *et seq.*

Dated: July 31, 2020.

**Christopher Kirkpatrick,**

*Secretary of the Commission.*

[FR Doc. 2020-17046 Filed 8-4-20; 8:45 am]

**BILLING CODE 6351-01-P**

**DEPARTMENT OF ENERGY**

**Notice of Orders Issued Under Section 3 of the Natural Gas Act During June 2020**

	FE Docket Nos.
FUEL MARKET LP .....	20-53-NG
BP CANADA ENERGY MARKETING CORP.	20-55-NG
SABINE PASS LIQUEFACTION, LLC.	20-28-LNG
CHEVRON U.S.A. INC .....	20-54-LNG
SEMPRA MARKETING LNG, LLC	20-52-LNG
ARM ENERGY MANAGEMENT LLC.	20-56-NG
SOUTHWEST ENERGY, L.P .....	20-51-NG
JUPITER RESOURCES INC .....	20-57-NG
TRAFIGURA TRADING LLC .....	20-61-NG; 18-110-NG
EQUINOR NATURAL GAS LLC ..	20-65-NG
ENERGY SOURCE NATURAL GAS INC.	20-58-NG
NEW BRUNSWICK ENERGY MARKETING CORP.	20-60-NG
ETC MARKETING, LTD .....	20-63-NG
PRODUCCIÓN DE ENERGÍA MEXICANA, S. DE R.L. DE C.V.	20-62-NG
J. ARON & COMPANY LLC .....	20-64-NG; 18-77-NG

**AGENCY:** Office of Fossil Energy, Department of Energy.

**ACTION:** Notice of orders.

**SUMMARY:** The Office of Fossil Energy (FE) of the Department of Energy gives notice that during June 2020, it issued orders granting authority to import and export natural gas, to import and export liquefied natural gas (LNG), and vacating prior authorization. These orders are summarized in the attached appendix and may be found on the FE website at <https://www.energy.gov/fe/listing-doe-fe-authorizations-orders-issued-2020>. They are also available for inspection and copying in the U.S. Department of Energy (FE-34), Division of Natural Gas Regulation, Office of Regulation, Analysis, and Engagement, Office of Fossil Energy, Docket Room 3E-033, Forrestal Building, 1000 Independence Avenue SW, Washington, DC 20585, (202) 586-9387. The Docket Room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Signed in Washington, DC, on July 31, 2020.

**Amy Sweeney,**

*Director, Office of Regulation, Analysis, and Engagement, Office of Oil and Natural Gas.*

**APPENDIX**

**DOE/FE ORDERS GRANTING IMPORT/EXPORT AUTHORIZATIONS**

Order No.	Date	Docket No.	Entity	Description
4543	06/05/20	20-53-NG	Fuel Market LP	Order 4543 granting blanket authority to export natural gas to Mexico, and to export LNG to Mexico by truck.
4544	06/05/20	20-55-NG	BP Canada Energy Marketing Corp.	Order 4544 granting blanket authority to import/export natural gas from/to Canada.
4545	06/04/20	20-28-LNG	Sabine Pass Liquefaction, LLC.	Order 4545 granting blanket authority to export previously imported LNG by vessel to Free Trade Agreement Nations and Non-Free Trade Agreement Nations.
4546	06/05/20	20-54-LNG	Chevron U.S.A. Inc	Order 4546 granting blanket authority to import LNG from various international sources by vessel.
4547	06/05/20	20-52-LNG	Sempra LNG Marketing, LLC	Order 4547 granting blanket authority to import LNG from various international sources by vessel.
4548	06/16/20	20-56-NG	ARM Energy Management LLC.	Order 4548 granting blanket authority to export natural gas to Canada/Mexico.
4549	06/16/20	20-51-NG	Southwest Energy, L.P	Order 4549 granting blanket authority to import/export natural gas from/to Canada/Mexico.
4550	06/16/20	20-57-NG	Jupiter Resources Inc	Order 4550 granting blanket authority to import natural gas from Canada.
4551; 4238-A	06/16/20	20-61-NG; 18-110-NG	Trafigura Trading LLC	Order 4551 granting blanket authority to import/export natural gas from/to Canada/Mexico, and vacating prior authority (Order 4238).
4552	06/16/20	20-65-NG	Equinor Natural Gas LLC	Order 4552 granting blanket authority to import/export natural gas from/to Canada/Mexico, and to import LNG from various international sources by vessel.
4553	06/22/20	20-58-NG	Energy Source Natural Gas, Inc.	Order 4553 granting blanket authority to import/export natural gas from/to Canada.
4554	06/22/20	20-60-NG	New Brunswick Energy Marketing Corporation.	Order 4554 granting blanket authority to import/export natural gas from/to Canada.
4555	06/22/20	20-63-NG	ETC Marketing, Ltd	Order 4555 granting blanket authority to import/export natural gas from/to Mexico.

Commodity Trading Advisors IC, and (2) Commodity Pool Operator Annual Report IC. The estimates in this notice reflect changes specifically made by the Statutory Disqualifications Final Rule to the Part 4 Commodity Pool Operators and Commodity Trading Advisors IC, for which the current active information collection estimates of 43,397 respondents and 354,333 burden hours were

approved by OMB on March 6, 2020 (ICR Reference No. 201912-3038-001). The aggregate burden for OMB control number 3038-0005 may be further impacted by a separate rulemaking. Amendments to Compliance Requirements for Commodity Pool Operators on Form CPO-PQR, published in the **Federal Register**, 85 FR 26378 (May 4, 2020). Neither the Statutory Disqualification Final Rule

nor the Form CPO-PQR rulemaking impact the estimates of the Commodity Pool Operator Annual Report IC, which remain the same.

<sup>6</sup> The burden hour per response is 0.3 burden hour for an aggregate total of 0.9 burden hour for all three responses per respondent. This estimate has been rounded up to 1 burden hour for all three responses per respondent.