

voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(h), of the Instruction. This rule finalizes the establishment of a special local regulation that was published as an Interim Rule with an invitation to comment on July 8, 2009. No comments were received that would affect the assessment of environmental impacts from this action. An environmental analysis checklist and a categorical exclusion determination are available in the docket where indicated under **ADDRESSES**.

#### List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

■ Accordingly, the interim rule amending 33 CFR part 100, which was published at 74 FR 32428 on July 8, 2009, is adopted as a final rule with the following changes:

#### PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

■ 1. The authority citation for part 100 continues to read as follows:

**Authority:** 33 U.S.C. 1233.

■ 2. In § 100.124, revise paragraphs (a), (c)(1), (c)(4), and (d) to read as follows:

#### § 100.124 Maggie Fischer Memorial Great South Bay Cross Bay Swim, Great South Bay, New York.

(a) *Regulated area.* All navigable waters of Great South Bay, NY within a 100 yard radius of each swimmer or safety craft on the swim event race course bounded by the following points: Starting Point at the Fire Island Lighthouse Dock in approximate position 40°38'01" N 073°13'07" W, northerly through approximate points 40°38'52" N 073°13'09" W, 40°39'40" N 073°13'30" W, 40°40'30" N 073°14'00" W, and finishing at Gilbert Park, Brightwaters, NY at approximate position 40°42'25" N 073°14'52" W.

\* \* \* \* \*

(c) *Special local regulation.* (1) No person or vessel may enter, transit, or remain within 100 yards of any swimmer or safety craft within the regulated area during the enforcement period of this regulation unless they are officially participating in the Maggie Fischer Memorial Great South Bay Cross Bay Swim event or are otherwise authorized by the Captain of the Port Long Island Sound or by designated on-scene patrol personnel.

\* \* \* \* \*

(4) Persons and vessels desiring to enter the regulated area within 100 yards of a swimmer or safety craft may request permission to enter from the designated on scene patrol personnel on VHF-16 or the Captain of the Port, Long Island Sound via phone at (203) 468-4401.

(d) *Enforcement Period.* This section will be enforced annually on a date to be determined each July. Public notification of the specific date and times of enforcement will be made each year via a Notice of Enforcement in the **Federal Register**, separate marine broadcasts and local notice to mariners.

Dated: May 3, 2010.

**Daniel A. Ronan,**

*Captain, U.S. Coast Guard, Captain of the Port Long Island Sound.*

[FR Doc. 2010-12844 Filed 5-27-10; 8:45 am]

**BILLING CODE 9110-04-P**

#### POSTAL SERVICE

#### 39 CFR Part 111

#### Business Reply Mail Online Application Option

**AGENCY:** Postal Service™.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service™ will revise the *Mailing Standards of the United States Postal Service*, Domestic

Mail Manual (DMM®) 507.9.3.2 and 507.9.5.2 to eliminate the option to obtain a Business Reply Mail® (BRM) permit online. Additionally, the electronic version of PS Form 6805, *Qualified Business Reply Mail (QBRM) Application*, will also be removed.

**DATES:** Effective July 6, 2010.

#### FOR FURTHER INFORMATION CONTACT:

Jenny Kalthoff, 202-268-5466 or Yvonne Gifford, 202-268-8082.

**SUPPLEMENTARY INFORMATION:** Currently, customers can apply for BRM permits and QBRM authorization online or in person at any Post Office™ facility. The ability to obtain a BRM permit online has been available since 2004 and has not sustained the volume of users to support maintaining the system.

#### Procedures

Beginning May 2010, the ability to obtain a BRM permit online will be eliminated and customers will be required to visit a Post Office and submit a completed hardcopy PS Form 3615, *Mailing Permit Application and Customer Profile*, to obtain a BRM permit. In addition, customers requesting authorization for QBRM will also be required to visit a Post Office to complete a printed PS Form 6805.

The Postal Service adopts the following changes to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the *Code of Federal Regulations*. See 39 CFR 111.1.

#### List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

■ Accordingly, 39 CFR Part 111 is amended as follows:

#### PART 111—[AMENDED]

■ 1. The authority citation for 39 CFR Part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 13 U.S.C. 301-307; 18 U.S.C. 1692-1737; 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001-3011, 3201-3219, 3403-3406, 3621, 3622, 3626, 3632, 3633, and 5001.

■ 2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM) as follows:

*Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM)

\* \* \* \* \*

#### 500 Additional Mailing Services

\* \* \* \* \*

#### 507 Mailer Services

\* \* \* \* \*

**9.0 Business Reply Mail (BRM)**

\* \* \* \* \*

**9.3 Qualified Business Reply Mail (QBRM) Basic Standards**

\* \* \* \* \*

**9.3.2 Authorization**

*[Delete item 9.3.2b in its entirety and incorporate item 9.3.2a into the introduction paragraph as follows:]*

To participate in QBRM, a mailer must have a valid BRM permit, must pay the annual account maintenance fee, and must submit Form 6805 to the postmaster or manager, Business Mail Entry at the Post Office to which the QBRM pieces are to be returned. The USPS reviews Form 6805 and preproduction samples provided by the mailer for compliance with relevant standards. If the mailer's request is approved, the USPS issues the mailer an authorization via the approved Form 6805.

\* \* \* \* \*

**9.5 Permits**

\* \* \* \* \*

**9.5.2 Application Process**

*[Delete item 9.5.2b in its entirety and incorporate item 9.5.2. into the introduction paragraph as follows:]*

The mailer may apply for a BRM permit by submitting a completed Form 3615 to the Post Office issuing the permit and paying the annual permit fee. If a completed Form 3615 is already on file for the mailer for other permits at that office, then the mailer must submit the annual BRM permit fee and the USPS amends Form 3615 by adding the BRM authorization.

\* \* \* \* \*

We will publish an appropriate amendment to 39 CFR Part 111 to reflect these changes.

**Stanley F. Mires,**  
Chief Counsel, Legislative.

[FR Doc. 2010-11869 Filed 5-27-10; 8:45 am]

BILLING CODE 7710-12-P

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[EPA-R03-OAR-2010-0320; FRL-9156-1]

**Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Transportation Conformity Regulations**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the District of Columbia State Implementation Plan (SIP). The revisions establish general and transportation conformity regulations for the District of Columbia. EPA is approving these revisions in accordance with the requirements of the Clean Air Act.

**DATES:** This rule is effective on July 27, 2010 without further notice, unless EPA receives adverse written comment by June 28, 2010. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2010-0320 by one of the following methods:

A. <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

B. E-mail: [fernandez.cristina@epa.gov](mailto:fernandez.cristina@epa.gov).

C. Mail: EPA-R03-OAR-2010-0320, Cristina Fernandez, Associate Director, Office of Air Planning Programs, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-R03-OAR-2010-0320. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an anonymous access system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and

made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the District of Columbia District Department of the Environment, Air Quality Division, 51 N Street, NE., Fifth Floor, Washington, DC 20002.

**FOR FURTHER INFORMATION CONTACT:** Martin Kotsch, (215) 814-3335, or by e-mail at [kotsch.martin@epa.gov](mailto:kotsch.martin@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document whenever "we," "us," or "our" is used, we mean EPA.

**SUPPLEMENTARY INFORMATION:****I. What is transportation conformity?**

Transportation conformity is required under Section 176(c) of the Clean Air Act to ensure that Federally supported highway, transit projects, and other activities are consistent with (conform to) the purpose of the SIP. Conformity currently applies to areas that are designated nonattainment, and those redesignated to attainment after 1990 (maintenance areas), with plans developed under section 175A of the Clean Air Act for the following transportation related criteria pollutants: ozone, particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>), carbon monoxide (CO), and nitrogen dioxide (NO<sub>2</sub>). Conformity to the purpose of the SIP means that transportation activities will not cause new air quality violations, worsen existing violations, or delay timely attainment of the relevant