

TABLE 2 TO § 165.151—Continued

	<ul style="list-style-type: none"> • Location: All navigable waters of Stamford Harbor within a half miles long and 1000 foot wide polygon shaped box stretching from Dolphin Cove to Rocky Point between Stamford and Greenwich, CT. Formed by connecting the following points. Beginning at point (A) 41°01'32.03" N, 073°33'8.93" W, then south east to point (B) 41°01'15.01" N, 073°32'55.58" W, then south west to point (c) 41°00'49.25" N, 073°33'20.36" W, then north west to point (D) 41°00'58.00" N, 073°33'27.00" W, then north east to point (E) 41°01'15.80" N, 073°33'09.85" W, then heading north and ending at point (A) (NAD 83).
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These regulations were published in the **Federal Register** on May 24, 2013 (78 FR 31402).

Under the provisions of 33 CFR 165.151, the fireworks displays and swim events listed above are established as safety zones. During these enforcement periods, persons and vessels are prohibited from entering into, transiting through, mooring, or anchoring within the safety zones unless they receive permission from the COTP or designated representative.

This notice is issued under authority of 33 CFR 165.151 and 5 U.S.C. 552 (a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners or marine information broadcasts. If the COTP determines that a regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: June 17, 2013.

J.M. Vojvodich,

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

[FR Doc. 2013-15238 Filed 6-25-13; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG 2013-0433]

Safety Zone; Fourth of July Fireworks Display, Glenbrook NV

AGENCY: Coast Guard, DHS.

ACTION: Notice of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the safety zone for the Fourth of July Fireworks Display in Glenbrook, NV during the date and time noted below. This action is necessary to protect life

and property of the maritime public from the hazards associated with the fireworks display. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone, unless authorized by the Patrol Commander (PATCOM).

DATES: The regulations in event 19 of Table 1 to 33 CFR 165.1191 will be enforced from 5 a.m. until 10:30 p.m. on July 4, 2013.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call or email Lieutenant Junior Grade Joshua Dykman, Sector San Francisco Waterways Safety Division, U.S. Coast Guard; telephone 415-399-3585, email *D11-PF-MarineEvents@uscg.mil*.

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce a safety zone in navigable waters around and under a fireworks barge within a radius of 100 feet during the loading of the fireworks barge and until the start of the fireworks display. From 5 a.m. until 4 p.m. on July 4, 2013, the fireworks barge will be loaded at the launch site in Glenbrook Bay near position 39°05'18" N, 119°56'34" W (NAD 83). Upon the commencement of the 20 minute fireworks display, scheduled to take place at 9:30 p.m. on July 4, 2013, the safety zone will increase in size to encompass the navigable waters around and under the fireworks barge within a radius 1,000 feet at position 39°05'18" N, 119°56'34" W (NAD 83) for the Fourth of July Fireworks Display in Glenbrook, NV in 33 CFR 165.1191. This safety zone will be in effect from 5 a.m. until 10:30 p.m. on July 4, 2013.

Under the provisions of 33 CFR 165.1191, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone during all applicable effective dates and times, unless authorized to do so by the PATCOM. Additionally, each person who receives notice of a lawful order or direction issued by an official patrol vessel shall obey the order or direction. The PATCOM is empowered to forbid entry

into and control the regulated area. The PATCOM shall be designated by the Commander, Coast Guard Sector San Francisco. The PATCOM may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

This notice is issued under authority of 33 CFR 165.1191 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with extensive advance notification of the safety zone and its enforcement period via the Local Notice to Mariners.

If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, a Broadcast Notice to Mariners may be used to grant general permission to enter the regulated area.

Dated: June 4, 2013.

Gregory G. Stump,

Captain, U.S. Coast Guard, Captain of the Port San Francisco.

[FR Doc. 2013-15308 Filed 6-25-13; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG-2013-0078]

RIN 1625-AA00

Safety Zones; Annual Independence Day Fireworks Displays, Skagway, Haines, and Wrangell, AK

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing the following three permanent safety zones on the navigable waters of Taiya Inlet in the vicinity of on the White Pass and Yukon Railway Dock, Skagway; Portage Cove, Haines and; Wrangell Harbor, Wrangell, Alaska. These safety zones are necessary to protect spectators and vessels from the hazards associated with the annual

Independence Day Fireworks Displays held in each location. This rule is intended to restrict all vessels from a portion of the navigable waters in the immediate vicinity of the fireworks launch platforms, before, during and immediately after the fireworks event.

DATES: This rule is effective July 26, 2013.

ADDRESSES: Documents mentioned in this preamble are part of docket USCG–2013–0078. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Lieutenant Patrick Drayer, Waterways Management Division, U.S. Coast Guard Sector Juneau, telephone 907–463–2465, email Patrick.A.Drayer@uscg.mil. If you have questions on viewing or submitting material to the docket, call Barbara Hairston, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Acronyms

DHS Department of Homeland Security
FR Federal Register
NPRM Notice of Proposed Rulemaking

A. Regulatory History and Information

The Coast Guard published an NPRM for this rule in the **Federal Register** on Monday, April 1, 2013 (78 FR 19431). No comments were received on this docket and there were no requests for public meetings.

B. Basis and Purpose

The legal basis for the rule is 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Public Law 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

The cities of Skagway, Haines, and Wrangell, Alaska hold fireworks displays on or about the July 4th of each year to celebrate Independence Day. The fireworks will be launched from a barge or waterfront facility. This rule is necessary to ensure the safety of

spectators and vessels from hazards associated with fireworks. Fireworks launched in close proximity to watercraft pose a significant risk to public safety and property. Such displays draw large numbers of spectators on vessels. The combination of a large number of spectators, congested waterways, darkness punctuated by bright flashes of light, and burning debris has the potential to result in serious injuries or fatalities. The safety zones will restrict vessels from operating within a portion of the navigable waters around the fireworks launch platforms during the enforcement period which will be immediately before, during, and immediately after the fireworks displays.

C. Discussion of Comments, Changes and the Final Rule

No comments were received during the comment period and thus there were no changes.

The Coast Guard is establishing three permanent safety zones on the navigable waters of Taiya Inlet, Skagway; Portage Cove, Haines; and Wrangell Harbor, Wrangell, AK. The safety zones are necessary to ensure the safety of spectators and vessels from hazards associated with fireworks displays. Each safety zone will include the navigable waters within a 300-yard radius around the fireworks launch platform. The fireworks displays are expected to occur between 11 p.m. and 11:45 p.m. In order to coordinate the safe movement of vessels within the area and to ensure that the area is clear of unauthorized persons and vessels before, during, and immediately after the fireworks launch, these zones will be enforced from 10 p.m. until 2:30 a.m. This effective period of the safety zones is to account for the possibility that if the fireworks displays are postponed because of inclement weather, we would be able to adjust the enforcement period of the safety zones. The specific date and duration of the enforcement period will be announced in the Local Notices to Mariners and maritime advisories widely available to mariners.

Vessels will be able to transit the surrounding area and may be authorized to transit through the safety zone with the permission of the COTP or the designated representative. Before activating the zones we will notify mariners by appropriate means including but not limited to Local Notice to Mariners and Broadcast Notice to Mariners.

D. Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on these statutes and executive orders.

1. Regulatory Planning and Review

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of Executive Order 12866 or under section 1 of Executive Order 13563. The Office of Management and Budget has not reviewed it under those Orders. The Coast Guard's enforcement of these safety zones will be of short duration, approximately three hours. Furthermore, vessels may be authorized to transit through the safety zones with the permission of the COTP.

2. Impact on Small Entities

The Regulatory Flexibility Act of 1980 (RFA), 5 U.S.C. 601–612, as amended, requires federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard received no comments from the Small Business Administration on this rule. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

This rule would affect the following entities, some of which might be small entities: the owners and operators of vessels intending to transit, anchor, or fish in a portion of the navigable waters of Taiya Inlet, Skagway; Portage Cove, Haines; and Wrangell Harbor, Wrangell, Alaska; during the periods of enforcement of these safety zones.

These safety zones would not have a significant economic impact on a substantial number of small entities for the following reasons. These safety zones would be subject to enforcement only immediately before, during, and immediately after the firework displays that may occur from July 3 at 10 p.m. ADT until 2:30 a.m. ADT on July 5 each year. Vessel traffic could pass safely around the safety zones. Before the enforcement of any of the safety zones,

we would issue maritime advisories widely available to users of the waterway.

3. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT**, above.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

4. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

5. Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and determined that this rule does not have implications for federalism.

6. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

7. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires

Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

8. Taking of Private Property

This rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

9. Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

10. Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

11. Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

12. Energy Effects

This action is not a “significant energy action” under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use.

13. Technical Standards

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

14. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guide the Coast Guard in

complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have determined that 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 involves the establishment of three permanent safety zones on the navigable waters of Taiya Inlet, Skagway; Portage Cove, Haines; and Wrangell Harbor, Wrangell, AK, respectively. This rule is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A preliminary environmental analysis checklist supporting this determination and a Categorical Exclusion Determination are available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS.

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.1712 to read as follows:

§ 165.1712 Safety Zones; Annual Independence Day Firework Displays, Skagway, Haines, and Wrangell, AK.

(a) *Regulated areas.* The following areas are permanent safety zones:

- (1) All navigable waters of Taiya Inlet within a 300-yard radius of the fireworks launching point located on the White Pass and Yukon Railway Dock at approximate position 59°26.70' N, 135°19.58' W in the vicinity of the mouth of the Small Boat Harbor, Skagway, Alaska;
- (2) All navigable waters of Portage Cove, Haines, AK within a 300-yard radius around the fireworks launch area, centered at approximate position 59°14'16.72" N, 135°25'35.79" W;
- (3) all navigable waters of Wrangell Harbor within a 300-yard radius of the fireworks launch platform centered at approximate position 56°28.223' N and 132°23.285' W.

(b) *Effective date.* This rule is effective from 10 p.m. until 2:30 a.m., July 3 through July 5, of each year.

(c) *Definitions.* The following definitions apply to this section:

Designated Representative—a “designated representative” is any Coast Guard commissioned, warrant or petty officer of the U.S. Coast Guard who has been designated by the Captain of the Port, to act on his or her behalf.

(d) *Regulations.* (1) The general regulations contained in 33 CFR 165.23, as well as the following regulations, apply.

(2) No vessels, except for fireworks barge and accompanying vessels, will be allowed to transit the safety zones without the permission of the COTP or the designated representative.

(3) Vessel operators desiring to enter or operate within any of the regulated areas shall contact the COTP or the designated representative via VHF channel 16 or 907-463-2990 (Sector Juneau command center) to obtain permission to do so.

Dated: June 1, 2013.

S.W. Bornemann,

Captain, U.S. Coast Guard, Captain of the Port Southeast Alaska.

[FR Doc. 2013-15310 Filed 6-25-13; 8:45 am]

BILLING CODE 9110-04-P

POSTAL SERVICE

39 CFR Part 111

Refunds and Exchanges

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is revising *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) 604.9 and other DMM sections to remove obsolete standards pertaining to postage refunds and stamp exchanges, and to standardize processes for requesting refunds for PC Postage® labels and extra service refunds.

DATES: *Effective date:* July 28, 2013.

FOR FURTHER INFORMATION CONTACT:

Vicki Bosch, Business Mailers Support, vicki.m.bosch@usps.gov, 202-268-4978; Douglas Germer, Revenue/Field Accounting,

douglas.g.germer@usps.gov, 202-268-8522; Hank Heren, Payment

Technology, hank.g.heren@usps.gov, 309-671-8926; Karen Key, Shipping Products, karen.f.key@usps.gov, 202-268-2282; Suzanne Newman, Product Classification, suzanne.j.newman@usps.gov, 202-268-5581.

SUPPLEMENTARY INFORMATION: The Postal Service published a notice of proposed rulemaking on March 14, 2013 (78 FR

16213), which included a 30 day comment period. After review of the comments and further consideration, the Postal Service provides this final rule.

A. Comments

The Postal Service received fourteen formal responses to our proposed rule as comments, four of which included comments about more than one issue. There were two responses by customers, nine by mailers, one by a postal employee; and two by mailer associations.

Changes To Refund Amount Assessments

Seven mailers and two mailer associations requested that the Postal Service withdraw or alter the proposed change to replace hourly assessments, used when granting specific postage refunds, with an assessment of not more than 90 percent of the face value of postage. This proposed change affected postage refunds for dated or undated, unused postage meter indicia; for stamps affixed to Business Reply Mail® (BRM) pieces; and for refunds requested under Special Postage Payment Systems under DMM 705 (which provides for refunds only under extenuating circumstances and where a mailer or third party provider is at fault, not the Postal Service). The commenters generally suggested that the Postal Service either retain the hourly administrative assessment and/or set a refund threshold amount for assessments at 90 percent of the face value. One mailer and one mailer association suggested a mailer/USPS® task team be established to determine the changes to these postage refund assessments. Two commenters provided similar examples of a recent mailer refund request assessed at an hourly administrative cost compared to an assessment at the face value of the amount of postage to demonstrate that the charges under the proposed rule would be excessive. The example describes a *PostalOne!*® reversal due to a mailer's incorrect postage statement; the proposed rule would not have altered the charges assessed in that instance. One mailer association questioned whether the proposed rule applied to postage withdrawals from a permit imprint advance deposit account. The proposed rule made no mention of revising the current process for withdrawals from permit imprint advance deposit accounts. As a result of these comments in general, the Postal Service will publish a revised **Federal Register** notice-proposed rule addressing this particular subject.

Refunds for Adhesive Stamps in Connection With Authorized Marketing Programs

One commenter requested the Postal Service continue to provide refunds for adhesive stamps affixed to un-mailed matter in connection with an authorized marketing program. Under current standards for the exchange of stamps affixed to commercial envelope and cards, customers would not be adversely affected by removing the reference to (USPS) authorized marketing programs. Therefore, the Postal Service will remove the unnecessary references to an authorized marketing program from the DMM.

Establishing a Minimum Threshold for VAR Refunds

One commenter disagreed with the Postal Service proposing a minimum threshold of \$50.00 for Value Added Refunds (VAR) and also commented that the overall concept was understandable. The commenter recommended a \$25.00 minimum threshold and suggested that the Postal Service require VAR refunds to be made by Electronic Funds Transfer (EFT) in an effort to reduce the manual costs of processing VARs. Since the majority of VAR refunds are done by EFT today, requiring VARs only through EFT may not serve to eliminate or significantly reduce the current costs to process the VAR. Therefore, based on a need to cover actual costs and improve efficiencies in this area, the Postal Service is establishing a minimum threshold of \$50.00 for VARs as part of this final rule.

Refunds and Exchanges of Damaged or Unused Stamps or Stamped Matter

One commenter voiced his displeasure with the following four DMM revisions pertaining to the proposed rule:

- The commenter disagreed with the Postal Service's proposal to extend the same provision to exchanging unusable stamped paper as provided for unusable stamps when spoiled in the customer's possession; which must be those items on sale within 12 months before the transaction. Rather than continue to treat customers with similar types of exchanges differently, the Postal Service will align the exchange of similar types of postage-related items under the same established principle; exchange is limited to items on sale within 12 months before the transaction.

- The commenter indicated the provision allowing the redemption of unusable aerogrammes spoiled in the customer's possession appears to be