

International Surface Airlift (ISAL)  
 International Direct Sacks—M—Bags  
 Global Customized Shipping Services  
 International Money Transfer Service  
 Inbound Surface Parcel Post (at non-UPU rates)

International Ancillary Services  
 International Certificate of Mailing  
 International Registered Mail  
 International Return Receipt  
 International Restricted Delivery  
 International Insurance  
 Negotiated Service Agreements  
 Domestic  
 Outbound International

Part C—Glossary of Terms and Conditions [Reserved]

Part D—Country Price Lists for International Mail [Reserved]

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**BILLING CODE 7710–FW–P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Coast Guard**

#### **33 CFR Part 165**

[Docket No. USCG–2010–0776]

**RIN 1625–AA00**

#### **Safety Zone; Fireworks Displays, Potomac River, National Harbor, MD**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a safety zone upon specified waters of the Potomac River. This action is necessary to provide for the safety of life on navigable waters during fireworks displays launched from a discharge barge located at National Harbor, in Prince Georges County, Maryland. This safety zone is intended to protect the maritime public in a portion of the Potomac River.

**DATES:** This rule is effective from 6 p.m. on November 17, 2010 through 11 p.m. on November 18, 2010.

**ADDRESSES:** Documents indicated in this preamble as being available in the docket are part of docket USCG–2010–0776 and are available online by going to <http://www.regulations.gov>, inserting USCG–2010–0776 in the “Keyword” box, and then clicking “Search.” They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 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

e-mail Ronald L. Houck, Sector Baltimore Waterways Management Division, Coast Guard; telephone 410–576–2674, e-mail

[Ronald.L.Houck@uscg.mil](mailto:Ronald.L.Houck@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory Information**

On September 1, 2010, we published a temporary interim rule with request for comments entitled “Safety Zone; Fireworks Displays, Potomac River, National Harbor, MD” in the **Federal Register** (75 FR 169). We received one comment on the interim rule. No public meeting was requested, and none was held.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Due to the need for immediate action, the restriction of vessel traffic is necessary to protect life, property and the environment; therefore, a 30-day notice is impracticable. Delaying the effective date would be contrary to the safety zone’s intended objectives of protecting persons and vessels involved in the event, and enhancing public and maritime safety.

##### **Background and Purpose**

Fireworks displays are frequently held from locations on or near the navigable waters of the United States. The potential hazards associated with fireworks displays are a safety concern during such events. The purpose of this rule is to promote public and maritime safety during five fireworks displays, and to protect mariners transiting the area from the potential hazards associated with a fireworks display, such as the accidental discharge of fireworks, dangerous projectiles, and falling hot embers or other debris. This rule is needed to ensure safety on the waterway during the scheduled events.

##### **Discussion of Comments and Changes**

The Coast Guard received a total of one piece of correspondence in response to the temporary interim rule. No public meeting was requested and none was held. What follows is a review of, and the Coast Guard’s response to, the issues and questions that were presented by the commenter concerning the interim rule.

The commenter, the sponsor’s representative for the fireworks displays, stated in an e-mail on September 2, 2010 that a date change had occurred for the fireworks display

scheduled on November 18, 2010. The fireworks display will now be held on November 17, 2010.

One change is being made to the temporary final rule to reflect the change in date for the fireworks display. The temporary final rule will now be enforced from 6 p.m. through 11 p.m. on November 17, 2010 and if necessary due to inclement weather, from 6 p.m. through 11 p.m. on November 18, 2010.

##### **Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

##### **Regulatory Planning and Review**

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. Although this safety zone will restrict some vessel traffic, there is little vessel traffic associated with commercial fishing in the area, and recreational boating in the area can transit waters outside the safety zone. In addition, the effect of this rule will not be significant because the safety zone is of limited duration and limited size. For the above reasons, the Coast Guard does not anticipate any significant economic impact.

##### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. 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 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 will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to operate, transit, or anchor in a portion of the Potomac River, located at National Harbor, MD, from 6 p.m. through 11 p.m. on November 17, 2010, and if necessary due to inclement weather, from 6 p.m. through 11 p.m. on November 18, 2010.

This safety zone will not have a significant economic impact on a substantial number of small entities for the following reasons. The safety zone is of limited size and duration. In addition, before the effective periods, the Coast Guard will issue maritime advisories widely available to users of the waterway to allow mariners to make alternative plans for transiting the affected area.

#### Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), in the NPRM we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process.

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.

#### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

#### 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.

#### 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.

#### 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.

#### 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.

#### 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.

#### Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant energy action” under that order because it is not a “significant regulatory action” under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use 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)(g), of the Instruction. This rule involves establishing a temporary safety zone.

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 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. 1226, 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.T05–0776 to read as follows:

#### § 165.T05–0776 Safety Zone; Fireworks Displays, Potomac River, National Harbor, MD.

(a) *Regulated Area.* The following area is a safety zone: All waters in the Potomac River, within an area bounded by a line drawn from the following points: latitude 38°47'18" N, longitude

077°01'01" W; thence to latitude 38°47'11" N, longitude 077°01'26" W; thence to latitude 38°47'25" N, longitude 077°01'33" W; thence to latitude 38°47'32" N, longitude 077°01'08" W; thence to the point of origin, located at National Harbor, Maryland (NAD 1983).

(b) *Regulations.* The general safety zone regulations found in 33 CFR 165.23 apply to the safety zone created by this temporary section, § 165.T05.0776.

(1) All vessels and persons are prohibited from entering this zone, except as authorized by the Coast Guard Captain of the Port Baltimore.

(2) Persons or vessels requiring entry into or passage within the zone must request authorization from the Captain of the Port Baltimore or his designated representative by telephone at 410-576-2693 or on VHF-FM marine band radio channel 16.

(3) All Coast Guard assets enforcing this safety zone can be contacted on VHF-FM marine band radio channels 13 and 16.

(4) The operator of any vessel within or in the immediate vicinity of this safety zone shall:

(i) Stop the vessel immediately upon being directed to do so by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard Ensign, and

(ii) Proceed as directed by any commissioned, warrant or petty officer on board a vessel displaying a Coast Guard Ensign.

(c) *Definitions.* *Captain of the Port Baltimore* means the Commander, Coast Guard Sector Baltimore or any Coast Guard commissioned, warrant or petty officer who has been authorized by the Captain of the Port to act on his behalf.

*Designated representative* means any Coast Guard commissioned, warrant, or petty officer who has been authorized by the Captain of the Port Baltimore to assist in enforcing the safety zone described in paragraph (a) of this section.

(d) *Enforcement.* The U.S. Coast Guard may be assisted by Federal, State and local agencies in the patrol and enforcement of the zone.

(e) *Enforcement period.* This section will be enforced from 6 p.m. through 11 p.m. on November 17, 2010, and if necessary due to inclement weather, from 6 p.m. through 11 p.m. on November 18, 2010.

Dated: October 26, 2010.

**Mark P. O'Malley,**  
Captain, U.S. Coast Guard, Captain of the Port Baltimore.

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**BILLING CODE 9110-04-P**

## POSTAL SERVICE

### 39 CFR Part 111

#### 2011 Changes for Domestic Mailing Services

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service will revise *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) to incorporate standards for the introduction of Address Information System services, for the discontinuation of rigid flats claiming flats prices, and other clarifications.

**DATES:** Effective January 2, 2011.

**FOR FURTHER INFORMATION CONTACT:** Bill Chatfield, 202-268-7278.

**SUPPLEMENTARY INFORMATION:** On July 9 2010, the **Federal Register** published the Postal Service proposed rule, *New Standards for Domestic Mailing Services* (75 FR 39477-39492). We are re-filing separately with the Postal Regulatory Commission (PRC) our request for two incentive programs and for changes in the Move Update tolerance and will publish related standards in a separate **Federal Register** notice. The Postal Service is postponing implementation of any changes directly related to a price change.

This final rule includes changes in terminology for some Standard Mail letter prices, discontinuation of the current exception that allows some rigid flats to claim flats prices, a change in the expression of decimal pounds for Package Services parcels, the list of Address Information System services, and the mailing standards in the DMM to implement the changes. We received no customer comments on these elements of the prior proposed rule.

#### Standard Mail Letters

Currently, nonbarcoded or nonautomation-compatible Standard Mail letters that are mailed at saturation or high density prices pay the corresponding nonautomation Standard Mail flats prices. This causes confusion for both customers and employees regarding mail preparation. For example, mailers often ask if they can enter nonautomation saturation or high density letters at destination delivery unit (DDU) prices, which is allowed for flats but not for letters. Similar confusion exists regarding the price terminology for nonmachinable letters weighing more than 3.3 ounces, which currently default to nonautomation flats prices.

To reduce confusion, we are changing the terminology used for the pricing of

nonbarcoded and/or nonautomation-compatible saturation and high density letters by establishing a separate price table for these pieces. Prices will be the same as for saturation and high density flats. This does not change the applicable prices for these pieces; it only clarifies the application of the current prices.

We also will be using the term "nonmachinable letter prices" to refer to presorted nonmachinable letters weighing more than 3.3 ounces, instead of using the current terminology. Nonmachinable letters over 3.3 ounces will continue to have the same prices as nonautomation flats over 3.3 ounces, but the prices will be called nonmachinable letter prices.

#### Flats

The Postal Service found that rigid flat-size pieces are generally less efficient to handle than non-rigid flats, even when they are able to be sorted by our flat-sorting machines. Therefore, we will eliminate the current option for rigid flats to be eligible for automation prices if they pass a Pricing and Classification Service Center-administered testing process. The current flexibility test will remain as described in DMM 301.1.3.

#### Parcels

Parcel Post®, Bound Printed Matter (BPM), Media Mail®, and Library Mail single-piece parcel weights will be calculated by rounding off to two decimal places, instead of the current four decimal places.

#### Special and Other Services

*Address Information System Products and Services*

Address Management at the USPS® National Customer Support Center (NCSC) in Memphis, TN, provides value-added product and service offerings that enable customers to better manage the quality of their mailing lists while maximizing the Postal Service's ability to deliver mail efficiently. Our changes add a comprehensive list of address information system products and services available from the NCSC. The prices for these items will be incorporated into Notice 123—*Price List*.

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