The Coast Guard has carefully coordinated the restrictions with commercial and recreational waterway users. The Coast Guard will use Local and Broadcast Notice to Mariners to inform all users of the waterways of the closure periods for the bridges so that vessels can arrange their transits to minimize any impacts caused by the temporary deviations. In accordance with 33 CFR 117.35(e), the draw must return to its regular operating schedule immediately at the end of the designated time period.

This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: June 23, 2011.

By direction of the Commander.

Waverly W. Gregory, Jr.,
Bridge Program Manager, Fifth Coast Guard District.

[FR Doc. 2011–16915 Filed 7–5–11; 8:45 am]

BILLING CODE 9110–04–P

POSTAL SERVICE

39 CFR Part 111

Shortpaid and Unpaid Information-Based Indicia (IBI) Postage and Shortpaid Express Mail Postage

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service will revise Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM®) 604.4, 604.8, and 604.10, to implement revenue protection procedures for mailpieces entered with shortpaid and unpaid Information Based Indicia (IBI) postage payment and to implement revenue protection procedures for shortpaid Express Mail® postage.

DATES: Effective September 6, 2011.

FOR FURTHER INFORMATION CONTACT: Carla Sherry at 703–280–7068, or Carol A. Lunkins at 202–268–7262.

SUPPLEMENTARY INFORMATION: On February 22, 2011, the Postal Service published the Federal Register proposed rule, Shortpaid and Unpaid Information-Based Indicia (IBI) Postage and Shortpaid Express Mail Postage, Revised Proposal (76 FR 9702–9705). The Postal Service received four comments and gave them each consideration and will adopt the proposed rule with minor revisions.

Comments

One commenter raised concerns about the ability of customers who pay postage with IBI postage meters to use an existing account and/or payment method in lieu of a credit card to pay revenue deficiencies. At the present time, the Postal Service will not permit customers to use existing accounts and/or payment methods in lieu of credit cards to pay revenue deficiencies, but this may be a future consideration.

One commenter expressed concern regarding the Postal Service’s proposal to use an electronic notification process to recover revenue deficiencies from customers using IBI postage meters. Only customers who pay postage with postage evidencing systems with e-mail addresses either on file with the Postal Service or with whom the Postal Service has an agreement and a process in place to obtain e-mail addresses will receive an electronic notification. If a customer’s e-mail address is not available, the Postal Service will use other existing processes to recover revenue deficiencies.

One commenter asked for clarification of “other non-electronic processes” that will be used to identify shortpaid and unpaid postage. In the event that the new electronic processes are unavailable, the Postal Service will use existing methods to collect unpaid and shortpaid IBI postage. The Postal Service is making a minor change in the language to state, “In the event that electronic processes are unavailable, other existing processes may be used to recover revenue deficiency as required.”

One commenter asked for clarification regarding the procedures for remedying postage deficiencies generated from Click-N-Ship. The Postal Service is making a minor change to further clarify that the new automated procedures for detecting and recovering postage deficiencies apply to shortpaid and unpostage generated from Click-N-Ship. However, this does not preclude the use of existing processes to identify or recover postage deficiencies. For items with shortpaid IBI postage that is generated from Click-N-Ship, the Postal Service will continue to allow mailers to remit payments for such postage deficiencies via Click-N-Ship and follow the existing postage deficiency process.

With this final rule, the Postal Service implements new procedures to manage shortpaid Express Mail postage and a new process to detect mailpieces with shortpaid and unpaid IBI postage generated from the following postage evidencing systems: Click-N-Ship®, IBI postage meters, and PC Postage® products.

The Postal Service also implements a new USPS Web-based resolution process to remedy shortpaid and unpaid IBI postage payment deficiencies; a process to dispute shortpaid and unpaid IBI postage deficiency assessments; and a process to appeal USPS decisions relative to shortpaid and unpaid IBI postage. During this process, customers will be notified electronically of the postage deficiency and be provided a link to a specific USPS Web-based customer payment portal to resolve the shortage. In addition to this new process, the Postal Service will continue to use the existing postage deficiency payment process for shortpaid and
unpaid postage generated by Click-N-Ship.

**Express Mail Shortpaid Procedure**

For an Express Mail Next Day, Second Day, Military, or Custom Designed Service item received at the origin office of mailing with insufficient postage, the mailer is contacted to correct the postage deficiency prior to dispatch of the Express Mail item. If the mailer cannot be contacted before dispatch from the origin office, or if the Express Mail item with insufficient postage is identified during processing operations or at the destination Post Office, the Express Mail item is endorsed “Postage Due”, marked to show the total deficiency of postage and fees, and then dispatched to the destination Post Office for delivery to the addressee upon payment of the deficiency.

If the addressee refuses to pay the postage due amount, the Express Mail item is returned to the original sender. If the original sender chooses to re-mail the item, a new Express Mail label and new postage and fees must be affixed.

**Postage Evidencing Systems**

Postage meters, PC Postage products, and Click-N-Ship are collectively identified as “postage evidencing systems.” A postage evidencing system is a device or system of components a customer uses to print evidence that postage required for mailing has been paid.

**Information-Based Indicia**

Information-Based Indicia (IBI) are digitally generated indicia that include a two-dimensional barcode.

**Revenue Deficiency**

Revenue deficiency includes both shortpaid and unpaid postage which occurs when any mailpiece has less postage than required for the applicable price category and associated class, weight, shape, zone, and extra services. Shortpaid postage is revenue deficiency for which the valid postage on a mailpiece is less than the amount due.

Unpaid postage is a revenue deficiency for which postage is deficient due to the lack of affixed postage or the use of counterfeited, replicated, duplicated, falsified, or otherwise modified postage.

**Detection Process for Revenue Deficiency**

When potential shortpaid or unpaid IBI postage is detected on a mailpiece, the Postal Service will subsequently verify the postage to ensure its validity and determine whether the amount is sufficient. When the IBI postage on a mailpiece is confirmed to be shortpaid or unpaid, the corrective measures outlined below will be taken to recover the applicable revenue deficiency.

**Electronic Notification of Revenue Deficiencies**

In most cases, the Postal Service will electronically notify both the mailer and the postage evidencing system service provider of the revenue deficiency and deliver the mailpiece to the addressee. The electronic notification provides a link to the USPS® Web-based customer payment portal that will enable the mailer to pay or dispute the revenue deficiency. In the event that electronic means are unavailable, other existing processes may be used to recover revenue deficiencies as required.

**Resolution Process**

Where applicable, the Postal Service will provide a resolution process that will be accessible through the USPS Web-based customer payment portal to enable mailers to pay, dispute or appeal revenue deficiencies for IBI postage generated from postage evidencing systems. These processes are outlined below.

**Payment Process**

The mailer has 14 days from the date that the Postal Service sends the revenue deficiency electronic notification to pay the deficiency. The payment process is as follows:

- During the 14-day resolution period, the mailer must remit the payment for the revenue deficiency by accessing the USPS Web-based customer payment portal or through an otherwise authorized Postal Service payment method as indicated in the electronic notification.
- After 14 days, if a mailer has not paid or taken action to dispute a revenue deficiency, the Postal Service will notify the mailer’s postage evidencing system service provider to temporarily suspend the mailer’s account.

**Denied Disputes and the Appeal Process**

When a dispute is denied, the mailer has 7 days from the date that the Postal Service sends the electronic notification of the denial to pay the revenue deficiency or to file an appeal. The mailer may pay the deficiency or appeal the decision by accessing the USPS Web-based customer payment portal or through an otherwise authorized Postal Service payment or appeal method as indicated in the electronic notification. The Postal Service will make a final
decision regarding the appeal request. If the
Postal Service upholds the mailer’s
appeal, the Postal Service will notify
the mailer of the decision, and the mailer
is required to take no further action. The
appeal process is as follows:
• The appeal process requires that
the mailer provide additional evidence to
substantiate that the postage affixed was
valid and sufficient for the postage and
service fees associated with the
mailpiece.
• After 7 days, if a mailer has not
taken action to pay or appeal the
revenue deficiency denied in the
dispute request, the Postal Service
may notify the mailer’s postage evidencing
system service provider to temporarily
suspend the mailer’s account.
• When an electronic notification that
is sent to a mailer is undeliverable, the
Postal Service may notify the mailer’s
postage evidencing system service
provider to temporarily suspend the
mailer’s account prior to the end of the
7-day period.
• When a mailer’s cumulative
revenue deficiency continues to
increase during this 7-day period, the
Postal Service may notify the mailer’s
postage evidencing system service
provider to temporarily suspend the
mailer’s account prior to the end of the
7-day period.

Denied Appeals
When the Postal Service denies the
appeal request, the mailer will be
notified of the decision. The mailer
must then pay the revenue deficiency,
within 7 days from the date that of the
electronic notification of appeal denial,
by accessing the USPS Web-based
customer payment portal or through an
otherwise authorized Postal Service
payment method as indicated in the
electronic notification. The process for
denied appeals is as follows:
• If a mailer has not taken action to
pay the revenue deficiency within 7
days, the Postal Service notifies the
mailer’s postage evidencing system service
provider to suspend the mailer’s account.
• If the electronic notification to a
mailer is undeliverable, the Postal
Service may notify the mailer’s postage
evidencing system service provider to
suspend the mailer’s account prior to
the end of the 7-day period.
• If a mailer’s cumulative revenue
deficiency continues to increase during
this 7-day period, the Postal Service
may notify the mailer’s postage
evidencing system service provider to
suspend the mailer’s account prior to
the end of the 7-day period.

Denial of Use of Postage Evidencing
Systems
When a mailer fails to meet the
standards, submits false or incomplete
information, or deposits shortpaid and
unpaid mailpieces in the mailstream, the
Postal Service may deny a mailer use of a postage evidencing system.
Any mailer who deposits mailpieces
with shortpaid or unpaid IBI postage or
fees may be subject to some or all of the
following proposed actions:
• Collection of the shortpaid or
unpaid postage.
• Revocation of the mailer’s account
privileges.
• Civil and criminal fines and
penalties pursuant to existing Federal
law.

The Postal Service adopts the
following changes to Mailing Standards of
the United States Postal Service,
Domestic Mail Manual (DMM), which is incorporated by reference in the Code of

4.2 Authorization To Use Postage
Evidencing Systems
* * * * *

4.2.4 Denial of Use
[Revise 4.2.4 as follows:] The mailer authorized to use a
postage evidencing system may be
denied use when the mailer:
• Fails to comply with mailing
standards.
• Submits false or incomplete
information.
• Enters shortpaid or unpaid
mailpieces into the mailstream.

4.2.5 Surrender of Postage Evidencing
System
If authorization to use a Postage
Evidencing System is denied, the mailer
must surrender the systems, upon
request, to the service provider, USPS,
or USPS authorized agent.

4.2.6 Appeal Process
[Revise text of renumbered 4.2.6 as
follows:] Appeals regarding standards in this
section or on the basis of
noncompliance may be filed as follows:
• IBI postage mailers must appeal
under 4.4.8.
• A mailer may appeal to
the Postal Service, USPS,
and USPS authorized agent.

4.3 Postage Payment
4.3.1 Paying for Postage
[Revise the first sentence of 4.3.1 as
follows:] The value of the postage on each
mailpiece must be equal to or greater
than the amount due for the applicable
price and any extra service fees, or
another amount permitted by mailing
standards. * * *

4.0 Postage Meters and PC Postage
Products ("Postage Evidencing
Systems")
4.1 Basic Information
* * * *[Revise items 4.2.1 and 4.2.2 as follows:]
h. PC Postage products allow mailers
to purchase and print postage with
Information-Based Indicia (IBI) directly
onto mailpieces, shipping labels, and
USPS-approved customized labels.

4.4 Shortpaid and Unpaid
Information-Based Indicia (IBI)
4.4.1 Definitions
Mailpieces bearing shortpaid postage
are those for which the total postage and
4.4.5 Resolution Process

A resolution process is provided through the Web-based customer payment portal.

4.4.6 Payment Process

The mailer must make payment within 14 days from the date the Postal Service sends the electronic notification by accessing the Web-based customer payment portal or choose another method identified in the notification. Any mailer disputes regarding the revenue deficiency must be made during this 14-day period. The postage evidencing system service provider may be notified to temporarily suspend the mailer’s account under the following conditions:

a. After 14 days, if a mailer has not paid the revenue deficiency.

b. When an electronic notification to a mailer is undeliverable.

c. When a mailer’s cumulative revenue deficiency increases during the 14-day period due to additional mailpieces being identified as shortpaid or unpaid.

4.4.7 Dispute Process

Mailers wishing to dispute the deficiency payment must do so within 14 days by accessing the Web-based customer payment portal or other method identified in the electronic notification and substantiate that the postage affixed was valid and sufficient for the postage and applicable fees. An electronic notification is sent to the mailer of the decision to uphold or deny the dispute. If the Postal Service upholds the dispute, the mailer is not required to take further action.

4.4.8 Denied Disputes and the Appeal Process

If a dispute of a revenue deficiency is denied, the mailer has 7 days from the date of the electronic notification to file an appeal, by accessing the Web-based customer payment portal or choosing another method identified in the notification. The mailer must provide additional evidence to substantiate that the postage affixed was valid and sufficient for the postage and fees. If the appeal decision is upheld, the mailer takes no further action. The Postal Service may notify the postage evidencing system service provider to temporarily suspend the mailer’s account under the following conditions:

a. After 7 days, if a mailer has not paid or appealed the revenue deficiency.

b. When an electronic notification to a mailer is undeliverable.

c. When a mailer’s cumulative revenue deficiency increases during the 7-day period due to additional mailpieces being identified as shortpaid or unpaid.

8.0 Insufficient or Omitted Postage

8.1 Insufficient Postage

8.1.1 Definition

[Revise the second and third sentences of 8.1.1, and add a new fourth sentence as follows:]

* * * Such individual pieces (or quantities fewer than 10) are delivered to the addressee on payment of the charges marked on the mail. For mailings of 10 or more pieces, the mailer is notified so that the postage charges may be paid before dispatch. For any mailpiece with insufficient postage generated by postage evidencing systems, the USPS may follow the process in 4.4.4 through 4.4.9.

* * * * *

[Renumber current item 8.1.7 as 8.1.8 and add new 8.1.7 as follows:]

8.1.7 Express Mail Corporate Accounts and Federal Agency Accounts

Express Mail Corporate accounts and Federal government accounts that use a “Postage and Fees Paid” indicia are debited for the correct amount of postage and fees at the time of mailing.

[Revise the heading and text of renumbered 8.1.8 as follows:]

8.1.8 Express Mail With Insufficient Postage—Acceptance

When Express Mail items are received at the office of mailing with insufficient postage, the Postal Service will contact the mailer to correct the postage deficiency prior to dispatch of the item. If the mailer cannot be contacted prior to dispatch, the deficiency is handled under 8.1.9.

[Add new items 8.1.9 through 8.1.11 as follows:]

8.1.9 Express Mail With Insufficient Postage—Processing Operations

For Express Mail items with insufficient postage that are identified during processing operations or at the destination Post Office, the Postal Service will:

a. Endorse the item “Postage Due.”

b. Mark the item to show the total deficiency of postage and fees.

c. Deliver the item to the addressee upon payment of the postage due.

d. If payment is refused by addressee, endorse the item “Return to Sender—Refused” and return the item to the sender, upon collection of the postage deficiency.
ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52


Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District, Kern County Air Pollution Control District, and Ventura County Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the Imperial County Air Pollution Control District (ICAPCD), Kern County Air Pollution Control District (KCAPCD), and Ventura County Air Pollution Control District (VCAPCD) portions of the California State Implementation Plan (SIP). These revisions concern volatile organic compound (VOC) emissions from architectural coating operations. We are approving local rules that regulate these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act).

DATES: This rule is effective on September 6, 2011 without further notice, unless EPA receives adverse comments by August 5, 2011. If we receive such comments, we will publish a timely withdrawal in the Federal Register to notify the public that this direct final rule will not take effect.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2011–0198, by one of the following methods:

2. E-mail: steckel.andrew@epa.gov.
3. Mail or deliver: Andrew Steckel (Air–4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments 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 Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through http://www.regulations.gov or e-mail. http://www.regulations.gov is an “anonymous access” system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. 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: The index to the docket for this action is available electronically at http://www.regulations.gov and in hard copy at EPA Region IX, 75 Hawthorne Street, San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the FOR FURTHER INFORMATION CONTACT section.

FOR FURTHER INFORMATION CONTACT:
David Grounds, EPA Region IX, (415) 972–3019, grounds.david@epa.gov.

SUPPLEMENTARY INFORMATION:
Throughout this document, “we,” “us,” and “our” refer to EPA.

Table of Contents

I. The State’s Submittal
A. What rules did the State submit?
B. Are there other versions of these rules?
C. What is the purpose of the submitted rule revisions?

II. EPA’s Evaluation and Action
A. How is EPA evaluating the rules?
B. Do the rules meet the evaluation criteria?
C. EPA Recommendations to Further Improve the Rules
D. Public Comment and Final Action

III. Statutory and Executive Order Reviews

I. The State’s Submittal

A. What rules did the State submit?

Table 1 lists the rules we are approving with the dates that they were adopted by the local air agencies and submitted by the California Air Resources Board.

<table>
<thead>
<tr>
<th>Local agency</th>
<th>Rule No.</th>
<th>Rule title</th>
<th>Amended</th>
<th>Submitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICAPCD</td>
<td>424</td>
<td>Architectural Coatings</td>
<td>02/23/10</td>
<td>07/20/10</td>
</tr>
</tbody>
</table>