

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2012–0153 and are available online at [www.regulations.gov](http://www.regulations.gov), inserting USCG–2012–0153 in the “Keyword” 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 email Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 668–7165, email [judy.k.leung-ye@uscg.mil](mailto:judy.k.leung-ye@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** The Metro North (Peck) Bridge, across the Pequonnock River, mile 0.3, at Bridgeport, Connecticut, has a vertical clearance in the closed position of 26 feet at mean high water and 32 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.219(b).

The operator of the bridge, Metro North Railroad, requested a temporary deviation from the regulations to facilitate scheduled bridge maintenance, miter rail repair, at the bridge.

The waterway users are recreational vessels and commercial lobster boats. The Metro North (Peck) Bridge rarely opens for vessel traffic. The bridge has received no requests to open during the past three years except for bridge testing and repairs.

Under this temporary deviation the Metro North (Peck) Bridge may remain in the closed position from April 15, 2012 through June 30, 2012. Vessels that can pass under the bridge in the closed position may do so at all times.

The waterway users were advised of the requested bridge closure and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge 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: March 1, 2012.

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2012–7130 Filed 3–23–12; 8:45 am]

**BILLING CODE 9110–04–P**

## POSTAL SERVICE

### 39 CFR Parts 4, 6, and 7

#### Bylaws of the Board of Governors

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** On March 24, 2010, the Board of Governors of the United States Postal Service adopted a number of amendments to the Board’s Bylaws. These amendments revised and clarified the provisions concerning the election and terms of office of the Board Chairman and Vice-Chairman. The amendments also formalized the process for notation voting (voting by paper ballot) on routine or administrative matters. This final rule incorporates the changes adopted by the Board.

**DATES:** These amendments to the Code of Federal Regulations are effective March 26, 2012.

**FOR FURTHER INFORMATION CONTACT:** Julie S. Moore, Secretary of the Board, U.S. Postal Service, 475 L’Enfant Plaza SW., Washington, DC 20260–1000. Telephone: (202) 268–4800.

**SUPPLEMENTARY INFORMATION:** This document publishes amendments to 39 CFR Parts 4, 6, and 7, conforming to amendments to the Bylaws of the Board of Governors of the United States Postal Service. In part 4, the Board revised §§ 4.1 and 4.2 to establish December 1 as the regular commencement date of the terms of office of the newly-elected Board Chairman and Vice-Chairman. In part 6 (with a conforming amendment to part 7), the Board added a new § 6.7 to formalize the process for notation voting by paper ballot on routine, non-controversial, and administrative matters.

#### List of Subjects in 39 CFR Parts 4, 6, and 7

Administrative practice and procedure, Organization and functions (Government agencies), Postal Service.

Accordingly, for the reasons stated, 39 CFR Parts 4, 6, and 7 are amended as follows:

#### PART 4—OFFICIALS (ARTICLE IV)

■ 1. The authority citation for part 4 continues to read as follows:

**Authority:** 39 U.S.C. 202–205, 401(2), (10), 402, 1003, 3013, 3686.

■ 2. Section 4.1 is revised to read as follows:

##### § 4.1 Chairman.

(a) The Chairman of the Board of Governors is elected by the Governors

from among the members of the Board. The Chairman:

(1) Shall be elected at the Board’s regularly scheduled November meeting for a term that commences on December 1 of the calendar year in which the election occurred, or upon the death, departure or resignation of the current Chairman, whichever occurs first, and expires upon the election and installation of a successor Chairman;

(2) Shall preside at all regular and special meetings of the Board, and shall set the agenda for such meetings;

(3) Shall select and appoint the chairman, vice chairman (if any), and members of any committee properly established by the Board.

(b) If the Postmaster General is elected Chairman of the Board, the Governors shall also elect one of their number to preside during proceedings dealing with matters upon which only the Governors may vote.

(c) In the event of the Chairman’s death, departure or resignation prior to the election of a successor, the Board, as soon as practicable, shall elect a new Chairman who shall serve a term that commences immediately upon election and expires upon the election and installation of a successor Chairman.

(d)(1) Upon the election and installation of a new Chairman of the Board, the immediate past Chairman shall become Chairman Pro Tempore of the Board, to preside during the absence of the Chairman and Vice Chairman at any meeting of the Board during the year or years following the immediate past Chairman’s tenure as Chairman and until another Chairman has been elected.

(2) The Chairman Pro Tempore shall, at the request of the Chairman or Vice Chairman, serve as the representative of the Board of Governors at conferences, trade shows, ceremonial functions and other meetings important to Postal Service business.

■ 3. Section 4.2 is revised to read as follows:

##### § 4.2 Vice Chairman.

The Vice Chairman is elected by the Governors from among the members of the Board and shall perform the duties and exercise the powers of the Chairman during the Chairman’s absence or disability. The Vice Chairman is elected at the Board’s regularly scheduled November meeting for a term that commences on December 1 of the calendar year in which the election occurred or upon the death, departure or resignation of the current Vice Chairman, whichever occurs first, and expires upon the election and installation of a successor Vice

Chairman. In the event of the Vice Chairman's death, departure or resignation prior to the election of a successor, the Board, as soon as practicable, shall elect a new Vice Chairman who shall serve a term that commences immediately upon election and expires upon the election and installation of a successor Vice Chairman.

## PART 6—MEETINGS (ARTICLE VI)

■ 4. The authority citation for part 6 continues to read as follows:

**Authority:** 39 U.S.C. 202, 205, 401(2), (10), 1003, 3622; 5 U.S.C. 552b(e), (g).

■ 5. Section 6.6 is amended by revising the introductory text to read as follows:

### § 6.6 Quorum and voting.

As provided by 39 U.S.C. 205(c), and except for routine, non-controversial, and administrative matters considered through the notation voting process described in § 6.7, the Board acts by resolution upon a majority vote of those members who attend a meeting in person or by teleconference. No proxies are allowed in any vote of the members of the Board. Any 6 members constitute a quorum for the transaction of business by the Board, except:

\* \* \* \* \*

■ 6. Section 6.7 is added to read as follows:

### § 6.7 Notation voting.

(a) *General.* Notation voting consists of the circulation of written memoranda and voting sheets to each member of the Board simultaneously and the tabulation of submitted responses. Notation voting may be used only for routine, non-controversial, and administrative matters.

(b) *Administrative Responsibility.* The Secretary of the Board is responsible for:

- (1) Distributing notation voting memoranda and voting sheets;
- (2) Establishing deadlines for notation voting sheets to be completed and returned;
- (3) Processing and tabulating all notation voting sheets; and
- (4) Determining whether further action is required.

(c) *Veto of notation voting.* In view of the public policy for openness reflected in the Government in the Sunshine Act and in these bylaws, each Board member is authorized to veto the use of notation voting for the consideration of any matter. If a Board member vetoes the use of notation voting, the Secretary must notify all members of such action, and must promptly take action to place the particular matter on the agenda of

the next regularly scheduled Board meeting following the date of the veto, or to schedule a teleconference to consider the matter, as appropriate.

(d) *Disclosure of result.* The Secretary shall maintain all records pertaining to Board actions taken pursuant to the notation voting process, and shall make such records available for public inspection, consistent with the Freedom of Information Act, 5 U.S.C. 552.

## PART 7—PUBLIC OBSERVATION (ARTICLE VII)

■ 7. The authority citation for part 7 continues to read as follows:

**Authority:** 39 U.S.C. 410; 5 U.S.C. 552b(a)-(m).

■ 8. Section 7.1 is amended by revising the final sentence of paragraph (b) to read as follows:

### § 7.1 Definitions.

\* \* \* \* \*

(b) \* \* \* The term "meeting" does not include any procedural deliberations required or permitted by §§ 6.1, 6.2, 7.4, or 7.5 of the bylaws in this chapter, or the notation voting process described in § 6.7 of the bylaws in this chapter.

**Stanley F. Mires,**

*Attorney, Legal Policy & Legislative Advice.*

[FR Doc. 2012-7098 Filed 3-23-12; 8:45 am]

**BILLING CODE 7710-12-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R09-OAR-2011-0130, FRL-9612-7]

### Approval and Promulgation of Air Quality Implementation Plans; State of Nevada; Regional Haze State Implementation Plan

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

**ACTION:** Final rule.

**SUMMARY:** EPA is finalizing its approval of most of the Nevada Regional Haze State Implementation Plan (SIP) that implements the Clean Air Act (CAA) Regional Haze Rule requiring states to prevent any future and remedy any existing man-made impairment of visibility in mandatory Class I areas through a regional haze program. EPA proposed to approve all parts of Nevada's SIP revisions on June 22, 2011 (76 FR 36450). This final approval applies to all aspects of Nevada's SIP except for that portion of Nevada's determination regarding the Best

Available Retrofit Technology (BART) to reduce nitrogen oxide (NO<sub>x</sub>) emissions at the Reid Gardner Generating Station (RGGG). We will take action on BART for NO<sub>x</sub> at RGGG in a future notice.

**DATES:** *Effective Date:* This rule is effective on April 25, 2012.

**ADDRESSES:** EPA has established docket number EPA-R09-OAR-2011-0130 for this action. Generally, documents in the docket are available electronically at <http://www.regulations.gov> or in hard copy at EPA Region 9, 75 Hawthorne Street, San Francisco, California. Please note that while many of the documents in the docket are listed at <http://www.regulations.gov>, some information may not be specifically listed in the index to the docket and may be publicly available only at the hard copy location (e.g., copyrighted material, large maps, multi-volume reports or otherwise voluminous materials), and some may not be available at either locations (e.g., confidential business information). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed directly below.

### FOR FURTHER INFORMATION CONTACT:

Thomas Webb, U.S. EPA, Region 9, Planning Office, Air Division, Air-2, 75 Hawthorne Street, San Francisco, CA 94105. Thomas Webb can be reached at telephone number (415) 947-4139 and via electronic mail at [webb.thomas@epa.gov](mailto:webb.thomas@epa.gov).

### SUPPLEMENTARY INFORMATION:

Throughout this document, wherever "we," "us," or "our," is used, we mean the United States Environmental Protection Agency (EPA).

### Table of Contents

- I. Background
  - A. Description of Regional Haze
  - B. History of Regional Haze Regulations
  - C. Our Proposed Action
- II. BART Determination for NO<sub>x</sub> at Reid Gardner
  - A. Background
  - B. NDEP's Determination
  - C. Public Comments Relevant to NDEP's Determination
  - D. EPA's Analysis
- III. EPA Responses to Public Comments
  - Except BART for NO<sub>x</sub> at RGGG
    - A. Reasonable Progress Goal
    - B. Long-Term Strategy
    - C. BART for SO<sub>2</sub> and PM<sub>10</sub> at Reid Gardner
    - D. Corrections to EPA's Technical Analysis
- IV. EPA Action
- V. Statutory and Executive Order Reviews

### I. Background

#### A. Description of Regional Haze

Regional haze is the impairment of visibility across a broad geographic area produced by numerous sources and