

**DATES:** The second meeting of the ACCESS Advisory Committee will be held on June 14 and 15, 2016, from 9 a.m. to 5 p.m., Eastern Daylight Time.

**ADDRESSES:** The meeting will be held at the Capital Hilton, 1001 16th Street NW., Washington DC 20036, in the Congressional Room. Attendance is open to the public up to the room's capacity of 150 attendees. Since space is limited, any member of the general public who plans to attend this meeting must notify the registration contact identified below no later than June 7, 2016.

**FOR FURTHER INFORMATION CONTACT:** To register to attend the meeting, please contact Alyssa Battle ([Abattle@linkvisum.com](mailto:Abattle@linkvisum.com); 703-442-4575 extension 127) or Kyle Illgenfritz ([kilgenfritz@linkvisum.com](mailto:kilgenfritz@linkvisum.com); 703-442-4575 extension 128). For other information, please contact Livaughn Chapman or Vinh Nguyen, Office of the Aviation Enforcement and Proceedings, U.S. Department of Transportation, by email at [livaughn.chapman@dot.gov](mailto:livaughn.chapman@dot.gov) or [vinh.nguyen@dot.gov](mailto:vinh.nguyen@dot.gov) or by telephone at 202-366-9342.

**SUPPLEMENTARY INFORMATION:**

**I. Second Public Meeting of the ACCESS Committee**

The second meeting of the ACCESS Advisory Committee will be held on June 14 and 15, 2016, from 9:00 a.m. to 5:00 p.m., Eastern Daylight Time. The meeting will be held at the Capital Hilton, 1001 16th Street NW., Washington DC 20036, in the Congressional Room. At the meeting, the ACCESS Advisory Committee will continue to address whether to require accessible inflight entertainment (IFE) and strengthen accessibility requirements for other in-flight communications, whether to require an accessible lavatory on new single-aisle aircraft over a certain size, and whether to amend the definition of "service animals" that may accompany passengers with a disability on a flight. This meeting will include reports from working groups formed to address the three issues listed above. Prior to the meeting, the agenda will be available on the ACCESS Advisory Committee's Web site, [www.transportation.gov/access-advisory-committee](http://www.transportation.gov/access-advisory-committee). The agenda will also be posted to the Federal Docket Management System (FDMC), Docket Number DOT-OST-2015-0246. Information on how to access advisory committee documents via the FDMC is contained in Section III, below.

The meeting will be open to the public. Attendance will be limited by the size of the meeting room (maximum

150 attendees). Because space is limited, we ask that any member of the public who plans to attend the meeting notify the registration contact, Alyssa Battle ([Abattle@linkvisum.com](mailto:Abattle@linkvisum.com); 703-442-4575 extension 127) or Kyle Illgenfritz ([kilgenfritz@linkvisum.com](mailto:kilgenfritz@linkvisum.com); 703-442-4575 extension 128) at Linkvisum, no later than June 7, 2016. At the discretion of the facilitator and the Committee and time permitting, members of the public are invited to contribute to the discussion and provide oral comments.

**II. Submitting Written Comments**

Members of the public may submit written comments on the topics to be considered during the meeting by June 7, 2016, to FDMC, Docket Number DOT-OST-2015-0246. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. DOT recommends that you include your name and a mailing address, an email address, or a phone number in the body of your document so that DOT can contact you if there are questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, put the docket number, DOT-OST-2015-0246, in the keyword box, and click "Search." When the new screen appears, click on the "Comment Now!" button and type your comment into the text box on the following screen. Choose whether you are submitting your comment as an individual or on behalf of a third party and then submit. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

**III. Viewing Comments and Documents**

To view comments and any documents mentioned in this preamble as being available in the docket, go to [www.regulations.gov](http://www.regulations.gov). Enter the docket number, DOT-OST-2015-0246, in the keyword box, and click "Search." Next, click the link to "Open Docket Folder" and choose the document to review. If you do not have access to the Internet, you may view the docket online by visiting the Docket Management Facility in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., E.T., Monday through Friday, except Federal holidays.

**IV. ACCESS Advisory Committee Charter**

The ACCESS Advisory Committee is established by charter in accordance with the Federal Advisory Committee

Act (FACA), 5 U.S.C. App. 2. Secretary of Transportation Anthony Foxx approved the ACCESS Advisory Committee charter on April 6, 2016. The committee's charter sets forth policies for the operation of the advisory committee and is available on the Department's Web site at [www.transportation.gov/office-general-counsel/negotiated-regulations/charter](http://www.transportation.gov/office-general-counsel/negotiated-regulations/charter).

**V. Privacy Act**

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its rulemaking process. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy).

**VI. Future Committee Meetings**

DOT anticipates that the ACCESS Advisory Committee will have four additional two-day meetings in Washington DC. The meetings are tentatively scheduled for following dates: third meeting, July 11-12; fourth meeting, August 16-17; fifth meeting, September 22-23, and the sixth and final meeting, October 13-14. Notices of all future meetings will be published in the **Federal Register** at least 15 calendar days prior to each meeting.

Notice of this meeting is being provided in accordance with the Federal Advisory Committee Act and the General Services Administration regulations covering management of Federal advisory committees. See 41 CFR part 102-3.

Issued under the authority of delegation in 49 CFR 1.27(n).

Dated: May 25, 2016.

**Judith S. Kaleta,**

*Acting General Counsel.*

[FR Doc. 2016-12882 Filed 5-31-16; 8:45 am]

**BILLING CODE 4910-9X-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG-2016-0173]

**RIN 1625-AA09**

**Drawbridge Operation Regulation; Hackensack River, Jersey City, NJ**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to temporarily modify the operating schedule that governs the Route 1 & 9 (Lincoln Highway) Bridge across the Hackensack River, mile 2.0, Jersey City, New Jersey. The bridge owner, New Jersey Department of Transportation, submitted a request to restrict bridge openings during the morning and afternoon rush hour periods to alleviate traffic congestion resulting from area roadway closures. It is expected that this change to the regulations would provide relief to vehicular traffic while continuing to meet the reasonable needs of navigation.

**DATES:** Comments and related material must reach the Coast Guard on or before August 1, 2016.

**ADDRESSES:** You may submit comments identified by docket number USCG–2016–0173 using Federal eRulemaking Portal at <http://www.regulations.gov>.

See the “Public Participation and Request for Comments” portion of the Supplementary Information section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or email Mr. Joe M. Arca, Project Officer, First Coast Guard District, telephone (212) 514–4336, email [joe.m.arca@uscg.mil](mailto:joe.m.arca@uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**I. Table of Abbreviations**

CFR	Code of Federal Regulations
DHS	Department of Homeland Security
E.O.	Executive order
FR	Federal Register
NPRM	Notice of proposed rulemaking
SNPRM	Supplemental notice of proposed rulemaking
Pub. L.	Public Law
§	Section
U.S.C.	United States Code

**II. Background, Purpose and Legal Basis**

The Route 1 & 9 (Lincoln Highway) Bridge at mile 2.0, across the Hackensack River between Kearny and Jersey City, New Jersey, has a vertical clearance of 40 feet at mean high water and 45 feet at mean low water. The waterway users include recreational and commercial vessels.

The owner of the bridge, New Jersey Department of Transportation, submitted a request to the Coast Guard to temporarily change the drawbridge operating regulations.

The purpose of this temporary rule is to help provide relief from vehicular traffic congestion during the morning and afternoon vehicular rush hour periods due to local construction detours. Vehicular traffic on the bridge

has increased due to additional traffic detoured from the adjacent Pulaski Skyway Bridge, which is currently under construction to replace its deck. Construction on the Pulaski Skyway Bridge is expected to continue through September 2017.

The existing regulations require the bridge to open on signal at all times. Under this proposed temporary rule the Route 1 & 9 (Lincoln Highway) Bridge would open on signal, except that the draw need not open for the passage of vessel traffic between 6 a.m. and 10 a.m. and 2 p.m. and 6 p.m., Monday through Friday, except holidays.

Tide dependent deep draft vessels may request bridge openings during the rush hour closure periods provided that at least a twelve hour advance notice is given by calling the number posted at the bridge, which is (973) 589–5143.

**III. Discussion of Proposed Rule**

The Coast Guard proposes to change the drawbridge operation regulations at 33 CFR 117.723 by adding paragraph (k). This change will facilitate additional vehicular traffic detoured from the Pulaski Skyway Bridge which is expected to be under construction through September 30, 2017.

The Coast Guard believes it is reasonable to allow the Route 1 & 9 (Lincoln Highway) Bridge to remain in the closed position during the morning and afternoon rush hours to accommodate the anticipated 40,000 vehicles, daily, detoured from the Pulaski Skyway Bridge. Given the additional detoured vehicular traffic, if the Route 1 & 9 Bridge opened frequently for vessel traffic during the morning and afternoon rush hours, it would likely result in significant vehicular traffic delays and could negatively impact the ability of emergency vehicles to respond.

Review of the bridge logs in the last three years shows that the bridge openings average 25 per month.

Tide dependent deep draft vessels may request bridge openings between 6 a.m. and 10 a.m. and between 2 p.m. and 6 p.m. provided that at least a twelve hour advance notice is given by calling the number posted at the bridge. The twelve hour advance notice requirement for bridge openings during the rush hour periods gives tide dependent deep draft vessels ample time to plan and optimize their transits through the waterway, and also gives the bridge owner the opportunity to alert commuters of any expected delays caused by pending bridge openings.

Other vessels can still transit the bridge outside the rush hours. It is our opinion that this temporary rule meets

the reasonable needs of marine and vehicular traffic.

**IV. Regulatory Analyses**

We developed this proposed rule after considering numerous statutes and Executive Orders related to rulemaking. Below we summarize our analyses based on these statutes and Executive Orders and we discuss First Amendment rights of protestors.

*A. Regulatory Planning and Review*

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This NPRM has not been designated a “significant regulatory action,” under Executive Order 12866. Accordingly, the NPRM has not been reviewed by the Office of Management and Budget.

This regulatory action determination is based on the ability that tide dependent deep draft vessels can still transit the bridge given advanced notice and vessels that are not tide dependant can still transit outside the closure hours. We believe that the proposal to change the drawbridge operation regulations at 33 CFR 117.723 to allow the bridge owner to keep the Route 1 & 9 (Lincoln Highway) Bridge in the closed position during the morning and afternoon rush hour periods as stated in Section III above, will meet the reasonable needs of navigation.

*B. 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 certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

The Bridge provides 40 feet of vertical clearance at mean high water that should accommodate all the present vessel traffic except deep draft vessels. The bridge will continue to open on signal for commercial deep draft vessel traffic provided at least a twelve hour advance notice is given. While some

owners or operators of vessels intending to transit the bridge may be small entities, for the reasons stated in section IV.A., above, this proposed rule would not have a significant economic impact on any vessel owner or operator.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

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 proposed 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. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

#### C. Collection of Information

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

#### D. Federalism and Indian Tribal Government

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 proposed rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this proposed temporary rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would 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. If you believe this proposed rule has implications for federalism or Indian tribes, please contact the person listed

in the **FOR FURTHER INFORMATION CONTACT** section above.

#### E. 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 proposed rule will not result in such an expenditure, we do discuss the effects of this proposed rule elsewhere in this preamble.

#### F. Environment

We have analyzed this proposed temporary rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This proposed rule simply promulgates the operating regulations or procedures for drawbridges. Normally such actions are categorically excluded from further review, under figure 2–1, paragraph (32)(e), of the Instruction.

Under figure 2–1, paragraph (32)(e), of the Instruction, an environmental analysis checklist and a categorical exclusion determination are not required for this rule. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

#### G. 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.

#### V. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the

docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided. For more about privacy and the docket, you may review a Privacy Act notice regarding the Federal Docket Management System in the March 24, 2005, issue of the **Federal Register** (70 FR 15086).

Documents mentioned in this notice and all public comments, are in our online docket at <http://www.regulations.gov> and can be viewed by following that Web site's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

#### List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 33 CFR 1.05–1; Department of Homeland Security Delegation No. 0170.1.

■ 2. Through September 30, 2017, in § 117.723, add paragraph (k) to read as follows:

#### § 117.723 Hackensack River.

\* \* \* \* \*

(k) The draw of the Route 1 & 9 (Lincoln Highway) Bridge, mile 2.0, between Kearny and Jersey City, shall open on signal, except that the draw need not open for the passage of vessel traffic between 6 a.m. and 10 a.m. and between 2 p.m. and 6 p.m., Monday through Friday, except holidays.

Tide dependent deep draft vessels may request bridge openings between 6 a.m. and 10 a.m. and between 2 p.m. and 6 p.m. provided that at least a

twelve hour advance notice is given by calling the number posted at the bridge.

Dated: May 18, 2016.

**K.C. Kiefer,**

*Captain, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 2016-12929 Filed 5-31-16; 8:45 am]

**BILLING CODE 9110-04-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R08-OAR-2015-0042; FRL-9947-09-Region 8]

### Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Second Ten-Year PM<sub>10</sub> Maintenance Plan for Lamar

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Colorado. On May 13, 2013, the Governor of Colorado's designee submitted to the EPA a revised maintenance plan for the Lamar area for the National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>). EPA is proposing to approve the revised maintenance plan with the exception of one aspect of the plan's contingency measures.

**DATES:** Written comments must be received on or before July 1, 2016.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R08-OAR-2015-0042 at <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [regulations.gov](http://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system). For

additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www2.epa.gov/dockets/commenting-epa-dockets>.

#### FOR FURTHER INFORMATION CONTACT:

James Hou, Air Program, U.S. Environmental Protection Agency, Region 8, Mailcode 8P-AR, 1595 Wynkoop Street, Denver, Colorado 80202-1129, (303) 312-6210, [hou.james@epa.gov](mailto:hou.james@epa.gov).

#### SUPPLEMENTARY INFORMATION:

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#### I. General Information

*What should I consider as I prepare my comments for EPA?*

1. *Submitting Confidential Business Information (CBI).* Do not submit CBI to EPA through <http://www.regulations.gov> or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information on a disk or CD ROM that you mail to the EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** volume, date, and page number);
- Follow directions and organize your comments;
- Explain why you agree or disagree;
- Suggest alternatives and substitute language for your requested changes;
- Describe any assumptions and provide any technical information and/or data that you used;
- If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced;

- Provide specific examples to illustrate your concerns, and suggest alternatives;
- Explain your views as clearly as possible, avoiding the use of profanity or personal threats; and,
- Make sure to submit your comments by the comment period deadline identified.

#### II. Background

The Lamar area was designated nonattainment for PM<sub>10</sub> and classified as moderate by operation of law upon enactment of the CAA Amendments of 1990. See 56 FR 56694, 56705, 56736 (November 6, 1991). EPA approved Colorado's nonattainment area SIP for the Lamar PM<sub>10</sub> nonattainment area on June 9, 1994 (59 FR 29732).

On July 31, 2002, the Governor of Colorado submitted a request to EPA to redesignate the Lamar moderate PM<sub>10</sub> nonattainment area to attainment for the 1987 PM<sub>10</sub> NAAQS. Along with this request, the State submitted a maintenance plan, which demonstrated that the area was expected to remain in attainment of the PM<sub>10</sub> NAAQS through 2015. EPA approved the Lamar maintenance plan and redesignation to attainment on October 25, 2005 (70 FR 61563).

Eight years after an area is redesignated to attainment, the CAA section 175A(b) requires the state to submit a subsequent maintenance plan to the EPA, covering a second 10-year period.<sup>1</sup> This second 10-year maintenance plan must demonstrate continued maintenance of the applicable NAAQS during this second 10-year period. To fulfill this requirement of the Act, the Governor of Colorado's designee submitted the second 10-year update of the PM<sub>10</sub> maintenance plan to the EPA on May 13, 2013 (hereafter, "revised Lamar PM<sub>10</sub> Maintenance Plan").

As described in 40 CFR 50.6, the level of the national primary and secondary 24-hour ambient air quality standards for PM<sub>10</sub> is 150 micrograms per cubic meter (µg/m<sup>3</sup>). An area attains the 24-hour PM<sub>10</sub> standard when the expected number of days per calendar year with a 24-hour concentration in excess of the standard (referred to herein as

<sup>1</sup> In this case, the initial maintenance period described in CAA section 175A(a) was required to extend for at least 10 years after the redesignation to attainment, which was effective on November 25, 2005. See 70 FR 61563. Therefore, the first maintenance plan was required to show maintenance through 2015. CAA section 175A(b) requires that the second 10-year maintenance plan maintain the NAAQS for "10 years after the expiration of the 10-year period referred to in [section 175A(a)]." Thus, for the Lamar area, the second 10-year period ends in 2025.