

Dated: August 23, 2016.

**L.C. Parrales,**

*Commander, U.S. Coast Guard, Acting  
Captain of the Port Jacksonville.*

[FR Doc. 2016-20923 Filed 8-30-16; 8:45 am]

**BILLING CODE 9110-04-P**

## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3050

[Docket No. RM2016-11; Order No. 3489]

#### Periodic Reporting

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission is noticing a recent filing requesting that the Commission initiate an informal rulemaking proceeding to consider changes to analytical principles relating to periodic reporting (Proposal Three). This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* October 11, 2016.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

#### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

On August 22, 2016, the Postal Service filed a petition pursuant to 39 CFR 3050.11 requesting that the Commission initiate an informal rulemaking proceeding to consider changes in analytical principles used to prepare the Postal Service's periodic reports.<sup>1</sup> The Petition identifies the proposed changes filed in this docket as Proposal Three.

#### II. Proposal Three

Proposal Three relates to the design and operation of the In-Office Cost

<sup>1</sup> Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Three), August 22, 2016 (Petition).

System (IOCS). The proposal concerns changes in the IOCS city carrier sampling methodology and the development of city carrier costs. The Postal Service states that the proposal utilizes census data from the Time and Attendance Collection System (TACS) and the Delivery Operations Information System (DOIS) to develop a new cluster sampling approach. Petition, Proposal Three at 1. This new sampling approach permits data collectors to take on-site readings in the mornings when city carriers conduct the majority of their in-office work. *Id.* The Postal Service states that the availability of TACS census data provides the opportunity to significantly reshape the sampling design. *Id.* at 2. The Postal Service states that the primary objective of this proposal is to replace the current method of obtaining data via telephone readings with on-site readings. *Id.* at 15. In support of its Petition, the Postal Service has attached a public library reference, USPS-RM2016-11/1, and a non-public library reference, USPS-RM2016-11/NP1.<sup>2</sup>

#### III. Notice and Comment

The Commission establishes Docket No. RM2016-11 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission's Web site at <http://www.prc.gov>. Interested persons may submit comments on the Petition and Proposal Three no later than October 11, 2016. Pursuant to 39 U.S.C. 505, Lyudmila Y. Bzhilyanskaya is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

#### IV. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. RM2016-11 for consideration of the matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Three), filed August 22, 2016.

2. Comments by interested persons in this proceeding are due no later than October 11, 2016.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Lyudmila Y. Bzhilyanskaya to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

<sup>2</sup> Notice of Filing of USPS-RM2916-11/1, USPS-RM2016-11/NP1, and Application for Nonpublic Treatment, August 22, 2016.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

**Stacy L. Ruble,**

*Secretary.*

[FR Doc. 2016-20930 Filed 8-30-16; 8:45 am]

**BILLING CODE 7710-FW-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 60 and 62

[EPA-HQ-OAR-2016-0033; FRL-9951-72-OAR]

RIN 2060-AS84

#### Clean Energy Incentive Program Design Details; Extension of Comment Period

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

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** On June 30, 2016, the Environmental Protection Agency (EPA) proposed a rule titled, "Clean Energy Incentive Program Design Details." The EPA is extending the comment period on the proposed rule, which was scheduled to close on September 2, 2016, by 60 days until November 1, 2016. The EPA is making this change to allow for requested tribal consultation in response to the proposed rule.

**DATES:** The public comment period for the proposed rule published in the **Federal Register** on June 30, 2016 (81 FR 42940), and extended at 81 FR 47325 (July 21, 2016) is being further extended. Written comments must be received on or before November 1, 2016.

**ADDRESSES:** The EPA has established a docket for the proposed rulemaking (available at <http://www.regulations.gov>). The Docket ID No. is EPA-HQ-OAR-2016-0033. Information on this action is posted at <https://www.epa.gov/cleanpowerplan/clean-energy-incentive-program>. Submit your comments, identified by the appropriate Docket ID No., to the *Federal eRulemaking Portal*: <http://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or withdrawn. 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. If you need to include CBI as part of

your comment, please visit <http://www.epa.gov/dockets/comments.html> for instructions. 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.

For additional submission methods, the full EPA public comment policy, and general guidance on making effective comments, please visit <http://www.epa.gov/dockets/comments.html>.

**FOR FURTHER INFORMATION CONTACT:** For additional information on this action, contact Dr. Tina Ndoh, Sector Policies and Programs Division, Office of Air Quality Planning and Standards (D243-04), Environmental Protection Agency, Research Triangle Park, NC 27711; telephone number: (919) 541-2750; email address: [ndoh.tina@epa.gov](mailto:ndoh.tina@epa.gov).

**SUPPLEMENTARY INFORMATION:** A number of tribes working on comments for the Clean Energy Incentive Program (CEIP) Design Details proposed rule (81 FR 42940; June 30, 2016) have asked for additional consultation to better understand the issues related to the interaction between state plans and projects on tribal land that may qualify for the CEIP. Because of the interest of a number of tribes, the EPA believes it is appropriate to extend the comment period to allow for the requested tribal consultations and to provide tribes time to incorporate any information from those consultations in their comments. The EPA extended the initial comment period at 81 FR 47325 (July 21, 2016). The EPA is further extending the comment period for the CEIP Design Details proposal by 60 days, to November 1, 2016.

Dated: August 25, 2016.

**Stephen Page,**

*Director, Office of Air Quality Planning and Standards.*

[FR Doc. 2016-20898 Filed 8-30-16; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### 49 CFR Part 390

[Docket No. FMCSA-2012-0103]

RIN 2126-AB90

### Lease and Interchange of Vehicles; Motor Carriers of Passengers

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** FMCSA announces its intent to issue a rulemaking concerning revisions to its May 27, 2015, final rule titled “Lease and Interchange of Vehicles; Motor Carriers of Passengers.” The Agency received numerous petitions for reconsideration of the final rule and determined that amendments should be considered in response to some of the petitions. The aspects of the 2015 final rule to be reconsidered are discussed later in this document. In addition, FMCSA will hold a roundtable discussion on the scope of the issues to be addressed in the forthcoming rulemaking. The meeting will be public and will seek public input regarding the assignment of responsibility for safety violations to the correct party. Individuals with diverse experience, expertise, and perspectives are encouraged to attend. If all comments have been exhausted prior to the end of the session, the session may conclude early. The Agency intends to complete any regulatory action(s) taken in response to the petitions before January 1, 2018.

**FOR FURTHER INFORMATION CONTACT:** Ms. Loretta Bitner, (202) 385-2428, [loretta.bitner@dot.gov](mailto:loretta.bitner@dot.gov), Office of Enforcement and Compliance. FMCSA office hours are from 9 a.m. to 5 p.m. ET, Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 27, 2015, FMCSA published a final rule concerning the lease and interchange of passenger-carrying commercial motor vehicles (CMVs) (80 FR 30164). The purpose of the rule is to identify the motor carrier operating a passenger-carrying CMV that is responsible for compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and ensure that a lessor surrenders control of the CMV for the full term of the lease or temporary exchange of CMV(s) and driver(s). The Agency received 37 petitions for reconsideration which have been filed in the public docket referenced above. Upon review of these requests, FMCSA concluded that some have merit. FMCSA, therefore, extended the compliance date of the final rule from January 1, 2017, to January 1, 2018 (82 FR 13998; March 16, 2016) to allow the Agency time to complete its analysis and amend the rule where necessary.

Petitioners made the following substantive arguments, which the Agency will address in subsequent rulemaking.

#### General Objections

The petitioners generally argued that FMCSA has taken a regulatory scheme from the trucking industry and applied it to the bus industry, which has a vastly different operating structure and liability regimen. Moreover, the application of these truck regulations to the bus industry offers no additional protection to the public from illegal or unsafe bus operators. Instead, the final rule simply adds administrative costs and reduces operational flexibility for bus operators.

Petitioners further stated that the final rule creates an economic and regulatory burden on passenger carriers that already operate safely and have a high degree of compliance. Some of the petitioners argue that those lease requirements will not stop carriers that choose to violate the regulations, yet will burden those who already operate safely and compliantly.

A petitioner stated that while it supports efforts to identify and address chameleon carriers or carriers that may try to operate under the cloak of another carrier, the final rule does not accomplish this goal and in fact provides a roadmap for irresponsible carriers to operate legally under the authority of another carrier.

One carrier stated that it had identified several instances where the final rule lacks sufficient clarity to enable it to comply, and that these issue areas have an effect on all of its operations. The final rule also adds administrative costs and reduces operational flexibility for charter and tour bus operations, which will, in the end, reduce connectivity and transportation options for the traveling public.

Another carrier argued that the three 2008 crashes cited in the September 20, 2013 notice of proposed rulemaking (NPRM) involved a tire failure, driver error, and an insurance issue (78 FR 57822), and that nothing in the final rule would have prevented any of these crashes. The commenter also named two insurance companies that have restrictions in their policies that prohibit the use of non-owned equipment and non-employed drivers, which were major concerns of the NPRM.

Many of the objections raised by petitioners can be addressed by providing additional explanation. However, some of the issues discussed below may require regulatory changes; they fall into four major categories.

#### Four Changes Under Consideration

(1) Exclusion of “chartering” (*i.e.*, subcontracting) from the leasing