

competitive products represented 5.54 percent of total institutional costs.<sup>3</sup> The contribution from competitive products to the recovery of the Postal Service's institutional costs was 6.78 percent in FY 2009 and 7.12 percent in FY 2010.<sup>4</sup> In FY 2009 and FY 2010, institutional costs were reduced compared with previous years, due in part to the congressionally mandated reductions of the required annual contribution to the Retirement Health Benefits Fund. The Postal Service also has increasingly exercised its flexibility to transfer mail volume from market dominant products to competitive products. See 39 U.S.C. 3642.

On December 29, 2011, the Postal Service filed its 2011 Annual Compliance Report with the Commission. That report indicates that in FY 2011 competitive products collectively contributed 7.84 percent of the Postal Service's institutional costs.<sup>5</sup>

## II. Invitation To Comment

The Commission invites comments to facilitate its examination of the appropriateness of the current contribution level. To inform its deliberations, the Commission requests comments from interested members of the public on whether and how changes in competitive market conditions, the allocation of costs to competitive products, the number and volume of competitive products, or any other changes should impact the minimum appropriate share of institutional costs of the Postal Service that should be provided by competitive products. As required by the statute, the Commission in making its determination must consider all relevant circumstances, including the prevailing competitive conditions in the market, and the degree to which any costs are uniquely or disproportionately associated with any competitive products. Comments also are welcome on any issues relevant to the reasonableness of the current 5.5 percent contribution requirement and retaining, modifying, or eliminating it.

Comments are due March 5, 2012. Reply comments may be submitted on or before April 2, 2012.

Pursuant to 39 U.S.C. 505, R. Kevin Harle is designated as the officer of the Commission to represent the interests of the general public (Public

Representative). The Public Representative will direct the activities of Commission personnel assigned to him and, upon request, will provide their names for the record. Neither the Public Representative nor any of the assigned personnel will participate in or provide advice on any Commission decision in this proceeding.

## III. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. RM2012–3, in compliance with 39 U.S.C. 3633(b).

2. The Commission designates R. Kevin Harle as the Public Representative representing the interests of the general public in this proceeding.

3. Comments are due March 5, 2012.

4. Reply comments are due April 2, 2012.

5. The Secretary shall arrange for publication of this notice in the **Federal Register**.

By the Commission.

**Shoshana M. Grove,**

*Secretary.*

[FR Doc. 2012–851 Filed 1–18–12; 8:45 am]

**BILLING CODE 7710–FW–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 63

[EPA–HQ–OAR–2011–0797; FRL–9619–5]

RIN 2060–AQ–92

### National Emission Standards for Hazardous Air Pollutants: Primary Aluminum Reduction Plants; Extension of Comment Period

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

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

**SUMMARY:** The EPA is announcing that the period for providing public comments on the December 6, 2011, proposed rule titled, “National Emission Standards for Hazardous Air Pollutants: Primary Aluminum Reduction Plants” is being extended for 12 days.

**DATES:** *Comments.* The public comment period for the proposed rule published December 6, 2011, (76 FR 76260) is being extended for 12 days to February 1, 2012, in order to provide the public additional time to submit comments and supporting information.

**ADDRESSES:** *Comments.* Written comments on the proposed rule may be submitted to EPA electronically, by mail, by facsimile or through hand

delivery/courier. Please refer to the proposal for the addresses and detailed instructions.

*Docket.* Publicly available documents relevant to this action are available for public inspection either electronically at <http://www.regulations.gov> or in hard copy at the EPA Docket Center, Room 3334, 1301 Constitution Avenue NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. A reasonable fee may be charged for copying.

*World Wide Web.* The EPA Web site for this rulemaking is at: <http://www.epa.gov/ttn/atw/alum/alumpg.html>.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Putney, Metals and Inorganic Chemicals Group (D243–02), Sector Policies and Programs Division, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711; Telephone number: (919) 541–2016; Fax number (919) 541–3207; Email address: [putney.david@epa.gov](mailto:putney.david@epa.gov).

## SUPPLEMENTARY INFORMATION:

### Comment Period

Due to requests received from industry to extend the public comment period, the EPA is extending the public comment period for an additional 12 days. Therefore, the public comment period will end on February 1, 2012, rather than January 20, 2012.

### How can I get copies of this document and other related information?

The EPA has established the official public docket No. EPA–HQ–OAR–2011–0797. The EPA has also developed a Web site for the proposed rulemaking at the addresses given above.

Dated: January 12, 2012.

**Gina McCarthy,**

*Assistant Administrator.*

[FR Doc. 2012–962 Filed 1–18–12; 8:45 am]

**BILLING CODE 6560–50–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 81

[EPA–HQ–OAR–2008–0476; FRL–9619–4]

### EPA Responses to State and Tribal 2008 Ozone Designation Recommendations; Extension of Public Comment Period

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

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

<sup>3</sup> FY 2008 Annual Compliance Determination, March 30, 2009, at 87.

<sup>4</sup> FY 2009 Annual Compliance Determination, March 29, 2010, at 117; FY 2010 Annual Compliance Determination, March 29, 2011, at 138.

<sup>5</sup> See Docket No. ACR2011, FY 2011 Annual Compliance Report, December 29, 2011, at 64. Competitive products contribution, \$2.317 billion, divided by total institutional costs, \$29.554 billion.

**SUMMARY:** The EPA is announcing the extension of the public comment period for the EPA's responses to state and tribal ozone designation recommendations for the 2008 Ozone National Ambient Air Quality Standards. The EPA sent the responses directly to the states and tribes on or about December 9, 2011. On December 20, 2011 (76 FR 78872, FRL-9608-6), the EPA published a notice in the **Federal Register** that the EPA had posted the responses on its Internet Web site and the EPA invited public comment. In the notice, the EPA stated that public comments must be received on or before January 19, 2012. The EPA has received several requests from stakeholders for additional time to prepare their comments. Some of the requesters noted that the original 30-day comment period fell across two federal holidays. Taking that into consideration, the EPA is extending the comment period until February 3, 2012. The EPA intends to make final designation determinations for the 2008 ozone standards in spring 2012.

**DATES:** Comments must be received on or before February 3, 2012. Please refer to **SUPPLEMENTARY INFORMATION** for additional information on the comment period.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-OAR-HQ-2008-0476, by one of the following methods:

- <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Email: [a-and-r-docket@epa.gov](mailto:a-and-r-docket@epa.gov). Attention Docket ID No. EPA-HQ-OAR-2008-0476.
- Fax: (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2008-0476.
- Mail: Air Docket, Attention Docket ID No. EPA-HQ-OAR-2008-0476, Environmental Protection Agency, Mail Code: 6102T, 1200 Pennsylvania Ave. NW., Washington, DC 20460.
- Hand Delivery: EPA Docket Center, 1301 Constitution Avenue NW., Room 3334, Washington, DC. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-HQ-OAR-2008-0476. The EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information claimed to be confidential business

information or other information whose disclosure is restricted by statute. Do not submit information that you consider to be confidential business information or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or email. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means the EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email comment directly to the EPA without going through [www.regulations.gov](http://www.regulations.gov), your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, the EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If the EPA is unable to read your comment and cannot contact you for clarification due to technical difficulties, the 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. For additional information about the EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>. For additional instructions on submitting comments, go to the **SUPPLEMENTARY INFORMATION** section of this document.

**Docket:** All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, i.e., confidential business information or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in [www.regulations.gov](http://www.regulations.gov) or in hard copy at the EPA Docket Center, EPA West, Room 3334, 1301 Constitution Avenue NW., Washington, DC. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:** For general questions concerning this action, please contact Carla Oldham, U.S. EPA, Office of Air Quality Planning and Standards, Air Quality Planning

Division, C539-04, Research Triangle Park, NC 27711, telephone (919) 541-3347, email at [oldham.carla@epa.gov](mailto:oldham.carla@epa.gov). For questions regarding the EPA Region 1, please contact Richard Burkhart, U.S. EPA, telephone (617) 918-1664, email at [burkhart.richard@epa.gov](mailto:burkhart.richard@epa.gov). For questions regarding the EPA Region 2, please contact Bob Kelly, U.S. EPA, telephone (212) 637-3709, email at [kelly.bob@epa.gov](mailto:kelly.bob@epa.gov). For questions regarding the EPA Region 3, please contact Maria Pino, U.S. EPA, telephone (215) 814-2181, email at [pino.maria@epa.gov](mailto:pino.maria@epa.gov). For questions regarding the EPA Region 4, please contact Jane Spann, U.S. EPA, telephone (404) 562-9029, email at [spann.jane@epa.gov](mailto:spann.jane@epa.gov). For questions regarding the EPA Region 5, please contact Edward Doty, U.S. EPA, telephone (312) 886-6057, email at [doty.edward@epa.gov](mailto:doty.edward@epa.gov). For questions regarding the EPA Region 6, please contact Guy Donaldson, U.S. EPA, telephone (214) 665-7242, email at [donaldson.guy@epa.gov](mailto:donaldson.guy@epa.gov). For questions regarding the EPA Region 7, please contact Lachala Kemp, U.S. EPA, telephone (913) 551-7214, email at [kemp.lachala@epa.gov](mailto:kemp.lachala@epa.gov). For questions regarding the EPA Region 8, please contact Scott Jackson, U.S. EPA, telephone (303) 312-6107, email at [jackson.scott@epa.gov](mailto:jackson.scott@epa.gov). For questions regarding the EPA Region 9, please contact John J. Kelly, U.S. EPA, telephone (415) 947-4151, email at [kelly.johnj@epa.gov](mailto:kelly.johnj@epa.gov). For questions regarding EPA Region 10, please contact Claudia Vaupel, U.S. EPA, telephone (206) 553-6121, email at [vaupel.claudia@epa.gov](mailto:vaupel.claudia@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. General Information**

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

1. *Submitting Confidential Business Information.* Do not submit this information to the EPA through [www.regulations.gov](http://www.regulations.gov) or email. Clearly mark the part or all of the information that you claim to be confidential business information. For confidential business information in a disk or CD ROM that you mail to the EPA, mark the outside of the disk or CD ROM as confidential business information and then identify electronically within the disk or CD ROM the specific information that is claimed as confidential business information. In addition to one complete version of the comment that includes information claimed as confidential business information, a copy of the comment that does not contain the information

claimed as confidential business information 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. Send or deliver information identified as confidential business information only to the following address: Roberto Morales, U.S. EPA, Office of Air Quality Planning and Standards, Mail Code C404-02, Research Triangle Park, NC 27711, telephone (919) 541-0880, email at [morales.roberto@epa.gov](mailto:morales.roberto@epa.gov), Attention Docket ID No. EPA-HQ-OAR-2008-0476.

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** date and page number).
- Follow directions.
- Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

*B. Where can I get a copy of this document and other related information?*

The EPA has established a docket for the ozone designations rulemaking for the 2008 ozone standards at EPA-HQ-OAR-2008-0476. In addition, the EPA has established a Web site for the ozone designations rulemaking at [www.epa.gov/ozonedesignations](http://www.epa.gov/ozonedesignations). The Web site includes the state and tribal designation recommendations, information supporting the EPA's preliminary designation decisions, as well as the rulemaking actions and other related information that the public may find useful.

Dated: January 12, 2012.

**Mary E. Henigin,**

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

[FR Doc. 2012-957 Filed 1-18-12; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### 48 CFR Part 204

[DFARS Case 2012-D002]

RIN 0750-AH56

#### Defense Federal Acquisition Regulation Supplement: Order of Application for Modifications

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Proposed rule.

**SUMMARY:** DoD is proposing to amend the Defense Federal Acquisition Regulation Supplement to establish an order for application of contract modifications to resolve any potential conflicts that may arise from multiple modifications with the same effective date.

**DATES:** Comments on the proposed rule should be submitted in writing to the address shown below on or before March 19, 2012, to be considered in the formation of the final rule.

**ADDRESSES:** Submit comments identified by DFARS case 2012-D002, using any of the following methods:

• *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inputting "DFARS Case 2012-D002" under the heading "Enter keyword or ID" and selecting "Search." Select the link "Submit a Comment" that corresponds with "DFARS Case 2012-D002." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "DFARS Case 2012-D002" on your attached document.

• *Email:* [dfars@osd.mil](mailto:dfars@osd.mil). Include DFARS Case 2012-D002 in the subject line of the message.

• *Fax:* (703) 602-0350.

• *Mail:* Defense Acquisition Regulations System, Attn: Mr. Julian Thrash, OUSD (AT&L) DPAP/DARS, Room 3B855, 3060 Defense Pentagon, Washington, DC 20301-3060.

Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov), approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** Mr. Julian Thrash, (703) 602-0310.

## SUPPLEMENTARY INFORMATION:

### I. Background

The Defense Federal Acquisition Regulation Supplement (DFARS) subpart 204.70, Uniform Procurement Instrument Identification Numbers, prescribes numbering procedures for contract modifications and the Federal Acquisition Regulation (FAR) part 43.1, General, prescribes rules for determining the effective date. There are no rules to describe in what order to apply modifications to determine the actual content of a resulting modified contract. In order to determine the sequence of modifications to a contract or order, a method for determining the order of application for modifications is needed to resolve any conflict arising from multiple modifications with the same effective date. As such, this rule proposes to add DFARS text at 204.7007, Order of Application for Modifications, to resolve any potential inconsistency.

### II. Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under section 6(b) of E.O. 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

### III. Regulatory Flexibility Act

DoD does not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because this rule only affects the internal operating processes of DoD by clarifying an order of application for contract modifications, and it does not have an economic impact on contractors. However, an initial regulatory flexibility analysis has been performed and is summarized as follows:

The objective for this case is to provide a set of rules to the contracting officer to resolve any potential conflict from multiple modifications with the same effective date. The changes