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Dated: August 27, 2015.

**M.H. Day,**

*Captain, U.S. Coast Guard, Captain of the Port New York.*

[FR Doc. 2015-22867 Filed 9-10-15; 8:45 am]

BILLING CODE 9110-04-P

## POSTAL SERVICE

### 39 CFR Parts 961 and 966

#### Rules of Practice Before the Judicial Officer

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This document contains the final revisions to the rules of practice before the Judicial Officer relative to debt collection against current and former employees. These revisions are necessary to implement an electronic filing system.

**DATES:** *Effective date:* September 11, 2015.

**ADDRESSES:** Written inquiries may be directed to: Postal Service Judicial Officer Department, 2101 Wilson Boulevard, Suite 600, Arlington, VA 22201-3078.

**FOR FURTHER INFORMATION CONTACT:** Associate Judicial Officer Gary E. Shapiro, (703) 812-1910.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

On July 1, 2015, the Judicial Officer Department published for comment proposed revisions to the rules of practice before the Judicial Officer relative to debt collection against current and former postal employees (39 CFR parts 961 and 966, respectively) to implement an electronic filing system (80 FR 37567-8). The period for comments closed on July 31, 2015, and no comments were received. The Judicial Officer has made no further revisions to the original proposed rules, which are now adopted as final.

##### B. Parts Affected

Part 961 of title 39, Code of Federal Regulations, contains the rules of practice in proceedings under section 5 of the Debt Collection Act of 1982, as amended, 5 U.S.C. 5514, in which the Judicial Officer or an assigned Hearing Official provides the final agency adjudication for debt collection assessments by administrative salary offset issued by the Postal Service seeking to collect a debt owed it by a

current employee. This authority is delegated by the Postmaster General.

Part 966 of title 39, Code of Federal Regulations, contains the rules of practice in proceedings relative to administrative offsets initiated against former employees of the Postal Service under section 10 of the Debt Collection Act of 1982, as amended, 31 U.S.C. 3716, in which the Judicial Officer provides the final agency adjudication for debt collection assessments by administrative offset issued by the Postal Service seeking to collect a debt owed it by a former employee. This authority is delegated by the Postmaster General.

#### C. Explanation of Changes

##### *Amendments to 39 CFR Part 961*

In § 961.4, concerning filing a petition:

- Paragraph (a) is amended to identify the internet address for the electronic filing system.
- Paragraph (b) is amended to indicate that a sample petition is available through the electronic filing system.

In § 961.6, concerning the filing, docketing, and serving of documents, paragraph (a) is amended to indicate when documents submitted by parties are considered received, and to indicate when service of documents on the opposing party is required for purposes of the electronic filing system.

##### *Amendments to 39 CFR Part 966*

In § 966.4, concerning filing a petition:

- Paragraph (c) is amended to identify the internet address for the electronic filing system.
- Paragraph (d) is amended to indicate that a sample petition is available through the electronic filing system.

In § 966.6, concerning the filing, docketing, and serving of documents, paragraph (a) is amended to indicate when documents submitted by parties are considered received, and to indicate when service of documents on the opposing party is required for purposes of the electronic filing system.

#### List of Subjects

##### *39 CFR Part 961*

Claims, Government employees, Wages.

##### *39 CFR Part 966*

Administrative practice and procedure, Claims, Government employees, Wages.

Accordingly, for the reasons stated, the Postal Service amends 39 CFR parts 961 and 966 as follows:

#### PART 961—RULES OF PRACTICE IN PROCEEDINGS UNDER SECTION 5 OF THE DEBT COLLECTION ACT

- 1. The authority citation for 39 CFR part 961 continues to read as follows:

**Authority:** 39 U.S.C. 204, 401; 5 U.S.C. 5514.

- 2. In § 961.4, revise the first sentence of paragraph (a), and add a sentence at the beginning of paragraph (b) introductory text to read as follows:

##### § 961.4 Employee petition for a hearing.

(a) If an employee desires a hearing, prescribed by section 5 of the Debt Collection Act, to challenge the Postal Service's determination of the existence or amount of a debt, or to challenge the involuntary repayment terms proposed by the Postal Service, the employee must file a written petition electronically at <https://uspsjoe.justware.com/justiceweb>, or by mail at Recorder, Judicial Officer Department, United States Postal Service, 2101 Wilson Blvd., Suite 600, Arlington, VA 22201-3078, on or before the fifteenth (15th) calendar day following the receipt of the Postal Service's "Notice of Involuntary Administrative Salary Offsets Under the Debt Collection Act." \* \* \*

(b) A sample petition is available through the Judicial Officer Electronic Filing Web site (<https://uspsjoe.justware.com/justiceweb>). \* \* \*

- 3. In § 961.6, revise paragraph (a) to read as follows:

##### § 961.6 Filing, docketing, and serving documents; computation of time; representation of parties.

(a) *Filing.* After a petition is filed, all documents relating to the Debt Collection Act hearing proceedings must be filed using the electronic filing system unless the Hearing Official permits otherwise. Documents submitted using the electronic filing system are considered filed as of the date/time (Eastern Time) reflected in the system. Documents mailed to the Recorder are considered filed on the date mailed as evidenced by a United States Postal Service postmark. Filings by any other means are considered filed upon receipt by the Recorder of a complete copy of the filing during normal business hours (Normal Recorder office business hours are between 8:45 a.m. and 4:45 p.m., Eastern Time). If both parties are participating via the electronic filing

system, separate service upon the opposing party is not required. Otherwise, documents shall be served personally or by mail on the opposing party, noting on the document filed, or on the transmitting letter, that a copy has been so furnished.

\* \* \* \* \*

**PART 966—RULES OF PRACTICE IN PROCEEDINGS RELATIVE TO ADMINISTRATIVE OFFSETS INITIATED AGAINST FORMER EMPLOYEES OF THE POSTAL SERVICE**

■ 4. The authority citation for 39 CFR part 966 continues to read as follows:

**Authority:** 31 U.S.C. 3716; 39 U.S.C. 204, 401, 2601.

■ 5. In § 966.4, revise paragraph (c), and add a sentence at the beginning of paragraph (d) introductory text to read as follows:

**§ 966.4 Petition for a hearing and supplement to petition.**

\* \* \* \* \*

(c) Within thirty (30) calendar days after the date of receipt of the Accounting Service Center's decision upon reconsideration, after the expiration of sixty (60) calendar days after a request for reconsideration where a reconsideration determination is not made, or following an administrative offset taken without prior notice and opportunity for reconsideration pursuant to paragraph (b)(1) of this section, the former employee must file a written petition electronically at <https://uspsjoe.justware.com/justiceweb>, or by mail at Recorder, Judicial Officer Department, United States Postal Service, 2101 Wilson Blvd., Suite 600, Arlington, VA 22201-3078.

(d) A sample petition is available through the Judicial Officer Electronic Filing Web site (<https://uspsjoe.justware.com/justiceweb>). \* \* \*

\* \* \* \* \*

■ 6. In § 966.6, revise paragraph (a) to read as follows:

**§ 966.6 Filing, docketing, and serving documents; computation of time; representation of parties.**

(a) *Filing.* After a petition is filed, all documents required under this part must be filed using the electronic filing system unless the Hearing Official permits otherwise. Documents submitted using the electronic filing system are considered filed as of the date/time (Eastern Time) reflected in the system. Documents mailed to the Recorder are considered filed on the date mailed as evidenced by a United States Postal Service postmark. Filings

by any other means are considered filed upon receipt by the Recorder of a complete copy of the filing during normal business hours (Normal Recorder office business hours are between 8:45 a.m. and 4:45 p.m., Eastern Time). If both parties are participating via the electronic filing system, separate service upon the opposing party is not required. Otherwise, documents shall be served personally or by mail on the opposing party, noting on the document filed, or on the transmitting letter, that a copy has been so furnished.

\* \* \* \* \*

**Stanley F. Mires,**

*Attorney, Federal Compliance.*

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**BILLING CODE 7710-12-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA-R05-OAR-2015-0380; FRL-9933-65-Region 5]**

**Air Plan Approval; Indiana; SO<sub>2</sub> Revision for Walsh and Kelly**

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

**ACTION:** Direct final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a request submitted by the Indiana Department of Environmental Management (IDEM) on June 1, 2015, to revise the Indiana state implementation plan (SIP) for sulfur dioxide (SO<sub>2</sub>). The revision updates information regarding Walsh and Kelly, Incorporated, a hot mix asphalt plant located in Griffith, Lake County, Indiana. Walsh and Kelly, Incorporated, is replacing its aggregate drum dryer. The revision does not change any of the SO<sub>2</sub> control requirements and will not result in an increase in SO<sub>2</sub> emissions.

**DATES:** This rule is effective on November 10, 2015, unless EPA receives adverse written comments by October 13, 2015. If EPA receives adverse comments, EPA will publish a timely withdrawal of the rule in the **Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2015-0380, by one of the following methods:

1. *www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *Email:* [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov).

3. *Fax:* (312) 692-2450.

4. *Mail:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery:* Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

*Instructions:* Direct your comments to Docket ID No. EPA-R05-OAR-2015-0380. 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 (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI 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 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 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, 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 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:* 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, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly