

alleviate some of the burden. For example, the Commission recognizes that companies already gather data and report in Form No. 552, the Annual Report of Natural Gas Transactions, which requires reporting of information on an annual, aggregated basis that is similar to the information that the Commission is now, in this Notice of Inquiry, considering to require be reported on a quarterly, transaction-specific basis. However, after several years of receiving and analyzing annual, aggregated information through Form No. 552, the Commission believes that it may be necessary for market participants to report more granular transaction-specific information on a more frequent basis to increase natural gas price transparency and to assist in the Commission's surveillance efforts. Therefore, in order to alleviate any additional burden to market participants, the Commission is considering discontinuing the existing public data reporting requirements through Form No. 552, after a full year of individual transactions data are reported to the Commission. Additionally, the Commission is considering instituting a *de minimis* volume for which market participants are required to report to the Commission.

(1) What would the burden be on market participants to adapt their existing systems to be able to provide the information in compliance with new reporting requirements for market participants engaged in sales of wholesale physical natural gas in interstate commerce above a *de minimis* volume to report to the Commission every natural gas trade within the Commission's NGA jurisdiction that entails physical delivery for the next day (i.e., next day gas) or for the next month (i.e., next month gas)? Estimate the incremental burden of reporting such transactional data on a quarterly basis given that much of the same information is currently gathered for and reported annually through Form No. 552. Estimate the initial reporting burdens (start up time and resources) as well as the ongoing reporting burden that would be necessary for market participants to comply with the reporting requirement being considered, the percentage of those additional costs compared with normal business operation costs, and provide an explanation and support for any estimate. Is there an additional burden for those market participants who do not report to index publishers versus those who do?

(2) If the Commission decides to require transaction-specific reporting as

it is considering in this Notice of Inquiry, should the Commission discontinue the existing public data reporting requirements through Form No. 552, initiated by Order No. 704, after a full year of individual transaction data are reported to the Commission? What would be the benefits and drawbacks with regard to market transparency of collecting only one or both data sets?

(3) Should the Commission establish a threshold up to which market participants with a *de minimis* market presence would not be subject to the reporting requirements? The Annual Report of Natural Gas Transactions, Form No. 552, collects information from market participants that sold and purchased 2.2 Bcf or more of physical gas in the reporting year. Should the Commission establish a similar threshold for the reporting requirements being considered in this NOI? If so, what is a reasonable threshold and on what basis should it be established (i.e., by total quarterly sales and purchases, prior year's annual sales and purchases)?

### III. Comment Procedures

21. The Commission invites interested persons to submit comments on the matters and issues proposed in this notice to be adopted, including any related matters or alternative proposals that commenters may wish to discuss. Comments are due January 22, 2013. Comments must refer to Docket No. RM13-1-000, and must include the commenter's name, the organization they represent, if applicable, and their address in their comments.

22. The Commission encourages comments to be filed electronically via the eFiling link on the Commission's Web site at <http://www.ferc.gov>. The Commission accepts most standard word processing formats. Documents created electronically using word processing software should be filed in native applications or print-to-PDF format and not in a scanned format. Commenters filing electronically do not need to make a paper filing.

23. Commenters that are not able to file comments electronically must mail or hand deliver an original and copy of their comments to: Federal Energy Regulatory Commission, Secretary of the Commission, 888 First Street NE., Washington, DC 20426.

24. All comments will be placed in the Commission's public files and may be viewed, printed, or downloaded remotely as described in the Document Availability section below. Commenters on this proposal are not required to

serve copies of their comments on other commenters.

### IV. Document Availability

25. In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street, NE., Room 2A, Washington, DC 20426.

26. From FERC's Home Page on the Internet, this information is available on eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field.

27. User assistance is available for eLibrary and the FERC's Web site during normal business hours from FERC Online Support at 202-502-6652 (toll free at 1-866-208-3676) or email at [ferconlinesupport@ferc.gov](mailto:ferconlinesupport@ferc.gov), or the Public Reference Room at (202) 502-8371, TTY (202) 502-8659. Email the Public Reference Room at [public.referenceroom@ferc.gov](mailto:public.referenceroom@ferc.gov).

By direction of the Commission.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2012-28228 Filed 11-20-12; 8:45 am]

**BILLING CODE 6717-01-P**

## THE PRESIDIO TRUST

### 36 CFR Part 1002

#### Public Use Limit on Commercial Dog Walking; Revised Disposal Conditions

**AGENCY:** The Presidio Trust.

**ACTION:** Proposed rule and request for comments.

**SUMMARY:** The Presidio Trust (Trust) is proposing a public use limit on persons who are walking four or more dogs at one time in Area B of the Presidio of San Francisco (Presidio) for consideration (Commercial Dog Walkers). The limit will require any person walking four or more dogs at one time for consideration in Area B to possess a valid Commercial Dog Walking permit obtained from the City and County of San Francisco (City). Commercial Dog Walkers with four or more dogs at one time in Area B will be required to comply with the terms and

conditions of the City permit as well as those rules and regulations otherwise applicable to Area B of the Presidio. The Trust is also proposing that throughout Area B, all pet walkers, whether or not for consideration, shall remove pet excrement and deposit it in refuse containers. The Trust invites comments on the proposals.

**DATES:** Public comment will be accepted through January 25, 2013.

**ADDRESSES:** Electronic comments may be sent to [jpelka@presidiotrust.gov](mailto:jpelka@presidiotrust.gov). Written comments may be mailed or hand delivered to John Pelka, The Presidio Trust, 103 Montgomery Street, P.O. Box 29052, San Francisco, CA 94129. All written comments submitted to the Trust will be considered, and these proposals may be modified accordingly. The final decision of the Trust will be published in the **Federal Register**.

*Public Availability of Comments:* If individuals submitting comments request that their address or other contact information be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently at the beginning of the comments. The Trust will make available for public inspection all submissions from organizations or businesses and from persons identifying themselves as representatives or officials of organizations and businesses.

Anonymous comments may not be considered.

**FOR FURTHER INFORMATION CONTACT:** Joshua Steinberger, 415.561.5300.

**SUPPLEMENTARY INFORMATION:** In addition to a community of 8,000 people who live, work, or attend school in the Presidio, many visitors use the park daily for an array of recreational, educational, cultural and stewardship activities. The Trust's responsibilities for Area B include the avoidance of conflicts among the many different users of the Presidio, equitable allocation and use of facilities, ensuring public safety, and protecting resources. A public use limit in Area B that is based upon the possession of a valid City permit, which sets basic insurance, training, and safety standards and limits the number of dogs a Commercial Dog Walker may walk at once in City parks and other designated areas, will assist in implementing these responsibilities, as will a requirement throughout Area B that pet excrement be removed and deposited in refuse containers.

### 1. Limitation on Walking Dogs for Consideration

Administrative jurisdiction over the former U.S. Army base known as the Presidio of San Francisco is divided between the Trust and the National Park Service (NPS). The Trust oversees the interior 1100 acres, Area B, and the NPS oversees 300 acres along the waterfront, Area A, of the national park site. Under 36 CFR 1001.5, the Presidio Trust Board of Directors (Board) may impose reasonable public use limits in Area B, given a determination that such action is necessary to maintain public health and safety, to protect environmental or scenic values, to protect natural or cultural resources, or to avoid conflict among visitor use activities.

According to the City, approximately 110,000 households in San Francisco own dogs, and an estimated one-third of these households employ the services of dog walkers to care for and exercise their dogs. There are 70 dog walkers or dog walking services on the City Animal Care and Control Department's dog walking and professional services referral list, and there also may be dog walkers who provide their services for consideration but do not have a business license and are unlisted. Although the Trust does not maintain official statistics on the use of the Presidio by dog walking businesses, Trust staff frequently observe and receive reports of dog walkers with four or more dogs in a number of areas in Area B, in particular along the corridor adjoining West Pacific Avenue from the Broadway Gate to the 14th Avenue Gate, as well as the areas east of the Ecology Trail in the Tennessee Hollow Watershed. By both direct observation and through reports from the public, the Trust is aware that dogs brought into the Presidio in these numbers have been responsible for damage to resources, threats to public safety, and visitor conflict.

The City recently adopted an ordinance to license and to regulate dog walkers who conduct their business in a multitude of areas within the boundaries of the City and may begin enforcing the ordinance as early as January 1, 2013. *San Francisco Health Code Article 39: Commercial Dog Walking*. The City permit requirement applies to any person walking four or more dogs at any one time, for some sort of payment on City park property (broadly defined to include, among other areas, all grounds and other property under the management of the Recreation and Park Commission) as well as certain open spaces, certain properties under the jurisdiction of the

San Francisco Port Commission, and designated properties under control of the Public Utilities Commission (PUC). Under Article 39, among other requirements Commercial Dog Walkers must be trained or meet minimum experience requirements, be free of convictions related to animal cruelty within the previous five years, carry \$1 million in general liability insurance, provide sufficient drinking water for the dogs in their charge, transport dogs in a safe manner, and have proper dog walking safety equipment as specified by the City's Director of Public Works.

The Trust currently does not impose restrictions specific to Commercial Dog Walkers in Area B. Given the extremely broad geographical reach (parks, open spaces, Port lands, and PUC properties) of the City's ordinance, the Trust reasonably anticipates a certain number of Commercial Dog Walkers who would otherwise fall under the City's ordinance will walk their dogs in Area B in order to avoid the permit fees, requirements, and limit on the number of dogs they may walk on City lands covered by the ordinance. This is particularly to be expected because the NPS is also considering restrictions on commercial dog walking in Area A of the Presidio. This increase in dogs in Area B will inevitably affect the use and enjoyment of the Presidio by other users, will increase damages to resources, and will increase the cost of park maintenance and operations. The Trust must provide for the safe enjoyment of all park users, protect resources, and control its operations and maintenance costs, and is therefore undertaking this public use limit in response to the changing circumstances in the surrounding area.

The Trust believes that no less restrictive measures are reasonably available to the Trust that would achieve the same results—that is, appropriate behavior to the benefit of other dog walkers and other park users, the protection of natural and cultural resources, and the reduction of expenditures for maintenance that would otherwise be necessitated by unlimited use by Commercial Dog Walkers. Nor could any such less restrictive measures, even if they were to exist, take advantage of the substantial amount of feedback from diverse constituencies that went into drafting and refining the City's ordinance. Honoring the City's existing permitting system is less restrictive than creating a new system because it avoids imposing additional administrative and financial burdens on Commercial Dog Walkers.

Commercial Dog Walkers with four or more dogs at one time in Area B will be subject to the terms and conditions of the City permits, including the maximum number of dogs allowed at one time. A Commercial Dog Walker will be obliged to carry his or her permit while walking four or more dogs at one time and to produce the permit for inspection upon request by an officer with law enforcement authority in Area B. Anyone violating the limitation could face punishment as provided by law.

The limitation would go into effect following the operative date of the City's Commercial Dog Walking ordinance. Prior to implementation, the Trust will conduct a public outreach and education campaign to alert Commercial Dog Walkers and others about the use limitation. The Trust will also post signs and provide handouts to notify park users of the restriction in areas where dog walking is a high-use activity.

In its draft Dog Management Plan/Environmental Impact Statement (EIS), which is currently being supplemented, the NPS has proposed a permitting system for commercial and private dog walkers who walk four or more dogs at one time in the Golden Gate National Recreation Area (GGNRA). *Draft EIS Appendix F: Special Use Permit*. The NPS permitting system will not be implemented until a rulemaking process is completed and a comprehensive special regulation for dog walking at GGNRA is adopted. Upon the completion of the NPS rulemaking, the Trust may amend its own use limitation for Commercial Dog Walkers to recognize GGNRA permits as valid within Area B among other permits, to accept GGNRA permits exclusively, or otherwise in response to new circumstances.

In fulfilling its responsibilities and exercising its independent jurisdiction under the Presidio Trust Act, 16 U.S.C. 460bb appendix, the Trust intends to monitor closely the City's implementation of its ordinance and permit system. The Trust intends to evaluate periodically whether honoring Commercial Dog Walker permits issued by the City continues to serve the purpose of avoiding conflict among visitor uses and enhancing health and safety and resource protection, and the Trust will take action to revise its regulations in this regard should changes be appropriate. Although the Trust will honor City-issued permits, the Trust retains its independent authority to define the requirements for Commercial Dog Walkers within Area B of the Presidio.

## 2. Requirement To Remove Pet Excrement

Under 36 CFR 1002.15(a)(5), the Board may establish pet excrement disposal conditions. The Trust is proposing a rule amendment that will require all persons controlling pets to remove pet excrement and deposit it in a refuse container. This rule will apply to all individuals whether or not they are engaged in commercial activities or meet the definition of Commercial Dog Walker under the City ordinance and permit system.

The Trust's Interim Compendium currently requires pet excrement to be removed only in areas designated by appropriate signage. Pet excrement is a recognized health hazard, may deface or damage cultural and natural resources, and is widely considered to be a deterrent to use of park facilities. The Trust sees no benefit in limiting the removal requirement to specific areas in which signs are posted and believes that its stewardship responsibilities would be best served by extending the removal requirement to the entirety of Area B. Accordingly, in order to avoid conflict among visitor uses, and enhance health and safety and resource protection, the Trust is proposing this rule.

**Regulatory Impact:** The proposed amendments will not have an annual effect of \$100 million or more on the economy nor adversely affect productivity, competition, jobs, prices, the environment, public health or safety, or State or local governments. The proposed rule will not interfere with an action taken or planned by another agency or raise new legal or policy issues. In short, little or no effect on the national economy will result from adoption of the proposed rule. Because the proposed rule is not "economically significant," they are not subject to review by the Office of Management and Budget under Executive Order 12866 or Executive Order 13536. The proposed rule is not a "major rule" under the Congressional review provisions of the Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 801 *et seq.*

The Trust has determined and certifies pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, that the proposed rule will not have a significant economic effect on a substantial number of small entities.

The Trust has determined and certifies pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rule will not impose a cost of \$100 million or more in any given year on local, State, or tribal governments or private entities.

**Environmental Impact:** The Trust's National Environmental Policy Act (NEPA) Regulations contain categories of actions that do not require an environmental assessment or environmental impact statement. 36 CFR part 1010. 36 CFR 1010.7(a)(31) provides that "minor changes in programs and regulations pertaining to visitor activities" may be categorically excluded under the NEPA. The proposed rule will improve visitor and dog safety and protect resources in Area B. However, dog walking use in Area A could slightly increase as those who walk dogs for consideration, despite the additional travel time and fees for parking, may take their dogs to walk in Crissy Field or other areas where permits are not currently required by the NPS. Any environmental impact will be short-term, however, until such time as the NPS permit provisions for dog walkers in Area A are in place. No extraordinary circumstances as listed in § 1010.7(b) are involved that may have a significant environmental effect. Therefore, the regulatory actions are categorically excluded from further NEPA review. The Trust has prepared a Project Screening Form to determine that the regulatory actions will have no significant effect on the environment, which is part of the administrative record on this matter. The Project Screening Form is available for public inspection at the offices of the Presidio Trust, 103 Montgomery Street, The Presidio, San Francisco, CA 94129, between the hours of 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Other Authorities:** The Trust has drafted and reviewed the proposed rule in light of *Executive Order 12988* and has determined that they meet the applicable standards provided in secs. 3(a) and (b) of that Order.

## List of Subjects in 36 CFR Part 1002

National parks, Natural resources, Public lands, Recreation and recreation areas.

For the reasons set forth in the preamble, part 1002 of Title 36 of the Code of Federal Regulations is proposed to be amended as set forth below:

## PART 1002—RESOURCE PROTECTION, PUBLIC USE AND RECREATION

1. The authority citation for part 1002 continues to read as follows:

**Authority:** Pub. L. 104–333, 110 Stat. 4097 (16 U.S.C. 460bb note).

2. In § 1002.15, revise paragraph (a)(5) and add paragraph (f) to read as follows:

**§ 1002.15 Pets.**

(a) \* \* \*

(5) In all areas of the Presidio administered by the Presidio Trust, pet excrement shall be removed and deposited in a refuse container by the person(s) controlling the pet(s).

\* \* \* \* \*

(f) The walking of four or more dogs at one time by any one person for consideration is prohibited within the area administered by the Presidio Trust unless:

(1) That person has been issued a currently valid permit under Article 39 of the San Francisco Health Code.

(2) The walking of four or more dogs is done pursuant to the terms and conditions of that permit as well as in compliance with all laws and regulations in effect in the area administered by the Presidio Trust; and

(3) The permit is produced for inspection upon request by an officer with law enforcement authority in the area administered by the Presidio Trust.

Dated: November 13, 2012.

**Karen A. Cook,**

*General Counsel.*

[FR Doc. 2012-28018 Filed 11-20-12; 8:45 am]

**BILLING CODE 4310-4R-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[EPA-R08-RCRA-2012-0396; FRL-9753-5]

### Colorado: Final Authorization of State Hazardous Waste Management Program Revisions

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The state of Colorado has applied to the EPA for final authorization of changes to its hazardous waste program under the Resource Conservation and Recovery Act (RCRA). The EPA proposes to grant final authorization to the hazardous waste program changes submitted by the state of Colorado. In the “Rules and Regulations” section of this **Federal Register**, the EPA is authorizing the changes in a final rule. The EPA did not propose the rule prior to issuing the final rule because the Agency believes this action is not controversial and does not expect comments that oppose it. We have explained the reasons for this authorization in the preamble to the final rule. Unless we receive written

comments that oppose this authorization during the comment period, the final rule will become effective on the date it establishes, and the EPA will not take further action on this proposal. If the Agency receives comments that oppose this action, the EPA will publish a document in the **Federal Register** withdrawing this rule before it takes effect. The EPA will then address public comments in a later, final rule, based on this proposal. Any parties interested in commenting on this action must do so at this time. The EPA may not provide further opportunity for comment.

**DATES:** Comments must be received on or before December 21, 2012.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R08-RCRA-2012-0396, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Email:* [lin.moye@epa.gov](mailto:lin.moye@epa.gov).
- *Fax:* (303) 312-6341.
- *Mail:* Send written comments to Moye Lin, Resource Conservation and Recovery Program, EPA Region 8, Mailcode 8P-R 1595 Wynkoop Street, Denver, Colorado 80202-1129, phone number: (303) 312-6667.

• *Hand Delivery or Courier:* Deliver your comments to Moye Lin, Resource Conservation and Recovery Program, EPA Region 8, Mailcode 8P-R, 1595 Wynkoop Street, Denver, Colorado 80202-1129. Deliveries are accepted only during the Regional Office’s normal hours of operation, 9:00 a.m. to 3:00 p.m. Special arrangements should be made for deliveries of boxed information. The public is welcome to view Docket ID No. EPA-R08-RCRA-2012-0396 at the Region 8 EPA Library, 1595 Wynkoop Street, Denver, Colorado 80202-1129 during the Library’s normal hours of operation, Monday through Thursday, 8:00 a.m. to 4:00 p.m., excluding federal holidays.

*Instructions:* Direct your comments to Docket ID No. EPA-R08-RCRA-2012-0396. The EPA’s policy is that all comments received will be included in the public docket without change, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information, the disclosure of which is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov>, or email. The federal web site <http://www.regulations.gov> 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 email your comment directly to the EPA rather than going through <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 cannot read your comment due to technical difficulties, and cannot contact you for clarification, the EPA may not be able to consider your comment. Electronic files should avoid the use of special characters or 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>.

*Docket:* All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information may not be 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 available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy from 8:00 a.m. to 4:00 p.m., Monday through Thursday at the EPA Region 8 Library at the address listed above, or the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, Colorado 80222-1530, contact: Randy Perila, phone number (303) 692-3364.

**FOR FURTHER INFORMATION CONTACT:** Moye Lin, (303) 312-6667, [Lin.Moye@epa.gov](mailto:Lin.Moye@epa.gov) or Randy Perila, (303) 692-3364, [randy.perila@state.co.us](mailto:randy.perila@state.co.us).

**SUPPLEMENTARY INFORMATION:** For additional information, please see the final rule published in the “Rules and Regulations” section of this **Federal Register**.

Dated: September 21, 2012.

**James B. Martin,**

*Regional Administrator, Region 8.*

[FR Doc. 2012-28337 Filed 11-20-12; 8:45 am]

**BILLING CODE 6560-50-P**