

responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023-01 and Commandant Instruction M16475.ID, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. This rule is categorically excluded, under figure 2-1, paragraph (34)(g), of the Instruction because the rule creates two safety zones around submerged buoys and their associated infrastructure. An environmental analysis checklist and a categorical exclusion determination will be available in the docket where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Pub. L. 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add temporary § 165.T01-0644 to read as follows:

§ 165.T01-0644 Safety Zones; Neptune Deepwater Port, Atlantic Ocean, Boston, MA.

(a) *Location.* The following areas are safety zones: All navigable waters of the United States within a 500-meter radius of each of the two submerged turret loading buoys of the Neptune Deepwater Port, which are located at approximately 42°23'38" N, 070°35'31" W and 42°23'56" N, 070°37'00" W (NAD83). The location of the two submerged turret loading buoys is marked on the surface of the water by several small, white buoys labeled LNG with red flags and radar-reflected buoys known as "Hi Flyers."

(b) *Definitions.* As used in this section: *Authorized representative* means a Coast Guard commissioned, warrant, or petty officer or a Federal, State, or local law enforcement officer designated by or assisting the Captain of the Port Boston (COTP).

Deepwater port means any facility or structure meeting the definition of deepwater port in 33 CFR 148.5.

Support vessel means any vessel meeting the definition of support vessel in 33 CFR 148.5.

(c) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23 apply.

(2) In accordance with the general regulations, entry into or movement within these safety zones is prohibited unless authorized by the Captain of the Port Boston. Liquefied Natural Gas Carrier vessels and related Support Vessels calling on the Neptune Deepwater Port are authorized to enter and move within the safety zones of this section in the normal course of their operations.

(3) All persons and vessels must comply with the Coast Guard Captain of the Port or authorized representative.

(4) Upon being hailed by an authorized representative by siren, radio, flashing light or other means, the operator of the vessel must proceed as directed.

(5) Persons and vessels may contact the Coast Guard to request permission to enter the zone on VHF-FM Channel 16 or via phone at 617-223-5761.

Dated: July 31, 2009.

John N. Healey,

Captain, U.S. Coast Guard, Captain of the Port Boston.

[FR Doc. E9-19547 Filed 8-14-09; 8:45 am]

BILLING CODE 4910-15-P

POSTAL REGULATORY COMMISSION

39 CFR Part 3020

[Docket No. CP2009-46; Order No. 265]

Global Plus 1 Contracts

AGENCY: Postal Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is making changes to the Competitive Product List, including adding a Global Plus 1 contract. This is consistent with changes in a recent law governing postal operations. Republication of the lists of market dominant and competitive products is also consistent with requirements in the new law.

DATES: Effective August 17, 2009 and is applicable beginning July 31, 2009.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman at 202-789-6820 or stephen.sharfman@prc.gov.

SUPPLEMENTARY INFORMATION: *Regulatory History*, 74 FR 36276 (July 22, 2009).

I. Introduction
II. Background
III. Comments
IV. Commission Analysis
V. Ordering Paragraphs

I. Introduction

The Postal Service proposes to add a specific Global Plus 1 contract to the Global Plus Contracts product established in Docket No. CP2008-8. For the reasons discussed below, the Commission approves the Postal Service's proposal.

II. Background

On July 13, 2009, the Postal Service filed a notice, pursuant to 39 CFR 3015.5, announcing that it has entered into two additional Global Plus 1 contracts, which it states fit within the previously established Global Plus Contracts product.¹ The Postal Service

¹ Notice of the United States Postal Service of Filing Two Functionally Equivalent Global Plus 1

states that each contract is functionally equivalent to previously submitted Global Plus 1 contracts, are filed in accordance with Order No. 85, and are supported by Governors' Decision No. 08-8 filed in Docket No. CP2008-8.² Notice at 1.

The Notice also states that in Docket No. CP2008-8, the Governors established prices and classifications for competitive products not of general applicability for Global Plus Contracts.³ The Postal Service states that the instant contract is the immediate successor contract to Docket No. CP2008-9 which is to expire soon, which the Commission found to be functionally equivalent in Order No. 85. *Id.* at 2.

The Postal Service contends that the instant contract should be included within the Global Plus 1 product on the Competitive Product List. *Id.* at 1.

In support, the Postal Service has also filed a redacted version of each contract and related materials as Attachment 1-A. A redacted version of the certified statement required by 39 CFR 3015.5 is included as Attachment 2-A. The Postal Service requests that the instant contract "be considered the new 'baseline' contract[s] for future functional equivalency analyses concerning this product." *Id.* at 2.

The Postal Service filed the instant contract pursuant to 39 CFR 3015.5. The contract becomes effective August 1, 2009, unless regulatory reviews affect that date, and has a one-year term.

The Postal Service maintains that certain portions of this contract and certified statement required by 39 CFR 3015.5(c)(2), containing names and identifying information of the Global Plus 1 customer, related financial information, as well as the accompanying analyses that provide prices, terms, conditions, and financial projections should remain under seal. *Id.* at 3.

The Postal Service asserts the contract is functionally equivalent with the contract filed in Docket No. CP2009-47 because they share similar cost and market characteristics. It contends that they should be classified as a single

product. *Id.* It states that while the existing contracts filed in Docket Nos. CP2008-9 and CP2008-10 exhibited minor distinctions, the new contracts are virtually identical to one another. *Id.* at 4.

The Postal Service maintains these differences only add detail or amplify processes included in prior Global Plus 1 contracts. It contends because the instant contract has the same cost attributes and methodology as well as similar cost and market characteristics the differences do not affect the fundamental service being offered or the essential structure of the contract. *Id.* at 7-8. It states the contract is substantially similar both to the existing contract in Docket No. CP2008-9 and to the existing Global Plus 1 contracts and should be added to the Global Plus 1 product. *Id.* at 8.

In Order No. 249, the Commission gave notice of the docket, appointed a Public Representative, and provided the public with an opportunity to comment.⁴

On July 22, 2009, Chairman's Information Request No. 1 (CHIR No. 1) was issued with responses due by July 27, 2009. On July 24, 2009, the Postal Service provided its responses to CHIR No. 1.

III. Comments

Comments were filed by the Public Representative.⁵ No other interested parties submitted comments. The Public Representative states the individual contracts appear to satisfy the statutory criteria, but because of the timeframe to provide comments and information identified in CHIR No. 1, his response is not an unqualified recommendation in support of each contract's approval. *Id.* at 2. He notes that relevant provisions of 39 U.S.C. 3632, 3633 and 3642 appear to be met by these additional Global Plus 1 contracts. *Id.* The Public Representative states that he believes the contracts are functionally equivalent to the existing Global Plus Contracts product. He also determines that the Postal Service has provided greater transparency and accessibility in its filings. *Id.* at 3.

The Public Representative notes that the general public benefits from the availability of these contracts in several ways: Well prepared international mail adds increased efficiency in the

mailstream, enhanced volume results in timeliness in outbound shipments to all countries including those with small volume, and the addition of shipping options may result in expansion of mail volumes, particularly with the incentives for Postal Qualified Mailers (PQMs) and increased efficiency in existing postal capacity. *Id.* at 4-5.

Finally, he discusses the need for self-contained docket filings. In particular, he notes that the instant contract relies on data from the most recent International Cost and Revenue Analysis (ICRA), which was filed under seal in another docket. He suggests that the Postal Service should identify the location of the ICRA utilized and cited in that docket. *Id.* at 6.

IV. Commission Analysis

The Postal Service proposes to add an additional contract under the Global Plus Contracts product that was created in Docket No. CP2008-8. As filed, this docket presents two issues for the Commission to consider: (1) Whether the contract satisfies 39 U.S.C. 3633, and (2) whether the contract is functionally equivalent to previously reviewed Global Plus 1 contracts. In reaching its conclusions, the Commission has reviewed the Notice, the contract and the financial analyses provided under seal, supplemental information, and the Public Representative's comments.

Statutory requirements. The Postal Service contends that the instant contract and supporting documents filed in this docket establish compliance with the statutory provisions applicable to rates for competitive products (39 U.S.C. 3633). Notice at 2. J. Ron Poland, Manager, Statistical Programs, Finance Department asserts Governors' Decision No. 08-8 for Global Plus Contracts establishes price floor and ceiling formulas issued on May 28, 2008. He certifies that the pricing in the instant contract meets the Governors' pricing formula and meets the criteria of 39 U.S.C. 3633(a)(1), (2) and (3). He further states that the prices demonstrate that the contract and the included ancillary services should cover their attributable costs, preclude the subsidization of competitive products by market dominant products, and should not impair the ability of competitive products on the whole to cover an appropriate share of institutional costs. *Id.*, Attachment 2-A.

For his part, the Public Representative indicates that the contract appears to satisfy 39 U.S.C. 3633. Public Representative Comments at 1-3.

Based on the review of the data submitted, including the supplemental

Contracts Negotiated Service Agreements, July 13, 2009 (Notice). While the Notice was filed jointly in Docket Nos. CP2009-46 and CP2009-47, the Commission will address the issues in these dockets in separate orders. The Postal Service requests that the two contracts be included in the Global Plus 1 product, and "that they be considered the new 'baseline' contracts for future functional equivalency analyses..." *Id.* at 2.

² See Docket Nos. CP2008-8 through CP2008-10, Order Concerning Global Plus Negotiated Service Agreements, June 27, 2008 (Order No. 85).

³ See Docket No. CP2008-8, Notice of United States Postal Service of Governors' Decision Establishing Prices and Classifications for Global Plus Contracts, June 2, 2008, at 1.

⁴ Notice and Order Concerning Two Functionally Equivalent Global Plus 1 Contracts Negotiated Service Agreements, July 16, 2009 (Order No. 249).

⁵ Public Representative Comments in Response to Order No. 249, July 23, 2009 (Public Representative Comments). The Public Representative's comments jointly address the Postal Service's filings in Docket Nos. CP2009-46 and CP2009-47.

information, the Commission finds that the contract should cover its attributable costs (39 U.S.C. 3633(a)(2)), should not lead to the subsidization of competitive products by market dominant products (39 U.S.C. 3633(a)(1)), and should have a positive effect on competitive products' contribution to institutional costs (39 U.S.C. 3633(a)(3)). Thus, an initial review of the contract indicates that it comports with the provisions applicable to rates for competitive products.

Functional equivalence. The Postal Service asserts that the instant contract is functionally equivalent to the contract filed in the companion proceeding, Docket No. CP2009-47, as well as with Global Plus 1 contracts filed previously because they share similar cost and market characteristics. Notice at 4. The Postal Service states that the customers under the existing and proposed contracts are the same. In addition, it notes that existing contracts exhibited some differences, the contracts proposed in Docket No. CP2009-46 and CP2009-47 are virtually identical. *Id.*

Having reviewed the contracts filed in the instant proceeding and in Docket No. CP2009-47, and the Postal Service's justification, the Commission finds that the two contracts may be treated as functionally equivalent.

New baseline. The Postal Service requests that the contracts filed in Docket Nos. CP2009-46 and 2009-47 be included in the Global Plus 1 product and "considered the new 'baseline' contracts for purposes of future functional equivalency analyses concerning this product." Notice at 2. Currently, the Global Plus 1 product consists of two existing contracts that will be superseded by the contracts in Docket Nos. CP2009-46 and CP2009-47. Under those circumstances, the new contracts need not be designated as a new product. Accordingly, the new contracts in Docket Nos. CP2009-46 and CP2009-47 will be included in the Global Plus 1 product and become the "baseline" for future functional equivalency analyses regarding that product.

Self-contained docket filings. The Public Representative reiterates a point made in Order No. 247 regarding the need for self-contained docket filings. In particular, he points to the difficulty in obtaining IRCA data relied on to support the instant contract but filed under seal in another docket. He suggests that "filings that reference the ICRA should include a pointer to the location of the ICRA utilized and cited in that docket." Public Representative Comments at 6.

The Public Representative point is well taken. The Commission does not

wish to burden the Postal Service with extraneous filing requirements, nor does it intend for the process of reviewing Postal Service filings to become labyrinthine. Recognizing that Postal Service filings are electronic, the Commission will adopt the following policy: 1. The redacted Governors' Decision on which the contract is based should be included with the filing; 2. an html link should be provided to the document filed by the Postal Service that notices that the unredacted Governors' Decision is being filed under seal; and 3. all other confidential data relied on to support the specific contract should be filed in the docket in which that specific contract is filed.

Other considerations. If the agreement terminates earlier than anticipated, the Postal Service shall promptly inform the Commission of the new termination date.

In conclusion, the Commission finds that the negotiated service agreement submitted in Docket No. CP2009-46 is appropriately included within the Global Plus Contracts product.

V. Ordering Paragraphs

It is ordered:

1. The contract filed in Docket No. CP2009-46 is included within the Global Plus 1 product (CP2008-8 and CP2009-46).
2. The existing Global Plus 1 product (CP2008-9 and CP2008-10) is removed from the product list.
3. As discussed in the body of this order, future contract filings which rely on materials filed under seal in other dockets should be self-contained.
4. The Postal Service shall notify the Commission if the termination date changes as discussed in this order.

List of Subjects in 39 CFR Part 3020

Administrative practice and procedure; Postal Service.

Issued: July 31, 2009.

By the Commission.

Judith M. Grady,
Acting Secretary.

■ For the reasons stated in the preamble, under the authority at 39 U.S.C. 503, the Postal Regulatory Commission amends 39 CFR part 3020 as follows:

PART 3020—PRODUCT LISTS

■ 1. The authority citation for part 3020 continues to read as follows:

Authority: 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise Appendix A to Subpart A of Part 3020—Mail Classification Schedule to read as follows:

Appendix to Subpart A of Part 3020—Mail Classification Schedule

Part A—Market Dominant Products

1000 Market Dominant Product List

First-Class Mail

Single-Piece Letters/Postcards

Bulk Letters/Postcards

Flats

Parcels

Outbound Single-Piece First-Class Mail

International

Inbound Single-Piece First-Class Mail

International

Standard Mail (Regular and Nonprofit)

High Density and Saturation Letters

High Density and Saturation Flats/Parcels

Carrier Route

Letters

Flats

Not Flat-Machinables (NFM)/Parcels

Periodicals

Within County Periodicals

Outside County Periodicals

Package Services

Single-Piece Parcel Post

Inbound Surface Parcel Post (at UPU rates)

Bound Printed Matter Flats

Bound Printed Matter Parcels

Media Mail/Library Mail

Special Services

Ancillary Services

International Ancillary Services

Address List Services

Caller Service

Change-of-Address Credit Card

Authentication

Confirm

International Reply Coupon Service

International Business Reply Mail Service

Money Orders

Post Office Box Service

Negotiated Service Agreements

HSBC North America Holdings Inc.

Negotiated Service Agreement

Bookspan Negotiated Service Agreement

Bank of America Corporation Negotiated

Service Agreement

The Bradford Group Negotiated Service

Agreement

Inbound International

Canada Post—United States Postal Service

Contractual Bilateral Agreement for

Inbound Market Dominant Services

Market Dominant Product Descriptions

First-Class Mail

[Reserved for Class Description]

Single-Piece Letters/Postcards

[Reserved for Product Description]

Bulk Letters/Postcards

[Reserved for Product Description]

Flats

[Reserved for Product Description]

Parcels

[Reserved for Product Description]

Outbound Single-Piece First-Class Mail

International

[Reserved for Product Description]

Inbound Single-Piece First-Class Mail

International

[Reserved for Product Description]

Standard Mail (Regular and Nonprofit)

[Reserved for Class Description]

High Density and Saturation Letters

[Reserved for Product Description]

High Density and Saturation Flats/Parcels [Reserved for Product Description]	International Ancillary Services [Reserved for Product Description]	Negotiated Service Agreements
Carrier Route [Reserved for Product Description]	International Certificate of Mailing [Reserved for Product Description]	Domestic
Letters [Reserved for Product Description]	International Registered Mail [Reserved for Product Description]	Express Mail Contract 1 (MC2008–5)
Flats [Reserved for Product Description]	International Return Receipt [Reserved for Product Description]	Express Mail Contract 2 (MC2009–3 and CP2009–4)
Not Flat-Machinables (NFM)/Parcels [Reserved for Product Description]	International Restricted Delivery [Reserved for Product Description]	Express Mail Contract 3 (MC2009–15 and CP2009–21)
Periodicals [Reserved for Class Description]	Address List Services [Reserved for Product Description]	Express Mail Contract 4 (MC2009–34 and CP2009–45)
Within County Periodicals [Reserved for Product Description]	Caller Service [Reserved for Product Description]	Express Mail & Priority Mail Contract 1 (MC2009–6 and CP2009–7)
Outside County Periodicals [Reserved for Product Description]	Change-of-Address Credit Card Authentication [Reserved for Product Description]	Express Mail & Priority Mail Contract 2 (MC2009–12 and CP2009–14)
Package Services [Reserved for Class Description]	Confirm [Reserved for Product Description]	Express Mail & Priority Mail Contract 3 (MC2009–13 and CP2009–17)
Single-Piece Parcel Post [Reserved for Product Description]	International Reply Coupon Service [Reserved for Product Description]	Express Mail & Priority Mail Contract 4 (MC2009–17 and CP2009–24)
Inbound Surface Parcel Post (at UPU rates) [Reserved for Product Description]	International Business Reply Mail Service [Reserved for Product Description]	Express Mail & Priority Mail Contract 5 (MC2009–18 and CP2009–25)
Bound Printed Matter Flats [Reserved for Product Description]	Money Orders [Reserved for Product Description]	Express Mail & Priority Mail Contract 6 (MC2009–31 and CP2009–42)
Bound Printed Matter Parcels [Reserved for Product Description]	Post Office Box Service [Reserved for Product Description]	Express Mail & Priority Mail Contract 7 (MC2009–32 and CP2009–43)
Media Mail/Library Mail [Reserved for Product Description]	Negotiated Service Agreements [Reserved for Class Description]	Express Mail & Priority Mail Contract 8 (MC2009–33 and CP2009–44)
Special Services [Reserved for Class Description]	HSBC North America Holdings Inc. Negotiated Service Agreement [Reserved for Product Description]	Parcel Return Service Contract 1 (MC2009–1 and CP2009–2)
Ancillary Services [Reserved for Product Description]	Bookspan Negotiated Service Agreement [Reserved for Product Description]	Priority Mail Contract 1 (MC2008–8 and CP2008–26)
Address Correction Service [Reserved for Product Description]	Bank of America Corporation Negotiated Service Agreement	Priority Mail Contract 2 (MC2009–2 and CP2009–3)
Applications and Mailing Permits [Reserved for Product Description]	The Bradford Group Negotiated Service Agreement	Priority Mail Contract 3 (MC2009–4 and CP2009–5)
Business Reply Mail [Reserved for Product Description]	Part B—Competitive Products	Priority Mail Contract 4 (MC2009–5 and CP2009–6)
Bulk Parcel Return Service [Reserved for Product Description]	2000 <i>Competitive Product List</i>	Priority Mail Contract 5 (MC2009–21 and CP2009–26)
Certified Mail [Reserved for Product Description]	Express Mail	Priority Mail Contract 6 (MC2009–25 and CP2009–30)
Certificate of Mailing [Reserved for Product Description]	Express Mail	Priority Mail Contract 7 (MC2009–25 and CP2009–31)
Collect on Delivery [Reserved for Product Description]	Outbound International Expedited Services	Priority Mail Contract 8 (MC2009–25 and CP2009–32)
Delivery Confirmation [Reserved for Product Description]	Inbound International Expedited Services 1 (CP2008–7)	Priority Mail Contract 9 (MC2009–25 and CP2009–33)
Insurance [Reserved for Product Description]	Inbound International Expedited Services 2 (MC2009–10 and CP2009–12)	Priority Mail Contract 10 (MC2009–25 and CP2009–34)
Merchandise Return Service [Reserved for Product Description]	Priority Mail	Priority Mail Contract 11 (MC2009–27 and CP2009–37)
Parcel Airlift (PAL) [Reserved for Product Description]	Priority Mail	Priority Mail Contract 12 (MC2009–28 and CP2009–38)
Registered Mail [Reserved for Product Description]	Outbound Priority Mail International	Priority Mail Contract 13 (MC2009–29 and CP2009–39)
Return Receipt [Reserved for Product Description]	Inbound Air Parcel Post	Priority Mail Contract 14 (MC2009–30 and CP2009–40)
Return Receipt for Merchandise [Reserved for Product Description]	Royal Mail Group Inbound Air Parcel Post Agreement	Outbound International
Restricted Delivery [Reserved for Product Description]	Parcel Select	Direct Entry Parcels Contracts
Shipper-Paid Forwarding [Reserved for Product Description]	Parcel Return Service	Direct Entry Parcels 1 (MC2009–26 and CP2009–36)
Signature Confirmation [Reserved for Product Description]	International	Global Direct Contracts (MC2009–9, CP2009–10, and CP2009–11)
Special Handling [Reserved for Product Description]	International Priority Airlift (IPA)	Global Expedited Package Services (GEPS) Contracts
Stamped Envelopes [Reserved for Product Description]	International Surface Airlift (ISAL)	GEPS 1 (CP2008–5, CP2008–11, CP2008–12, and CP2008–13, CP2008–18, CP2008–19, CP2008–20, CP2008–21, CP2008–22, CP2008–23, and CP2008–24)
Stamped Cards [Reserved for Product Description]	International Direct Sacks—M—Bags	Global Plus Contracts
Premium Stamped Stationery [Reserved for Product Description]	Global Customized Shipping Services	Global Plus 1 (CP2008–8 and CP2008–46)
Premium Stamped Cards [Reserved for Product Description]	Inbound Surface Parcel Post (at non-UPU rates)	Global Plus 2 (MC2008–7, CP2008–16 and CP2008–17)
	Canada Post—United States Postal service Contractual Bilateral Agreement for Inbound Competitive Services (MC2009–8 and CP2009–9)	Inbound International
	International Money Transfer Service	Inbound Direct Entry Contracts with Foreign Postal Administrations (MC2008–6, CP2008–14 and CP2008–15)
	International Ancillary Services	
	Special Services	
	Premium Forwarding Service	

International Business Reply Service
Competitive Contract 1 (MC2009–14 and
CP2009–20)

Competitive Product Descriptions

Express Mail [Reserved for Group
Description]
Express Mail [Reserved for Product
Description]
Outbound International Expedited Services
[Reserved for Product Description]
Inbound International Expedited Services
[Reserved for Product Description]
Priority [Reserved for Product Description]
Priority Mail [Reserved for Product
Description]
Outbound Priority Mail International
[Reserved for Product Description]
Inbound Air Parcel Post [Reserved for
Product Description]
Parcel Select [Reserved for Group
Description]
Parcel Return Service [Reserved for Group
Description]
International [Reserved for Group
Description]
International Priority Airlift (IPA)
[Reserved for Product Description]
International Surface Airlift (ISAL)
[Reserved for Product Description]
International Direct Sacks—M—Bags
[Reserved for Product Description]
Global Customized Shipping Services
[Reserved for Product Description]
International Money Transfer Service
[Reserved for Product Description]
Inbound Surface Parcel Post (at non-UPU
rates) [Reserved for Product Description]
International Ancillary Services [Reserved
for Product Description]
International Certificate of Mailing
[Reserved for Product Description]
International Registered Mail [Reserved for
Product Description]
International Return Receipt [Reserved for
Product Description]
International Restricted Delivery [Reserved
for Product Description]
International Insurance [Reserved for
Product Description]
Negotiated Service Agreements [Reserved
for Group Description]
Domestic [Reserved for Product
Description]
Outbound International [Reserved for
Group Description]

Part C—Glossary of Terms and Conditions
[Reserved]

Part D—Country Price Lists for International
Mail [Reserved]

[FR Doc. E9–19440 Filed 8–14–09; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2009–0521; FRL–8946–2]

Interim Final Determination To Stay and Defer Sanctions, Pinal County, AZ

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Interim final rule.

SUMMARY: EPA is making an interim final determination to stay and defer imposition of sanctions based on a proposed approval of revisions to the Pinal County portion of the Arizona State Implementation Plan (SIP) published elsewhere in today's **Federal Register**. The revisions concern Pinal County Rules 2–8–320, 4–2–020, 4–2–030, 4–4, 4–5, 4–7, and 4–9.

DATES: This interim final determination is effective on August 17, 2009. However, comments will be accepted until September 16, 2009.

ADDRESSES: Submit comments, identified by docket number EPA–R09–OAR–2009–0521, by one of the following methods:

1. *Federal eRulemaking Portal:* www.regulations.gov. Follow the on-line instructions.

2. *E-mail:* steckel.andrew@epa.gov.

3. *Mail or deliver:* Andrew Steckel (Air–4), U.S. Environmental Protection Agency Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Instructions: All comments will be included in the public docket without change and may be made available online at www.regulations.gov, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through www.regulations.gov or e-mail. www.regulations.gov is an “anonymous access” system, and EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send e-mail directly to EPA, your e-mail address will be automatically captured and included as part of the public comment. 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.

Docket: The index to the docket for this action is available electronically at www.regulations.gov and in hard copy at EPA Region IX, 75 Hawthorne Street,

San Francisco, California. While all documents in the docket are listed in the index, some information may be publicly available only at the hard copy location (e.g., copyrighted material), and some may not be publicly available in either location (e.g., CBI). To inspect the hard copy materials, please schedule an appointment during normal business hours with the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Andrew Steckel, EPA Region IX, (415) 947–4115, steckel.andrew@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, “we”, “us” and “our” refer to EPA.

I. Background

On August 1, 2007 (*see* 72 FR 48196), we published a limited approval and limited disapproval of Pinal County Rules 4–2–020, 4–2–030, 4–2–040, and 4–2–050 as adopted locally on June 29, 1993 and submitted by the State on November 27, 1995. We based our limited disapproval action on certain deficiencies in the submittal. This disapproval action started a sanctions clock for imposition of offset sanctions 18 months after August 31, 2007 and highway sanctions 6 months later, pursuant to section 179 of the Clean Air Act (CAA) and our regulations at 40 CFR 52.31.

To correct the deficiencies identified in our August 1, 2007 final rule, Pinal County made the following changes to their regulations: On December 4, 2002, Pinal County amended Rules 4–2–020 and 4–2–030 and codified these changes on January 7, 2009; on January 7, 2009, Pinal County adopted Rule 2–8–320; and, on June 3, 2009, Pinal County adopted Rules 4–4, 4–7, 4–9 and amendments to Rule 4–5. On June 12, 2009, the State submitted these revisions to EPA. In the Proposed Rules section of today's **Federal Register**, we have proposed approval of this submittal because we believe it corrects the deficiencies identified in our August 1, 2007 disapproval action. Based on today's proposed approval, we are taking this final rulemaking action, effective on publication, to stay and defer imposition of sanctions that were triggered by our August 1, 2007 limited disapproval.

EPA is providing the public with an opportunity to comment on this stay and deferral of sanctions. If comments are submitted that change our assessment described in this final determination and the proposed full approval of new and revised Pinal County rules, we intend to take subsequent final action to reimpose