

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3050

[Docket No. RM2009–5; Order No. 229]

#### Periodic Reporting Rules

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Proposed rule; availability of rulemaking petition.

**SUMMARY:** Under a new law, the Postal Service must file an annual compliance report with the Postal Regulatory Commission on costs, revenues, rates and quality of service associated with its products. It has filed a petition with the Commission to consider a change in the analytical methods approved for use in periodic reporting. This document provides an opportunity for the public to comment on potential changes in periodic reporting rules.

**DATES:** Comments are due by July 15, 2009.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202–789–6820 and [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:** On June 22, 2009, the Postal Service filed a petition to initiate an informal rulemaking proceeding to consider a change in the analytical methods approved for use in periodic reporting.<sup>1</sup> The Postal Service proposes to reduce the size of the sample that it uses to collect Origin-Destination Information System/Revenue Pieces and Weight (ODIS/RPW) data by 20 percent starting in the first quarter of FY 2010. The Petition explains that the Postal Service intends to eliminate 25,600 tests, thereby saving approximately \$6 million annually. It asserts that the reduction in

accuracy of the data collected is small and should be acceptable in view of the expense that it would avoid. In support of this assertion, the Petition includes two tables. Table 1 shows the estimated impact of the proposed reduction in sample size on the coefficients of variation (CVs) for volume and for revenue for the major categories of single-piece mail. Table 2 shows the estimated impact on the CVs for unit volume variable costs for those same categories of single-piece mail. The attachment to the Postal Service's Petition explains its proposal in more detail, including its background, objective, rationale, and estimated impact.

#### *It is Ordered:*

1. Petition of the United States Postal Service Requesting Initiation of a Proceeding to Consider Proposed Change in Analytic Principles (Proposal One), filed June 22, 2009, is granted.

2. The Commission establishes Docket No. RM2009–5 to consider the matters raised by the Postal Service's Petition.

3. Interested persons may submit initial comments on or before July 15, 2009.

4. The Commission will determine the need for reply comments after review of the initial comments.

5. Diane Monaco is designated to serve as the Public Representative representing the interests of the general public in this proceeding.

6. The Secretary shall arrange for publication of this Notice in the **Federal Register**.

**Authority:** 39 U.S.C. 3652.

By the Commission.

**Steven W. Williams,**  
*Secretary.*

[FR Doc. E9–15499 Filed 6–30–09; 8:45 am]

**BILLING CODE 7710–FW–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 271

[EPA–R02–RCRA–2009–0346; FRL–8916–6]

#### New York: Final Authorization of State Hazardous Waste Management Program Revisions

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

**ACTION:** Proposed rule.

**SUMMARY:** New York State has applied to EPA for final authorization of changes to its hazardous waste program under the Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act (RCRA). EPA proposes to grant final authorization to New York for these changes, with limited exceptions, which are described in the “Rules and Regulations” section of this **Federal Register** notice. In that section, EPA is authorizing the changes by an immediate final rule. EPA did not make a proposal prior to the immediate final rule because we believe this action is not controversial and do not expect comments that oppose it. We have explained the reasons for this authorization in the preamble to the immediate final rule. Unless we receive written comments which oppose this authorization during the comment period, the immediate final rule will become effective on the date it establishes, and we will not take further action on this proposal. If we receive comments that oppose this action, we will either withdraw the immediate final rule, or the portion of the immediate final rule that is the subject of the comments. Only the remaining portion of the rule will take effect. We will then respond to those public comments opposing this authorization in a second final authorization notice. This second final notice may or may not include changes based on comments received during the public notice comment period. You may not have another opportunity for comment. If you want to comment on this action, you must do so at this time.

**DATES:** Send your written comments by July 31, 2009.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R02–RCRA–2009–0346 by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *E-mail:* [infurna.michael@epa.gov](mailto:infurna.michael@epa.gov).

- *Fax:* (212) 637–4437.

- *Mail:* Send written comments to Michael Infurna, Division of Environmental Planning and Protection, EPA, Region 2, 290 Broadway, 22nd Floor, New York, NY 10007.

- *Hand Delivery or Courier:* Deliver your comments to Michael Infurna, Division of Environmental Planning and

<sup>1</sup> Petition of the United States Postal Service Requesting Initiation of a Proceeding To Consider Proposed Change in Analytic Principles (Proposal One), June 22, 2009 (Petition).

Protection, EPA, Region 2, 290 Broadway, 22nd Floor, New York, NY 10007. Such deliveries are only accepted during the Regional Office's normal hours of operation. The public is advised to call in advance to verify the business hours. Special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA-R02-RCRA-2009-0346. EPA's policy is that all comments received will be included in the public docket without change and may be made available on line at <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 <http://www.regulations.gov>, or e-mail. The Federal <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 e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail 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 or any form of encryption, and be free of any defects or viruses. (For additional information about 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 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 available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy. You can view and copy New York's application during business hours at the following addresses: EPA Region 2

Library, 290 Broadway, 16th Floor, New York, NY 10007, Phone number: (212) 637-3185; or New York State Department of Environmental Conservation, Division of Solid and Hazardous Materials, 625 Broadway, Albany, NY 12233-7250, *Phone number:* (518) 402-8730. The public is advised to call in advance to verify the business hours of the above locations.

**FOR FURTHER INFORMATION CONTACT:** Michael Infurna, Division of Environmental Planning and Protection, EPA Region 2, 290 Broadway, 22nd Floor, New York, NY 10007; telephone number (212) 637-4177; *fax number:* (212) 637-4377; *e-mail address:* [infurna.michael@epa.gov](mailto:infurna.michael@epa.gov).

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

Dated: May 19, 2009.

**George Pavlou,**

*Acting Regional Administrator, Region 2.*

[FR Doc. E9-15546 Filed 6-30-09; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA-2009-0108]

#### Vehicle Safety Rulemaking and Research Priority Plan 2009-2011

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Request for comments.

**SUMMARY:** The purpose of this request for comments is to solicit and acquire public comment on the NHTSA's "Vehicle Safety Rulemaking and Research Priority Plan 2009-2011." The plan is not an exhaustive list. Only programs and projects that are priorities or will take significant agency resources are listed. Furthermore, NHTSA's enforcement, data collection, and analysis programs—vital elements in achieving NHTSA's goals—have their own set of priorities that are not listed here. Each of these programs supports NHTSA's rulemaking and research priorities by providing necessary safety data, economic analysis, expertise on test procedures, and technical issues gleaned from enforcement experience. The plan is an internal management tool as well as a means to communicate to

the public NHTSA's highest priorities to meet the Nation's motor vehicle safety challenges. Among them are programs and projects involving rollover crashes, children (both inside as well as just near vehicles), motorcoaches and fuel economy that must meet Congressional mandates or Secretarial commitments. NHTSA is also currently in the process of developing a longer-term motor vehicle safety strategic plan that would encompass the period 2012 to 2020., and will be announced in a separate **Federal Register** notice.

**DATES:** Comments must be received no later than August 31, 2009.

**ADDRESSES:** You may submit comments [identified by Docket No. NHTSA-2009-0108] by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays. Telephone: 1-800-647-5527.
- *Fax:* 202-493-2251.

**Instructions:** All submissions must include the agency name and docket number. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**Privacy Act:** Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://www.dot.gov/privacy.html>.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> and follow the online instructions, or visit Docket Management Facility at the street address listed above.

**FOR FURTHER INFORMATION CONTACT:** Dr. Joseph Carra, Director of Strategic Planning and Integration, National