

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this regulation does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Safety of navigation is a matter of long-standing and well accepted Federal regulation. In addition, the Coast Guard has actively consulted with city and state officers with concurrent responsibilities for safety in this area in formulating this proposal.

Regulatory Evaluation

This regulation is considered to be nonsignificant under Executive Order 12866 on Regulatory Planning and Review and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034 of February 26, 1979). This is a matter of local concern, with no implications for national policy or economics.

Small Entities

The economic impact of this regulation is expected to be so minimal that a full regulatory evaluation is unnecessary. Since the impact of this regulation is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities. The new safety zone will have a minimal effect on three local businesses, none of which have so far entered objections to the proposal. The previous experience with the other safety zones and the local procedures worked out by local business for the management of the recreational vessels along their property in cooperation with the Flats Oxbow Association and the Coast Guard, demonstrates that the restrictions imposed for the benefit of safety can be accommodated with minimal if any effect on the local businesses. Also, it should be noted that a serious accident on the waterway could have a severely adverse affect on the same businesses.

Collection of Information

This regulation will impose no collection of information requirements under the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Proposed Regulations

In consideration of the foregoing the Coast Guard proposes to amend part 165

of Title 33, Code of Federal Regulations as follows:

PART 165—[AMENDED]

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

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. In § 165.903, paragraphs (a)(1) through (a)(10) are redesignated as paragraphs (a)(2) through (a)(11), paragraph (a) introductory text is revised, a new paragraph (a)(1) is added to read as follows:

§ 165.903 Safety Zones: Cuyahoga River and Old River, Cleveland, Ohio.

(a) *Location:* The waters of the Cuyahoga River and the Old River extending ten feet into the river at the following eleven locations, including the adjacent shorelines, are safety zones, coordinates for which are based on NAD 83.

(1) From the point where the shoreline intersects longitude 81°42'31.5" W, which is the southern side of the Conrail No. 1 railroad bridge, southeasterly along the shore for six hundred (600) feet to the point where the shoreline intersects longitude 81°42'24.5" W, which is the end of the parking lot adjacent to Fagan's Restaurant.

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Dated: July 5, 1995.

J.J. Davin, Jr.,

Commander, U.S. Coast Guard, Captain of the Port, Cleveland.

[FR Doc. 95-17491 Filed 7-14-95; 8:45 am]

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POSTAL SERVICE

39 CFR Part 111

Revisions to Standards Concerning Physical Mailpiece Dimensions, Addressing, and Address Placement

AGENCY: Postal Service.

ACTION: Withdrawal of proposed rule.

SUMMARY: The Postal Service withdraws the proposed rule to change several standards in the Domestic Mail Manual related to physical mailpiece dimensions and address placement, as published in the **Federal Register** on June 17, 1994 (59 FR 31178-31183).

DATES: July 17, 1995.

FOR FURTHER INFORMATION CONTACT: Leo F. Raymond, (202) 268-5199.

SUPPLEMENTARY INFORMATION: On June 17, 1994, the Postal Service published for public comment several proposed

changes to standards in the Domestic Mail Manual (DMM) related to physical mailpiece dimensions and address placement (59 FR 31178-31183). On July 21, 1994, in order to afford more opportunity for input, the Postal Service extended the comment period through September 16, 1994 (59 FR 37190). On October 11, 1994, in response to continued interest, the Postal Service further extended the comment period through October 31, 1994, and announced a public meeting to be held in Arlington, VA, on October 20, 1994, for oral comment on the proposed rule (59 FR 51397).

The proposed rule offered revisions to DMM C010 and C050 (with lesser changes to DMM A010, A200, and E312) concerning how the physical characteristics of a mailpiece would be used to determine which dimensions are its length, height, and thickness. In turn, this information would be used to determine correct address placement and the mailpiece's mailability, susceptibility to a nonstandard surcharge, processing category, and rate eligibility. The proposed rule sought to apply a consistent definition of length, height, and thickness to all mail, except for mail eligible for and claimed at a Barcoded rate for flats.

The proposed rule included these specific changes to the DMM:

1. Amend A010.1.0 to standardize address placement on all letter-size mail claimed at other than a single-piece rate (or, for pieces within a small dimensional range, at the Barcoded rate for flats) to require that the address be oriented parallel to the length of the piece (as defined in revised C010.1.1).

2. Revise A010.1.0 and A200.1.3 to add mandatory address placement standards for other than single-piece rate flat-size mail either prepared in an unattached sleeve or partial wrapper or otherwise not prepared in an envelope, polybag, or similar enclosure.

3. Amend C010.1.0 to reduce the role of address placement for determining which of a mailpiece's physical dimensions are its length, height, and thickness by establishing consistent definitions based on the physical characteristics of the mailpiece.

4. Amend C050.1.0 to provide consistency in assigning most mailpieces to a processing category based solely on their dimensions, as determined by revised C010.1.0.

5. Revise C050.5.0 to clarify that merchandise samples are not, by definition, always irregular parcels and that such samples may be categorized as letter-size or flat-size pieces, based on the usual criteria.

6. Revise A010.4.3 and 4.5 to mandate the use of a ZIP Code or ZIP+4 code in the return address on certain mail. (The standard for required use of a return address was not changed by these proposals.)

7. Add A010.5.3 to clarify the meaning and appropriate use of the terms "post office box," "P.O. Box," "PO Box," "POB," "P.O.B.," and similar combinations.

8. Change A010.5.1 to prohibit dual addresses in both the delivery and return addresses on Express Mail and Priority Mail; on registered, certified, restricted delivery, and special delivery mail; and on any mail claimed at a bulk or presort rate.

Miscellaneous organizational and technical revisions were also proposed for clarity and consistency as well.

Over the total comment period, the Postal Service received 53 written responses from printers, mailer associations, publishers, a consultant, and other customers, all offering hundreds of individual comments on the several aspects of the proposed rule. Of the total responses, 47 opposed all or part of the proposed rule, and 6 mixed support for some aspects of the proposal with opposition to others. The public meeting was attended by 48 industry representatives, of whom 20 offered oral comments for the record. In addition, 22 representatives submitted written comments, including 13 of those who gave oral comments. Neither the oral nor the written comments raised issues not already exposed in the written comments described earlier.

The Postal Service concluded that, despite the merit of some elements of the proposed rule, the broad, general opposition expressed by commenters to the proposal argued strongly for its reconsideration. Moreover, the advent of classification reform was an opportunity, seen both by the Postal Service and the commenters, to enact more fundamental changes and thus render moot some issues in the proposed rule.

Therefore, in view of the comments received and the events that have occurred since the proposed rule was published, the Postal Service has determined to withdraw its proposal at this time. The Postal Service does so, however, with the caveat that elements of the proposed rule are likely to be republished at a later date for comment, separately or in combination, as part of

classification reform rulemaking or otherwise.

Stanley F. Mires,
Chief Counsel, Legislative.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KS-5-1-6958b; FRL-5250-5]

Approval and Promulgation of Implementation Plans; State of Kansas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve a State Implementation Plan (SIP) revision submitted by the state of Kansas. The revision includes the creation of a class II operating permit program and revisions and additions to existing SIP rules. The approval of the class II permitting program authorizes Kansas to issue Federally enforceable state operating permits addressing both criteria pollutants (regulated under section 110 of the Clean Air Act) and hazardous air pollutants (regulated under section 112 of the Act). In the final rules section of the **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

DATES: Comments on this proposed rule must be received in writing by August 16, 1995.

ADDRESSES: Comments may be mailed to Wayne A. Kaiser, Environmental Protection Agency, Air Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

FOR FURTHER INFORMATION CONTACT: Wayne A. Kaiser at (913) 551-7603.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final

rule which is located in the rules section of the **Federal Register**.

Dated: June 21, 1995.

Dennis Grams,

Regional Administrator.

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40 CFR Parts 261, 271 and 302

[SWH-FRL-5259-3]

Extension of Comment Period for the Proposed Identification and Listing of Hazardous Waste/Dye and Pigment Industries

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Environmental Protection Agency (EPA or Agency) again is extending the comment period for the proposed listing determination on a number of wastes generated during the production of dyes and pigments, which appeared in the **Federal Register** on December 22, 1994 (see 59 FR 66072-66114). The public comment period for this proposed rule was to end on July 19, 1995. The purpose of this document is to extend the comment period an additional 90 days beyond that, to end on October 17, 1995. This extension of the comment period is provided in response to a request by a trade association representing the affected industry, due to outstanding confidential business information (CBI) issues.

DATES: EPA will accept public comments on this proposed listing determination until October 17, 1995. Comments postmarked after the close of the comment period will be stamped "late".

ADDRESSES: The public must send an original and two copies of their comments to EPA RCRA Docket Number F-94-DPLP-FFFFF, Room 2616, U.S. EPA, 401 M Street, SW, Washington, DC. The docket is open from 9 am to 4 pm, Monday through Friday, excluding Federal holidays. The public must make an appointment to review docket materials by calling (202) 260-9327. The public may copy material from any regulatory docket at no cost for the first 100 pages, and at \$0.15 per page for additional copies.

FOR FURTHER INFORMATION CONTACT: For technical information concerning this notice, please contact Wanda Levine, Office of Solid Waste (5304), U.S. Environmental Protection Agency,