

income tax withholding from wages), the return which is required to be made under § 31.6051-2 must be filed on or before the last day of the second calendar month following the period for which the final return is filed. The requirements set forth in this paragraph (a)(3)(ii) do not apply to employers with respect to employees whose wages are for domestic service in the private home of the employer. See § 31.6011(a)-1(a)(3).

(B) *Effective date.* This paragraph (a)(3)(ii) is effective January 1, 1997.

Par. 5. Section 31.6081(a)-1(a)(3) is revised to read as follows:

§ 31.6081(a)-1 Extensions of time for filing returns and other documents.

(a) * * *

(3) *Information returns of employers on Forms W-2 and W-3—(i) In general.* The Director, Martinsburg Computing Center, may grant an extension of time in which to file the Social Security Administration copy of Forms W-2 and the accompanying transmittal form which constitutes an information return under paragraph § 31.6051-2(a). The request must contain a concise statement of the reasons for requesting the extension. The request must be mailed or delivered on or before the date on which the employer is required to file the Form W-2 with the Social Security Administration.

(ii) *Automatic Extension of Time.* The Commissioner may, in appropriate cases, publish procedures for automatic extensions of time to file Forms W-2 where the employer is required to file the Form W-2 on an expedited basis.

* * * * *

PART 301—PROCEDURE AND ADMINISTRATION

Par. 6. The authority citation for part 301 continues to read in part as follows:

Authority: 26 U. S. C. 7805 * * *

Par. 7. Section 301.6011-2(c)(4)(i) is revised to read as follows:

§ 301.6011-2 Required use of magnetic media.

* * * * *

(c) * * *

(4) *Waiver.* (i) The Commissioner may waive the requirements of this section if hardship is shown in a request for waiver filed in accordance with this paragraph (c)(4)(i). The principal factor in determining hardship will be the amount, if any, by which the cost of filing the information returns in accordance with this section exceeds the cost of filing the returns on other media. Notwithstanding the forgoing, if

an employer is required to make a final return on Form 941, or a variation thereof, and expedited filing of Forms W-2 is required, the unavailability of specifications for magnetic media filing will be treated as creating a hardship. See § 31.6071(a)-1(a)(3)(ii). A request for waiver should be filed at least 45 days before the due date of the information return in order for the Service to have adequate time to respond to the request for waiver. The waiver will specify the type of information return and the period to which it applies and will be subject to such terms and conditions regarding the method of reporting as may be prescribed by the Commissioner.

* * * * *

Margaret Milner Richardson,
Commissioner of Internal Revenue.

Approved: December 12, 1995.

Leslie Samuels,
Assistant Secretary of the Treasury.
[FR Doc. 95-30685 Filed 12-20-95; 8:45 am]
BILLING CODE 4830-01-U

POSTAL SERVICE

39 CFR Part 111

Revisions to Standards for Palletization

AGENCY: Postal Service.
ACTION: Final rule.

SUMMARY: On July 31, 1995, the Postal Service published a proposed rule for public comment in the Federal Register (60 FR 39080-39088) to revise current makeup standards in the Domestic Mail Manual (DMM) for second-, third-, and fourth-class mail prepared on pallets. The final rule adopts proposed changes that pertain only to the physical characteristics of pallet loads (such as minimum/maximum height and weight limits and provisions for triple-stacking). These changes will not be affected by the Postal Service's classification reform proposal currently under consideration before the Postal Rate Commission (Docket No. MC95-1). The Postal Service has decided not to adopt, at this time, those elements of the proposed rule that would be affected by implementation of classification reform to avoid burdening software developers and mailers with the need to make changes that will be supplanted shortly after their implementation. Instead, the standards for levels of pallet sortation and preparation, along with other related issues, will be addressed with the standards that the Postal Service proposes to implement with the

pending classification reform filing. The Postal Service expects to publish a proposed rule on classification reform for public comment in December 1995.

EFFECTIVE DATE: January 1, 1996.

FOR FURTHER INFORMATION CONTACT:
Cheryl Beller, (202) 268-5166.

SUPPLEMENTARY INFORMATION: The July 31 proposed rule discussed in detail the efforts by the Postal Service to establish certain basic preparation standards that mailers must meet to ensure that pallets, and the mail placed on them, maintain their integrity throughout transportation and postal processing and allow safe handling by postal employees. At the same time, these standards allow mailers flexibility to prepare pallets by using recognized industry practices based on their specific production and service needs.

The 30-day comment period ended on August 30, 1995, and 16 written comments were received from publishers, mailer associations, printers and mailers, transportation companies, and presort software developers. After thorough consideration of these comments, the Postal Service is publishing its final rule. This final rule removes sections in DMM MO42 through MO48 relating to pallet size and revises and consolidates them into MO41 under one section on general pallet standards. The final rule also revises standards related to stacking and top-capping pallets and to identifying and notifying nonconforming mailers whose preparation methods result in pallets that fail to meet basic pallet integrity and safety standards. The final rule also establishes standards for palletizing trays of letter-size mail. DMM E333 and E416 are also revised to clarify the availability of third-class carrier route rates and special fourth-class level A and B rates for mail on pallets; these revisions also stipulate that the Postal Service will not unload containerized drop shipment loads that have not maintained their integrity in transit or that arrive in an unsafe manner. DMM MO33 is revised to require all trays on BMC, ASF, SDC, and mixed BMC pallets to be both sleeved and strapped to facilitate processing on sack and parcel sorters.

The revised DMM standards are set forth after the discussion of comments to the proposed rule. Many commenters commended the Postal Service for listening to its customers in developing standards that were fair and in accord with industry practices. Such comments are not summarized below.

Discussion of Comments

*I. Maximum Height**A. Single and Stacked Pallets*

Eight commenters opposed various parts of the proposal related to the maximum heights for a single pallet and for stacked pallets. Six commenters opposed limiting the height of a single pallet of sacks, parcels, or packages to 77 inches (or letter mail in trays to 12 layers) and asked why the Postal Service proposed a different maximum height for stacked pallets of 84 inches. They expressed concern over the possible loss of trailer cube capacity that might result from the 77-inch limit for drop shipments. Two commenters indicated that because different characteristics of products on pallets affect the stability of a load, the rule should be amended to allow for taller loads based on specific product characteristics; one commenter suggested that the weight limit of 2,200 pounds per pallet or stack of pallets be used as the controlling maximum rather than the total height of pallet loads.

The maximum height of 77 inches for a single pallet is derived from the general acceptance throughout the Postal Service of the Postal-PAK and pallet (with a height of 75 inches), plus allowance for packing material. Pallet loads exceeding a 77-inch height are a problem when loaded onto and unloaded from many smaller trucks and vehicles used to transport mail between postal facilities and when handled within many smaller postal facilities. The type of transportation used to move pallet loads and the facilities through which they are processed vary, depending on the level of pallet sortation and the office of entry. Low dock-door heights and limited ceiling heights within some facilities, as well as low door and internal heights of many Postal Service trailers and vehicles, were factors in establishing this maximum height. By establishing a maximum height of 77 inches for all single pallets, the Postal Service is promoting consistency in preparation standards while ensuring that postal employees can handle pallets safely and efficiently on all transportation and at all facilities, regardless of entry or level of sortation. The higher maximum of 84 inches for stacked pallets allows mailers to take advantage of trailer cube capacity for lighter weight pallets and allows the Postal Service to unstack the pallets where necessary to ensure compatibility with Postal Service equipment, transportation, or facilities. The maximum heights of 77 inches for a

single pallet and 84 inches for stacked pallets are adopted in the final rule.

The Postal Service has also determined to limit the number of layers of trays of letter mail to 12, which is equivalent to the maximum height of 77 inches for a single pallet. Mailers will need to monitor their loads carefully to ensure that fuller trays are placed on the bottom and interspersed nearer the top to avoid crushing. As the height and weight of the pallet load increase, so does the likelihood of the lower trays being crushed and causing the entire load to collapse, particularly if the trays are older cardboard managed mail (MM) trays. If a mailing consists of many less-than-full trays, mailers should consider building loads containing less than the maximum number of layers.

B. Pallet Boxes

A maximum height of 84 inches was proposed for a single pallet box on a pallet, with a possible 60-inch maximum height restriction at some non-BMC facilities. Two commenters suggested that the Postal Service publish a listing of facilities that cannot handle the taller pallet boxes so that software developers can build varying height restrictions into their sortation programs. Ideally, the commenters preferred that all postal facilities be modified to handle pallet boxes that are 84 inches tall (pallet, box, and mail). The Postal Service was in error when it proposed a maximum height of 84 inches for any pallet box because the pallet unloaders being deployed by the Postal Service in bulk mail centers (BMCs) and many processing and distribution centers (P&DCs) can accommodate only pallets with pallet boxes that do not exceed a total height of 77 inches. The Postal Service must cut taller boxes or otherwise alter them to remove the contents manually, resulting in slower service for customers, additional handlings, and inefficient use of newly deployed mechanized equipment. Accordingly, the Postal Service has determined to adopt a 77-inch maximum, which is also consistent with the height of the Postal-PAK and pallet. Because the Postal Service proposed a maximum height of 84 inches and some mailers might have a stock of pallet boxes designed to meet the proposed maximum, the mandatory compliance date will be July 1, 1996, to allow mailers to deplete current stocks of these taller boxes.

*II. Pallet Boxes**A. Providing Boxes*

One commenter stated that the Postal Service should provide a pallet box "for sack mail shippers that would conform to the specifics outlined in the revisions" to facilitate uniformity and unloading at BMCs. The Postal Service has no plans to purchase additional equipment to provide to sack mailers. The Postal Service is purchasing additional trays and pallets, however, to meet customer demand in preparation for implementation of classification reform.

B. Securing Pallet Boxes

One commenter requested that the proposed requirement that mailers secure boxes to the pallet be optional and indicated that mailers had been entering unsecured boxes on pallets for many years, without any negative comment from the Postal Service. The proposed standard is modified in the final rule to require securing a pallet box to the pallet only if the pallet requires transportation by the Postal Service to move it from the entry office to another postal facility for distribution of the contents and the weight of the mail in the box is insufficient to hold the box in place on the pallet during transportation and processing. This modification is consistent with how the Postal Service prepares and processes mail in its own Postal-PAKs on pallets and ensures that pallets can be loaded and transported safely on Postal Service vehicles and processed as a single unit to the point where the contents are distributed.

C. Construction of Pallet Boxes

No comments were received on the proposal to allow mailers to use pallet boxes constructed of single-, double-, or triple-wall corrugated fiberboard. Single-wall corrugated fiberboard may be used only for light loads (such as lightweight parcels) that do not require transportation beyond the entry office. The Postal Service will monitor mailings presented in pallet boxes to ensure that the box construction maintains its integrity to the point of distribution of the contents.

III. Pallet Load Integrity

Failure of pallets to meet basic DMM standards negates efforts to ensure safe and efficient handling of palletized loads. Accordingly, all pallets presented to the Postal Service for acceptance, whether the pallets are provided by the Postal Service or the mailer, must meet the basic standards in the DMM pertaining to pallet labels, physical

pallet dimensions, pallet load integrity, stacking, and minimum/maximum loads and heights. The Postal Service will consider individual shipments that are presented for acceptance under the plant-verified drop shipment (PVDS) program at a destination entry postal facility to be bedloaded if the load integrity of the pallets or the safety of postal employees is compromised. Such loads might require driver unloading or may be refused by the destination facility. If a shipment is refused, the mailer or mailer's agent who is presenting the mail for acceptance at the destination entry facility has the option to rework the mail off-site to match its original preparation as verified, then resubmit it with the appropriate documentation when the entry facility can reschedule the shipment.

The Postal Service will monitor load integrity of customers' pallets at mailers plants when mail is verified by on-site postal personnel and at postal facilities where mailings are entered, whether at business mail entry units under local verification and acceptance or a destination entry facilities where mailings are drop shipped under programs such as PVDS. The Postal Service may initially notify the transportation company presenting mail to the Postal Service for acceptance or the mail preparer, or both, when pallet load integrity problems are identified. The failure of pallet loads to maintain their integrity might be caused by poor preparation methods of the mailer (for example, the load exceeds maximum weight or height limits or the load is not secured to the pallet) or the improper loading and security of pallets onto the transportation used to move pallet loads to postal facilities for acceptance (for example, pallets are not secured with shoring equipment in vehicles to prevent pallets from toppling in transit, or heavier pallets are stacked onto lighter pallets and crush the mail on the bottom).

After a mailer is notified of recurring pallet load integrity problems and allowed to make changes to improve load integrity, if the mailer's methods still do not work, the mailer will be considered nonconforming and required to meet the specifications developed by Postal Service Engineering for securing pallets, pallet box construction and dimensions, stacking of pallets, maximum height/layers of trays, and use of top caps. These specifications are included in the DMM language at the end of this discussion of comments. Mailers whose pallets continue to fail to meet minimum load integrity levels will be suspended from the pallet program.

Three comments were received from two commenters concerning load integrity. One commenter wanted to know how damaged loads will be handled, who will be notified, whether the mailer/agent will be allowed to rework the mail, and how presentation of damaged loads will affect drop shipment appointments. This commenter also noted that "in our business, it is common to refuse loads that have not maintained their integrity. At that point, it is the shipper's or carrier's responsibility to see that the load is taken to an alternative site for reworking." This same commenter wanted clarification about who will determine whether pallets are properly prepared to meet load integrity standards, at what point a mailer will be considered nonconforming, and whether the mailer will have an option to pay a penalty or fine at destination to have nonconforming pallets accepted for time-sensitive mailings. The commenter also expressed concern about possible inconsistencies in the determinations by different facilities about whether a pallet load meets the load integrity standards. The second commenter wanted feedback from the Postal Service about pallet load integrity problems, starting with the mail preparer and proceeding to the owner. The Postal Service will initially contact the mailer or mailer agent (such as a transportation company) when load integrity problems are identified.

Training materials will be distributed to postal facilities that accept pallets from mailers to ensure consistent understanding and application of pallet load integrity guidelines and the procedures that apply when problems are identified. The Drop Shipment Appointment System (DSAS) will be used, where possible, to identify and track the mailers or their agents presenting problem pallet loads. The DSAS will also help to establish contact to ensure that corrective actions are taken to improve future load integrity. The Postal Service will also work with mailers to ensure that corrective actions are taken to prevent recurrence of problems and to provide training and other necessary tools that will communicate the responsibilities of all mailers or their agents who create or handle mail on pallets.

Over the next few months, the Postal Service will formulate clear, objective criteria to identify pallet load integrity problems and to establish consistent feedback mechanisms for notifying mailers or their agents when problems are identified. Until those details are developed, load integrity will be monitored at origin and destination

postal facilities as it is today, feedback will be provided to mailers, and mailers will be allowed to improve preparation methods for identified problems. However, during that interim, mailers will not be determined as nonconforming or suspended from the pallet program. Accordingly, the rules relating to nonconforming mailers and suspension will not take effect until July 1, 1996.

IV. Sleeving and Strapping of Trays

No comments were received about the proposal to require mailers to sleeve and strap trays of letter mail placed onto BMC, ASF, SDC, and mixed BMC pallets; the proposed standards are adopted in the final rule. These standards provide an incentive to prepare pallets to finer levels of sortation, allowing for greater cross-dock opportunities at the BMCs and significant relief for BMC operations heavily affected by unstrapped trays. In addition, this rule adopts the proposal to extend the current requirement to sleeve all trays that contain letter-size automation rate mail and that may be processed at a BMC/ASF or AMF/AMC (that is, mail that does not originate and destinate in the delivery area of the same SCF) to include trays containing nonautomation rate letter-size mail.

V. Maximum Pallet Load

One commenter requested clarification of how the proposed 2,200-pound maximum for pallets applies to stacked pallets. The proposal to set 2,200 pounds as the maximum weight for any single pallet and as the maximum total weight for stacked pallets presented to the Postal Service is adopted in the final rule. When the weight of a single pallet or a stack of pallets is calculated, the weight of the mail and any tare placed on the bottom pallet are included in the calculation.

The proposed maximum load for trays on pallets of 12 layers, not to exceed 2,200 pounds, is also adopted in the final rule.

VI. Minimum Pallet Load

For packages, parcels, and sacks on pallets, the final rule requires mailers who prepare mail on pallets to prepare a required level of pallet sortation when there are 500 pounds of mail for that destination (for example, for a 5-digit ZIP Code or an SCF). At their option, mailers may prepare pallets for any required or optional level of sortation when they prepare at least 250 pounds of mail for a destination.

Palletization of trays of letter-size mail is based on the number of layers. Mailers may prepare a pallet when they

have from three to five layers of 1- or 2-foot managed mail (MM) or extended managed mail (EMM) trays. Preparation of pallets to required levels of sortation is mandatory with six layers of trays to that destination (for example, SCF pallets).

For improved service, the processing and distribution manager of the facility where a mailing is entered may issue a written authorization to the mailer, allowing preparation of 5-digit or 3-digit pallets containing less than the minimum volume (250 pounds of packages, parcels, or sacks or three layers of trays) if the mail on those pallets destinates in the service area of that facility.

At the mailer's option, the minimum volume used to determine when a pallet is prepared may vary within a mailing, provided that pallets are prepared to required levels of sortation when there are at least 500 pounds or six layers of mail to the destination.

Mailers are reminded that under the Postal Service's Guidelines for the Plant-Verified Drop Shipment (PVDS) Program, the driver must unload mail entered at delivery units. In some instances, the driver must break down palletized loads because of the physical limitations of a delivery unit (for example, a small or congested office that cannot accommodate large or stacked pallets).

VII. Stacking Pallets

A. Double- and Triple—Stacking

Several commenters responded favorably to the proposal to allow a mailer to double- or triple-stack pallets up to the maximum allowable height and weight (84 inches/2,200 pounds total for the stacked pallets); this proposal is adopted in the final rule. Such pallets must be presented for acceptance at the mailer's plant or a postal facility in a manner that ensures safe and efficient unloading, handling, and transporting. Triple-stacking allows a mailer to make better use of transportation for drop shipments when low-weight pallets are prepared.

When stacking pallets, the mailer must place the heaviest pallet on the bottom and the lightest pallet on the top to prevent crushing or other damage to mail on the bottom. If part of the load is crushed, the entire load is likely to collapse.

B. Securing Stacked Pallets Together

The proposed rule required that all stacked pallets be secured together with at least two straps at least 1/2 inch wide. Several commenters were opposed to this requirement. Two commenters

stated that they stretchwrap stacked pallets together and that the stacked loads maintain their integrity throughout transportation and processing. These commenters indicated that stretchwrapping stacked pallets is consistent with the stretchwrapping operation in their plants for single pallets and that a requirement to strap or band stacked pallets would add an unnecessary cost to their operations.

The Postal Service proposed that mailers be required to secure stacked pallets with banding or strapping because this material is easier to remove than stretchwrap. Only one cut per band is required on no more than two sides of a banded pallet, whereas a stretchwrapped pallet must be cut around all four sides of the stacked pallets to separate the pallets and to insert a forklift or pallet jack. If pallets are triple-stacked, the stretchwrap must be cut on all four sides (two times between the bottom and middle pallets and between the middle and top pallets). Not only is this method time-consuming, it can be difficult to move around a tall pallet load in a full vehicle in order to cut the stretchwrap and remove the top pallet(s). The requirement to strap stacked pallets together is adopted in the final rule. The mandatory compliance date is July 1, 1996, to allow mailers who currently use other means of securing stacked pallets together to change their preparation methods.

C. Use of Top Caps

Three commenters raised issues about top caps. Under the proposed rule, mailers would have been required to top-cap the lower pallets when pallets were stacked. Top caps have been found to be one of the key elements in ensuring the stability of stacked pallets. However, as one commenter noted, the characteristics of certain mail can provide a flat, stable, and protective surface on which to place a pallet (for example, cartons of books placed on a pallet), making top caps unnecessary. The Postal Service agrees. Therefore, the final rule is modified to make top caps optional on stacked pallets when the top surface of the pallet load provides a sturdy, flat surface parallel to the pallet base, that allows for safe and efficient stacking and for preventing damage to mail or crushing of the load from pallets placed on top. The Postal Service will monitor the preparation of all stacked pallets, particularly those that are triple-stacked, to ensure that the pallets can be handled safely and without damage to the mail.

One commenter asked whether the Postal Service will provide top caps.

Although the Postal Service does have a limited supply of top caps, it has no plans, at this time, to provide them to mailers on a general basis. By limiting the circumstances under which top caps are required, the Postal Service expects mailers to continue providing their own top caps to ensure the integrity of stacked mail loads.

Two commenters indicated that top-capping pallets can create problems for consolidators who combine pallets and move them closer to destinating postal facilities. Because consolidators are not manufacturing plants, they do not have scrap material to sue for top-capping stacked pallets. Mailers who prepare lightweight pallets that are likely to be stacked by consolidators for drop shipment must work out arrangements with their transportation agents about whose responsibility it is to top-cap those pallets. Regardless of the arrangements, stacked pallets must be top-capped when required to maintain load integrity.

D. Top Cap Construction

Mailers may determine the best material for ensuring pallet integrity and may use manufacturing materials that come into their plants as top-capping material. Mailers must not use flimsy paper obtained from the ends of paper rolls or similar material for top caps because this material, used alone, can cause stack failure.

VIII. Securing Single Pallet Loads

Depending on the characteristics of a mail load, strapping might not be the most effective method of ensuring load integrity of a single pallet throughout transportation and mail handling. Loads can compress during storage in a mailer's plant or while in transit, causing strapping to become loose. In those instances, stretchwrap can be more effective in securing loads on a single pallet. Therefore, in the final rule, the proposal allowing mailers to choose the most appropriate method of securing a single pallet load is adopted. Acceptable methods include strapping or wrapping with stretchable or shrinkable plastic wrap.

IX. Pallet Sortation Levels

This final rule does not adopt any of the proposed changes related to levels of pallet sortation, including the proposed allowance for working pallets or the elimination of the "courtesy pallet," by requiring that all mailings placed onto any pallet be sorted to the finest level of presort. Modified proposed standards will be included in the Federal Register notice containing proposed DMM

language to implement the pending classification reform filing.

The following revisions are made to the Domestic Mail Manual, incorporated by reference in the Code of Federal Regulations, See 39 CFR part 111.

List of Subjects in 39 CFR Part 111
Postal Service.

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001–3201–3219, 3403–3406, 3621, 3626, 5001.

2. Revise the following sections of the Domestic Mail Manual as set forth below:

E Eligibility

* * * * *

E300 Third-Class Mail

* * * * *

E333 Carrier Route Presort

* * * * *

3.0 PRESORT

3.1 Qualifying Mail

* * * * *

[Add the following at the end of the current section:]

c. Correctly presorted carrier route packages that meet the package preparation standards in M043 and are sorted to the appropriate pallet level.

* * * * *

E350 Destination Entry Discounts

* * * * *

3.0 DEPOSIT

* * * * *

3.8 Unloading Vehicles

The mailer is responsible for the unloading of vehicles, subject to these conditions:

[Add new 3.8a and redesignate current 3.8a through 3.8c as 3.8b through 3.8d, respectively. Amend redesignated 3.8b.]

a. Postal employees unload palletized and containerized loads at MBMCs/FSFs/SCFs, except that the USPS does not unload or permit the mailer (or mailer agent) to unload palletized or containerized loads that are unstable or severely leaning or that have otherwise not maintained their integrity in transit.

b. [Remove the second sentence.]

* * * * *

E400 Fourth-Class Mail

* * * * *

E416 Special Fourth-Class Rates

* * * * *

2.0 SPECIAL FOURTH-CLASS PRESORT

* * * * *

2.6 Level A

[Revise the introductory text as follows:]

To qualify for the special fourth-class presort level A rate, a piece must be in a mailing of at least 500 pieces receiving identical service, properly prepared and presorted under M404 in full 5-digit sacks or under M044 on 5-digit pallets. These conditions also apply:

* * * * *

2.7 Level B

[Revise the introductory text as follows:]

To qualify for the special fourth-class presort level B rate, a piece must be in a mailing of at least 500 pieces receiving identical service, properly prepared and presorted under M404 in full or substantially full bulk mail center (BMC) sacks or under M044 on destination BMC pallets. These conditions also apply:

* * * * *

E450 Destination BMC/ASF Discount

* * * * *

3.0 DEPOSIT

* * * * *

3.8 Unloading Vehicles

* * * * *

a. [Revise the second sentence as follows:]

* * * The USPS does not unload or permit the mailer (or mailer agent) to unload palletized or containerized loads that are unstable or severely leaning or that have otherwise not maintained their integrity in transit.

* * * * *

M Mail Preparation and Sortation

M000 General Preparation Standards

* * * * *

M030 Container Preparation

* * * * *

M033 Sacks and Trays

1.0 BASIC STANDARDS

* * * * *

[Add new 1.4 and 1.5 as follows:]

1.4 Sleeving and Strapping of Trays

Except under 1.5, each letter mail tray must be sleeved. All nonpalletized trays of letter mail that are transported from the mailer's plant to a BMC/ASF or AMF/AMC on USPS or mailer transportation and all trays placed on

BMC/SDC or mixed BMC/SDC pallets must also be secured with a plastic strap placed tightly around the length of the tray. The strap must not crush the tray or sleeve. Strapping is not required on trays placed on pallets prepared to finer levels of sortation.

1.5 Sleeving Exception

When all pieces in a mailing originate and destinate in the delivery area of the same SCF and the trays containing those pieces are not to be processed at a BMC or an AMF, the processing and distribution manager may (on request) issue a written authorization to the mailer to submit the mailing in trays without sleeves.

* * * * *

3.0 BASIC STANDARDS FOR TRAYS—AUTOMATION RATES

* * * * *

[Remove current 3.6 and 3.7.]

M040 Palletization

M041 General Pallet Standards

[Revise 1.0 through 3.0 as follows:]

1.0 PHYSICAL CHARACTERISTICS

1.1 Standards

All pallets presented to the USPS, whether USPS- or mailer-provided, must meet the standards in 1.2 through 1.4. Mail on such pallets must meet the standards applicable to the class and rate claimed.

1.2 Construction

Pallets must be made of high-quality material that can hold loads equal to a gross weight of 2,200 pounds. Pallets must measure 48 by 40 inches and allow for four-way entry by fork trucks and two-way entry by pallet jacks.

1.3 Securing

Except for pallet boxes under 4.3, loaded pallets of mail must be wrapped with stretchable or shrinkable plastic strong enough to retain the integrity of the pallets during transportation and handling.

1.4 Nonconforming Mailers

The USPS informs mailers or their agents who present palletized mailings, including plant-verified drop shipment (PVDS), when their pallets fail to meet basic pallet integrity and safety standards. After July 1, 1996, once a mailer is notified and allowed to make changes to improve load integrity, if the mailer's methods, or those of the mailer's agent presenting PVDS mailings, do not work, the mailer is considered nonconforming. A nonconforming mailer must meet the

specifications for nonconforming mailers for use of top caps, stacking of pallets, pallet box construction, and maximum height/layers of trays in 2.0 through 4.0. After July 1, 1996, mailers will be suspended from the pallet program if their pallets continue to fail to meeting the minimum standards for load integrity levels.

2.0 TOP CAPS

2.1 Use

Top caps are used as follows:

a. Except under 2.1b and 2.1c, all pallets of sacks, letter mail trays, parcels, packages or bundles of mail, or pallet boxes must be top-capped if the pallets are double- or triple-stacked when presented to the USPS for acceptance.

b. The top pallet need not be top-capped if the strapping or banding securing the stacked pallets together neither damages the mail on the top pallet nor allows the stack to shift.

c. Lower pallet(s) containing either parcels or packages or bundles of mail need not be top-capped if the top surface of each pallet load provides a sturdy, flat surface, parallel to the pallet base, that provides safe and efficient stacking of pallets placed on top and prevents sliding of the top pallet(s), damage to the loaded mail, or crushing of the load.

2.2 Construction

Any material may be used as a top cap if it provides a flat, level surface horizontal to the base pallet, protects the integrity of the mail below while supporting a loaded pallet above, and allows easy entry of a forklift to remove the upper pallet(s). Flimsy paper or fiberboard (e.g., the ends of paper rolls) or similar material is inadequate and may not be used as a top cap.

2.3 Securing

A top cap must be secured to the pallet horizontal to the plane of the base pallet, with either stretchwrap or at least two crossed straps or bands, so that the top cap stays in place to protect the mail and maintain the integrity of the pallet load.

2.4 Nonconforming Mailers

Nonconforming mailers (see 1.4) must use top caps on all pallets of sacks, letter mail trays, parcels, or packages or bundles of mail, regardless of weight, or on pallets containing pallet boxes 60 inches high or less. Top caps must be approximately 48 by 40 inches and meet one of these construction standards:

a. Five-wood boards, with uniform edges and nine-leg pallet contact for stacking.

b. Fiberboard box-end style, with a minimum 3-inch side and wall material of at least double-wall corrugated fiberboard C and/or B flute.

c. Fiberboard honeycomb covered on both sides, with heavy linerboard at least 1/2 inch thick.

d. Corrugated fiberboard C flute sheet covering the entire top of the load, with standard pallet solid fiberboard corner edge protectors.

3.0 STACKING PALLETS

3.1 Double- or Triple-Stacking

Pallets may be double- or triple-stacked if:

a. The combined gross weight of the stacked pallets (pallets, top caps, and mail) does not exceed 2,200 pounds.

b. The heaviest pallet is on the bottom and the lightest is on the top.

c. The pallets are secured together with at least two straps or bands of appropriate material to maintain pallet integrity during transportation and handling. Stretchable or shrinkable plastic wrap be used to secure stacked pallets together until July 1, 1996.

d. Pallets are top-capped under the standards in 2.0.

e. The combined height of the stacked pallets and their loads does not exceed 84 inches.

3.2 Nonconforming Mailers

Nonconforming mailers (see 1.4) who stack pallets are subject to the conditions in 3.1, except that triple-stacking is allowed only for pallets of parcels and the combined height of stacked pallets may not exceed 77 inches.

4.0 PALLET BOXES

[Renumber current 4.0 through 6.0 as 5.0 through 7.0; add new 4.0 as follows:]

4.1 Use

Mailers may use pallet boxes constructed of single-, double-, or triple-wall corrugated fiberboard placed on pallets to hold sacks or parcels prepared under M042, M043, or M044. Single-wall corrugated fiberboard may be used only for light loads (such as lightweight parcels) that do not require transportation by the Postal Service beyond the entry office. The boxes must protect the mail and maintain the integrity of the pallet loads throughout transportation, handling, and processing. The base of the boxes must measure approximately 40 by 48 inches.

4.2 Maximum Height

The combined height of the pallet, pallet box, and mail may not exceed 77 inches, except that until July 1, 1996, the combined height may be up to 84

inches. The contents of the box must not extend above the top rim of the box.

4.3 Securing

Pallet boxes must be secured to pallets with strapping, banding, stretchable plastic, shrinkwrap, or other material that ensures that the pallets can be safely unloaded from vehicles, transported, and processed as single units to the point where the contents are distributed with the load intact if:

a. The pallet and its contents are transported by the USPS from the office where the mail is accepted to another postal facility where the contents are distributed.

b. The weight of the mail in the box is not sufficient to hold the box in place on the pallet during transportation and processing, a pallet box must be secured to the pallet base.

4.4 Nonconforming Mailers

Nonconforming mailers (see 1.4) may use pallet boxes only if the boxes are constructed of triple-wall corrugated fiberboard (C and/or B flute material) with a maximum height of 77 inches.

5.0 PALLET PREPARATION

[Renumber 5.3 as 5.8; add new 5.3 through 5.7; revise renumbered 5.0 as follows:]

5.1 Presort

[Delete the "s" at the end of "Pallets" in the first sentence.]

5.2 Minimum Load

In a single mailing, the minimum load per pallet is 250 pounds of second-class, third-class, or fourth-class packages and bundles of mail, parcels, or sacks (or three layers of letter trays of second-class or third-class mail), except that the processing and distribution manager of the facility where a mailing is entered may issue a written authorization to the mailer allowing preparation of 5-digit or 3-digit pallets containing less volume if the mail on those pallets is for the service area of that facility.

5.3 Required Preparation

A pallet must be prepared to a required level of sortation when there are 500 pounds of second-, third-, or fourth-class packages, bundles, sacks, or parcels (or six layers of letter trays of second-class or third-class mail).

5.4 Maximum Weight

The maximum weight (mail and pallet) is 2,200 pounds for a single pallet.

5.5 Maximum Height

The combined height of a single pallet and its load may not exceed these limits:

a. A maximum of 77 inches for packages, bundles, parcels, sacks, or fiberboard pallet boxes and their contents (sacks or parcels) on pallets, except that until July 1, 1996, the maximum for pallet boxes is 84 inches.

b. A maximum of 12 layers of second-class or third-class letter trays.

5.6 Nonconforming Mailers

For nonconforming mailers (see 1.4) of letter-size mail in trays, the combined height of a pallet and its load may not exceed six layers of MM or EMM trays.

5.7 Mail on Pallets

Mailpieces in trays, packages, bundles, and sacks must be prepared under the standards applicable to the class of mail and rate claimed.

* * * * *

M042 Second-Class Mail

* * * * *

4.0 PREPARING PALLETES OF PACKAGES OR BUNDLES

[Remove current 4.1; renumber 4.2 through 4.5 as 4.1 through 4.4. Amend renumbered 4.4 as follows:]

* * * * *

4.4 Sacking

[In the first sentence, change "4.3" to "4.2."]

5.0 PREPARING PALLETES OF COPALLETIZED FLAT-SIZE PUBLICATIONS

[Remove current 5.3; renumber 5.4 through 5.10 as 5.3 through 5.9. Amend renumbered 5.5 and 5.8 as follows:]

* * * * *

5.5 Sacking

[In the first sentence, change "under 5.4" to "under 5.3."]

* * * * *

5.8 Documentation

* * * * *

d. [Remove "/650."]

* * * * *

[Revise the heading of 6.0 as follows:]

6.0 PREPARING PALLETES OF SACKS OR TRAYS

[Remove current 6.1; renumber 6.2 through 6.4 as 6.1 through 6.3. Amend renumbered 6.2 and 6.3 as follows:]

* * * * *

6.2 Presort and Labeling

Presort sequence and labeling:

a. 5-digit (required for sacks, optional for trays); use destination of packages for Line 1.

b. Multicoded city (optional); use L001 for Line 1.

c. 3-digit (required for sacks, optional for trays); use L002, Column A, for Line 1.

d. SCF (required); use L002, Column B, for Line 1.

e. SDC (optional); use L201 for Line 1.

f. Transfer hub (optional).

[Revise the heading of 6.3 as follows:]

6.3 Sacks and Trays

[Revise the first sentence as follows:]

Mixed states sacks and residual trays may not be included in the palletized portion of a mailing. * * *

M043 Third-Class Mail

* * * * *

4.0 PREPARING PALLETES OF PACKAGES OR BUNDLES

[Remove current 4.1; renumber 4.2 through 4.6 as 4.1 through 4.5. Amend renumbered 4.5 as follows:]

* * * * *

4.5 Sacking

[In the first sentence, change "4.3" to "4.2."]

* * * * *

6.0 PREPARING PALLETES OF COPALLETIZED FLAT-SIZE MAILINGS

[Remove current 6.4; renumber 6.5 through 6.12 as 6.4 through 6.11. Amend 6.1 and 6.10 as follows:]

6.1 Standards

[Change "4.2 through 4.6" to "4.1 through 4.5."]

* * * * *

6.10 Sacking

[In the first sentence, change "4.3" to "4.2."]

* * * * *

7.0 PALLETIZING MACHINABLE THIRD-CLASS PARCELS

[Remove current 7.1; renumber 7.2 through 7.5 as 7.1 through 7.4. In renumbered 7.2 and 7.3, change all references from "7.2" to "7.1."]

* * * * *

8.0 PALLETIZING THIRD- AND FOURTH-CLASS MACHINABLE PARCELS

[Remove current 8.2; renumber 8.3 through 8.8 as 8.2 through 8.7. In renumbered 8.3 and 8.4, change all references from "8.3" to "8.2"; revise 8.1 as follows:]

8.1 Standards

[Change "4.2 through 4.6" to "4.1 through 4.5."]

* * * * *

[Revise the heading of 9.0 as follows:]

9.0 PREPARING PALLETES OF SACKS OR TRAYS

[Remove current 9.1; renumber 9.2 through 9.4 as 9.1 through 9.3. Amend renumbered 9.1 and 9.2 as follows:]

9.1 Presort and Labeling

Presort sequence and labeling:

a. 5-digit (required for sacks, optional for trays); use destination of packages for Line 1.

b. Multicoded city (optional); use L001 for Line 1.

c. 3-digit (required for sacks, optional for trays); use L002, Column A, for Line 1.

d. SCF (required); use L002, Column B, for Line 1.

e. BMC (optional); use L705 (or L708 for BMC/ASF if DBMC rate is claimed) for Line 1.

9.2 Line 2

[Change "9.2" to "9.1" at the end of the section.]

9.3 Remaining Sacks and Trays

All sacks and trays remaining after all pallets are prepared may be presented with the palletized mailing (on the same mailing statement), if the sacks or trays are segregated from the palletized portion of the mailing.

M044 Fourth-Class Mail

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3.0 PREPARING PALLETES OF PACKAGES

[Remove current 3.1; renumber 3.2 through 3.5 as 3.1 through 3.4.]

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4.0 PREPARING PALLETES OF MACHINABLE PARCELS

[Remove 4.1; renumber 4.2 through 4.6 as 4.1 through 4.5.]

* * * * *

4.2 Line 2

[Change "4.2" to "4.1" at the end of the section.]

* * * * *

5.0 PREPARING PALLETES OF SPECIAL FOURTH-CLASS PRESORT

[Remove 5.1; renumber 5.2 and 5.3 as 5.1 and 5.2.]

* * * * *

5.2 Line 2

[Change "5.2" to "5.1" at the end of the section.]

M048 Automation-Compatible Flats

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2.0 PACKAGE PREPARATION

[Renummer 2.1 as 2.0 and remove the 2.1 section heading; remove 2.2.]

* * * * *

An appropriate amendment to 39 CFR 111.3 to reflect these changes will be published.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 95-30989 Filed 12-20-95; 8:45 am]

BILLING CODE 7710-12-M

Environmental Protection Agency

40 CFR Part 52

[GA-27-1-7186a; FRL-5320-3]

Approval and Promulgation of Implementation Plans Georgia: Approval of Revisions to Georgia Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving the revision to the Georgia State Implementation Plan (SIP). On May 5, 1994, the Georgia Environmental Protection Division submitted regulations 391-3-21-.01 through .11 establishing a Clean Fuel Fleet program. These rules became effective on May 22, 1994.

DATES: This final rule will be effective February 20, 1996, unless adverse or critical comments are received by January 22, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments on this action should be addressed to Benjamin Franco, at the EPA Regional Office listed below. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460.
Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street NE, Atlanta, Georgia 30365.
Georgia Environmental Protection Division, 4244 International Parkway, Suite 120, Atlanta, GA 30354.

FOR FURTHER INFORMATION CONTACT: Benjamin Franco, Regulatory Planning

and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 x-4211. Reference file GA27-1-7186a.

SUPPLEMENTARY INFORMATION: Section 246(a) of the 1990 Clean Air Act (CAA) requires ozone nonattainment areas classified serious and above to implement a Clean Fuel Fleet (CFF) program. The program is designed to introduce lower-emitting vehicles into centrally fueled fleets in ozone nonattainment areas classified as serious. By choosing to introduce clean fuel vehicles in centrally fueled fleets, Congress focused on vehicle operators that often have more control over their source of fuel than does the general public. Additionally, the central control which operators maintain over their vehicles simplifies the issues related to vehicle maintenance and refueling. Finally, because fleet vehicles typically travel more miles and are replaced more frequently than non-fleet vehicles, they offer a greater opportunity to improve air quality, on a per-vehicle basis and in a more timely manner, than potentially could be achieved by concentrating on a similar number of non-fleet vehicles.

The Georgia Department of Natural Resources adopted on April 29, 1994, Regulations 391-3-21-.01 through .11 establishing a CFF program. The program will be required in the counties of Cherokee, Clayton, Cobb, Coweta, Dekalb, Douglas, Fayette, Fulton, Forsyth, Gwinnett, Henry, Paulding and Rockdale. Fleets of 10 or more vehicles that are centrally fueled or capable of being centrally fueled and operated in the above counties are required to include in their new vehicle purchases a certain percentage of clean fueled vehicles (CFV). A CFV is one which meets any one of the three sets of exhaust emission standards. The emission standards and the vehicles which meet them are referred to as low emission vehicles (LEV), ultra low emission vehicles (ULEV), and zero emission vehicles (ZEV).

Vehicles weighing 26,000 lbs. or less will count towards the requirement. The purchase must start with 1998 model year vehicles. The phase-in schedule for vehicles weighing up to 8,500 lbs. Gross Vehicle Weight Rating (GVWR) is: 30 percent Model Year 1998, 50 percent Model Year 1999, 70 percent Model Year 2000 and after. The phase-in schedule for vehicles weighing above 8,500 lbs GVWR is: 50 percent Model Year 1998, 50 percent Model Year 1999,

50 percent Model Year 2000 and after. The following vehicles are exempted from these requirements: motor vehicles for lease or rental to the general public, dealer demonstration vehicles that are used solely for the purpose of promoting motor vehicle sales, emergency vehicles, law enforcement vehicles, nonroad vehicles (farm and construction vehicles), vehicles garaged at a personal residence and not being centrally fueled, and vehicles used for motor vehicle manufacturer product evaluations and tests.

Regulation 391-3-21.08 establishes a credit program in order to help fleets meet the CFF program requirements. Credits can be generated by three ways: (1) By purchasing CFVs prior to 1998, (2) by purchasing extra or exempted CFVs, and (3) by purchasing CFVs with stricter emissions standards such as ULEV and ZEV. These credits can only be used in the designated nonattainment area. Credits can be used towards future purchases or can be sold or traded to other operators. The Georgia Environmental Protection Division (GAEPD) will keep, approve and track all credits.

Final action

The EPA is approving this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this Federal Register publication, the EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective February 20, 1996, unless, within 30 days of its publication, adverse or critical comments are received.

If the EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent document that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on the separate proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective February 20, 1996.

The Agency has reviewed this request for revision of the Federally-approved State Implementation Plan for conformance with the provisions of the 1990 Amendments enacted on November 15, 1990. The Agency has determined that this action conforms with those requirements.