

Authority: 10 U.S.C. ch. 1606; 38 U.S.C. 501(a), 512, ch. 36, unless otherwise noted.

9. Section 21.7622 is amended as follows:

- a. Paragraph (f)(4)(v) is amended by removing "or";
- b. Paragraph (f)(4)(vi) is amended by removing "course." and adding, in its place, "course; or";
- c. The authority citation for paragraph (f) is revised; and
- d. Paragraph (f)(4)(vii) is added, to read as follows:

§ 21.7622 Courses precluded.

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(f) * * *

(4) * * *

(vii) An enrollment in a course offered under contract for which VA approval is prohibited by § 21.4252(m).

(Authority: 10 U.S.C. 16131(c), 16136(b); 38 U.S.C. 3672(a), 3676, 3680(a), 3680A(f), 3680A(g); § 642, Public Law 101-189, 103 Stat. 1458)

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POSTAL SERVICE

39 CFR Part 111

Delivery of Mail to a Commercial Mail Receiving Agency

AGENCY: Postal Service.

ACTION: Proposed rule with request for comments.

SUMMARY: The purpose of this proposal is to clarify requirements for delivery of an addressee's mail to a commercial mail receiving agency (CMRA). The proposal provides for guidelines to distinguish when a corporate executive center (CEC) or a part of its operations is considered a commercial mail receiving agency for purposes of these standards.

DATES: Comments must be received on or before March 3, 2000.

ADDRESSES: Written comments should be mailed to Manager, Delivery, U.S. Postal Service, 475 L'Enfant Plaza SW Room 7142, Washington, DC 20260-2802. Copies of all written comments will be available for inspection and photocopying between 9:00 a.m. and 4:00 p.m., Monday through Friday, at the above address.

FOR FURTHER INFORMATION CONTACT: Roy E. Gamble, (202) 268-3197.

SUPPLEMENTARY INFORMATION: On March 25, 1999, the Postal Service published a final rule in the **Federal Register** adopting revised regulations governing the operation of commercial mail

receiving agencies (CMRAs) with an effective date of April 26, 1999. (64 F.R. 14385). The final rule amended sections D042.2.5 through D042.2.7 of the Domestic Mail Manual (DMM) to update and clarify procedures for delivery of an addressee's mail to a CMRA. The rule provided procedures for registration to act as a CMRA; an addressee to request mail delivery to a CMRA; and delivery of the mail to a CMRA. The rule was applicable to all businesses that provide agent mailing services to their customers; that is, receive delivery of mail for others from the Postal Service.

A corporate executive center (CEC) is a business that operates primarily to provide shared private office facilities and business support services to individuals or firms. These CEC customers may also receive mail at the CEC address. CECs also have customers that do not occupy space and use the CEC address primarily to receive mail.

Postal customers have asked the Postal Service to provide guidance when a CEC is considered a CMRA for purposes of postal standards; that is, when it and its customers must comply with rules governing the operation of CMRAs in sections D042.2.5 through D042.2.7 of the DMM. This proposal responds to that request and seeks to clarify and set forth guidelines when a CEC customer must comply with those standards. The proposal provides an objective test, based on the terms of the relationship between the CEC and its customer, to determine whether a customer is considered a "CMRA customer." The CEC must register as a CMRA and comply with all CMRA regulations if one or more customers receiving mail at its address are considered "CMRA customers." Each customer considered a "CMRA customer" must comply with the standards set forth in the DMM. Other customers, not considered to be "CMRA customers," need not comply with these standards. A CEC will receive single point delivery of mail regardless whether its customers are deemed to be receiving CEC or CMRA services.

Although exempt from the notice and comment requirements of the Administrative Procedures Act (5 U.S.C. of 553 (b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites public comment on the following proposed revisions to the Domestic Mail Manual, incorporated by reference in the Code of Federal Regulations. See CFR 111.1.

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 3011, 3201-3219, 3403-3406, 3621, 5001.

2. Section D042.2.0 of the Domestic Mail Manual is amended by adding subsection D042.2.8 to read as follows:

D Deposit, Collection, and Delivery

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D040 Delivery of Mail

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D042 Conditions of Delivery

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2.0 DELIVERY TO ADDRESSEE'S AGENT

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2.8 CEC DEFINITION

Use the following procedures to distinguish when a corporate executive center (CEC) or part of its operation is a commercial mail receiving agency (CMRA): a. A CEC is a business that operates primarily to provide shared private office facilities and business support services to individuals or firms (customers). CEC customers may also receive mail at the CEC address. These customers will be considered CEC customers if they meet the standards set forth below. Customers who do not meet these standards and who receive mail through the CEC address will be considered CMRA customers and must comply with the CMRA standards. The CEC must register as a CMRA and comply with all CMRA standards if one or more customers receiving mail through its address are considered CMRA customers. A CEC will receive single point delivery of mail regardless of whether its customers are deemed to be receiving CEC or CMRA services.

b. Except as provided in d, a customer receiving mail through the CEC address will be considered a CEC customer under these standards if:

(1) The CEC licenses the customer through a written agreement to use one or more of the offices or workstations within the CEC facility for full-time occupancy; or,

(2) The CEC licenses the customer through a written agreement to use one or more of the office or workstations within the CEC facility regularly each month for the term of the agreement (as defined in c) and the agreement also provides the customer:

(A) Full-time receptionist service during normal business hours,

(B) A listing in the office directory, if available, in the building in which the CEC is located, and

(C) Conference rooms and other business services on demand.

c. A customer shall be deemed to occupy space regularly each month for purposes of b(2) if, under the specific terms of the agreement, the person is charged at least \$125 per month for the duration of the agreement for occupancy and related support services.

d. Notwithstanding any other standards, a customer whose agreement provides for mail services only or mail and telephone services only will not be considered a CEC customer (without regard for occupancy or other services that a CEC may provide and bill for on demand).

e. The Postal Service may request from the CEC copies of agreements or any other documents or information needed to determine compliance with these standards. Failure to provide requested documents or information may be a basis for suspending delivery service to the CEC under the procedures set forth in section D042.2.6.h through i for suspending delivery to a CMRA.

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[An appropriate amendment to 39 CFR 111.3 to reflect this change will be published if the proposal is adopted.]

Stanley F. Mires,

Chief Counsel, Legislative.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 130

[FRL-6531-7]

Revision to the Water Quality Planning and Management Regulation Listing Requirements

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to revise the Water Quality Planning and Management regulation to remove the requirement that States, Territories and authorized tribes submit to EPA for review by April 1, 2000, lists of impaired and threatened waterbodies. EPA's current regulations interpret the provision in section 303(d) of the Clean Water Act for submission of lists to EPA "from time to time" to require States, Territories and authorized tribes to submit lists on April 1 of every even-numbered year. For the reasons discussed below, EPA is proposing to remove the requirement that such lists be submitted in 2000. In this document, EPA is not proposing to change the existing regulatory requirement if a court order, consent decree, or settlement agreement dated prior to January 1, 2000, expressly requires EPA to take action related to a State's year 2000 list. Also, EPA is not in this notice proposing to change the existing regulatory requirement that subsequent lists be submitted on April 1, 2002, and on April 1 of subsequent even numbered years.

DATES: Comments on this proposal must be submitted on or before March 3, 2000. Comments provided electronically will be considered timely if they are submitted by 11:59 P.M. (Eastern time) March 3, 2000.

ADDRESSES: Send written comments on the proposed rule to the Comment Clerk

for the Year 2000 List Rule, Water Docket (W-99-25), Environmental Protection Agency, 401 M Street, SW; Washington, DC 20460. EPA requests that commenters submit any references cited in their comments. EPA also requests that commenters submit an original and three copies of their written comments and enclosures. Commenters that want receipt of their comments acknowledged should include a self-addressed, stamped envelope. All comments must be postmarked or delivered by hand. No facsimiles (faxes) will be accepted.

EPA will also accept comments electronically. Comments should be addressed to the following Internet address: ow-docket@epa.gov. Electronic comments must be submitted as an ASCII or WordPerfect file avoiding the use of special characters and any form on encryption. Electronic comments must be identified by the docket number (W-99-25), and may be filed online at many Federal depository Libraries. No confidential business information (CBI) should be sent via e-mail.

A copy of the comments received will be available for review at EPA's Water Docket; Room EB-57 (East Tower Basement), 401 M Street, SW, Washington, DC 20460. For access to docket materials, call (202) 260-3027 between 9 a.m. and 3:30 p.m. for an appointment. An electronic version of this proposal will be available via the Internet at: <http://www.epa.gov/OWOW/tmdl/index.html>.

FOR FURTHER INFORMATION CONTACT: Annette Widener, U.S. EPA, Office of Wetlands, Oceans and Watersheds (4503F), 401 M. St., SW., Washington, D.C. 20640, (202) 401-4078.

SUPPLEMENTARY INFORMATION:

Authority: Clean Water Act Section 303.

I. Entities Potentially Regulated by the Proposed Rule

Category	NAIAS codes	SIC codes	Examples of potentially regulated entities
State, Local, Tribal Government	N/A	N/A	States, Territories, and authorized tribes

This table is not intended to be exhaustive, but rather provides a guider for readers regarding entities likely to be regulated by this action. This table lists the types of entities that EPA is now aware could potentially be regulated by this action. Other types of entities not listed in the table could also be regulated. To determine whether you are regulated by this action, you should carefully examine the applicability

criteria in part 130 of title 40 of the Code of Federal Regulations. If you have questions regarding the applicability of this action to a particular entity, consult the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

II. Summary of Proposed Rule

A. Existing Requirement

Section 303(d)(1) of the CWA requires States, Territories and authorized tribes to submit to EPA "from time to time" a list of waterbodies for which existing pollution controls are not stringent enough to attain and maintain State, Territorial and authorized Tribal water quality standards. The statute requires