

Latitude	Longitude
38°48.33'N	74°59.30'W
38°49.10'N	75°01.65'W
38°51.27'N	75°02.83'W

7. Add § 167.174 to read as follows:

§ 167.174 Off Delaware Bay: Precautionary area.

A precautionary area is established as follows: from 38°42.80'N, 74°58.90'W; then northerly by an arc of eight nautical miles centered at 38°48.90'N, 75°05.60'W to 38°48.32'N, 74°55.30'W; then westerly to 38°47.50'N, 75°01.80'W; then northerly to 38°50.75'N, 75°03.40'W; then northeasterly to 38°51.27'N, 75°02.83'W; then northerly to 38°54.80'N, 75°01.60'W; then westerly by an arc of 6.7 nautical miles centered at 38°48.90'N, 75°05.60'W to 38°55.53'N, 75°05.87'W; then southwesterly to 38°54.00'N, 75°08.00'W; then southerly to 38°46.60'N, 75°03.55'W; then southeasterly to 38°42.80'N, 74°58.90'W.

Datum: NAD 83.

Dated: February 18, 2000.

Joseph J. Angelo,

Acting Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 00-5805 Filed 3-9-00; 8:45 am]

BILLING CODE 4910-15-P

POSTAL SERVICE

39 CFR Part 111

Postage and Fees Refunds; Unused Adhesive Stamps and Stamps Affixed to Unmailed Matter

AGENCY: Postal Service.

ACTION: Final rule; comments acceptable.

SUMMARY: The Postal Service is amending a portion of its rule on postage and fees refunds, to clarify that payments may be made in some cases for unused adhesive stamps and adhesive stamps affixed to unmailed matter. The purpose of this change is to allow the Postal Service to test market programs that involve the use of postage stamps to pay for goods and services.

DATES: Effective March 9, 2000. Comments must be received on or before April 10, 2000.

ADDRESSES: Mail or deliver written comments to Manager, Advertising Mail, USPS Headquarters, Room 5413, 475 L'Enfant Plaza SW, Washington, DC 20260-2690. Copies of all written comments will be available for inspection and photocopying between 9

a.m. and 4 p.m., Monday through Friday, at the above address.

FOR FURTHER INFORMATION CONTACT: Chris C. Conboy, (202) 268-3120.

SUPPLEMENTARY INFORMATION: Under section P014.2.7 of the Domestic Mail Manual (DMM), the Postal Service currently disallows refunds for unused adhesive stamps and adhesive stamps affixed to unmailed matter. While this policy is necessary to promote the efficiency of ordinary retail postal operations, the current DMM language hampers the testing and development of innovative marketing programs such as the Micropayment Program. Under this program, vendors would be allowed to receive payment for goods and services, priced between \$1.00 and \$10.00, in the form of postage stamps affixed to a postcard or a similar item. The vendors, in turn, would return the stamps to the Postal Service and receive payments in an amount less than the face value of the stamps. As amended, section P014.2.7 of the DMM will more clearly allow payment for unused adhesive stamps and stamps affixed to unmailed matter in connection with marketing programs approved by the Senior Vice President for Marketing, thus allowing tests of the Micro Payment Program and similar initiatives to proceed.

List of Subjects 39 CFR Part 111

Administrative practice and procedure, Postal Service.

Accordingly, the Postal Service hereby amends section P014.2.7 of the Domestic Mail Manual (DMM), which is incorporated by reference in the Code of Federal Regulations. See 39 CFR Part 111.

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, 414, 3001-3011, 3201-3219, 3403-3406, 3621, 3626, 5001.

2. Amend section P014.2.7 of the Domestic Mail Manual (DMM) to read as follows:

P POSTAGE AND PAYMENT METHODS

P000 Basic Information

P010 General Standards

* * * * *

P014 Refunds and Exchanges

* * * * *

2.0 POSTAGE AND FEES REFUNDS

* * * * *

2.7 Unallowable Refunds

Refunds are not made for the following:

a. An application fee to use permit imprints.

b. Collect on delivery (COD), Express Mail insurance, insured, and registered fees after the USPS accepts the article, even if the article is later withdrawn from the mail.

c. Unused adhesive stamps (may be exchanged under 1.1 through 1.5).

d. Adhesive stamps affixed to unmailed matter.

These limits on refunds are not intended to prohibit payments for unused adhesive stamps and adhesive stamps affixed to unmailed matter in connection with an authorized marketing program.

* * * * *

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 00-5960 Filed 3-9-00; 8:45 am]

BILLING CODE 7710-12-P

POSTAL SERVICE

39 CFR Part 111

Changes in Procedures for Standard Mail Destination Entry Mailings

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Postal Service, after considering the written responses to its proposed rule published in the **Federal Register** on December 22, 1999 (64 FR 71702-71704), requesting public comment on proposed amendments to the Domestic Mail Manual, gives notice that it is implementing amendments to procedures for Standard Mail Destination Entry Mailings.

EFFECTIVE DATE: March 12, 2000.

FOR FURTHER INFORMATION CONTACT: RoseMarie Gay (202) 268-7810.

SUPPLEMENTARY INFORMATION: On December 22, 1999, the Postal Service published in the **Federal Register** (64 FR 71702-71704) a proposal to amend the Domestic Mail Manual procedures for setting appointments for mailings of Standard Mail (A) and Standard Mail (B) from once a month to once a week for recurring appointments.

In addition, the Postal Service proposed that if a mailer requests an appointment at a destination delivery unit (DDU) for a Standard Mail (A) or Standard Mail (B) mailing, then the 5-digit ZIP Codes of the mail being deposited must be provided at the time of request. Also, consistent with current standards for Standard Mail (A), a

change was proposed to provide for the redirection of Standard Mail (B).

Response to Comments

The Postal Service requested comments by January 21, 2000. Two comments were received from the mailing industry.

One mailer commented that there was no mention of how postage will be adjusted and calculated when mail is redirected by the Postal Service. The Postal Service will recalculate postage according to Domestic Mail Manual section E613.2.2.

The mailer also commented that there was no mention of destination delivery unit (DDU) appointments made by using the Drop Shipment Appointment System (DSAS). The commenter also questioned if mailers can make DDU appointments using DSAS and, if DSAS appointments are allowed, whether the procedures are different when contacting the DDU via DSAS.

In response, the Postal Service notes that this comment is beyond the scope of the **Federal Register** notice; however, the commenter should be aware that the procedures for making DDU appointments have not changed.

One other mailer agreed with the change of frequency from once a month to once a week. The mailer also suggested that DSAS be changed so that if a recurring appointment is made "x" days in advance, DSAS would require reconfirmation of the appointment two days prior to the appointment date. If the appointment is not reconfirmed within the assigned time period, then that time slot would be available for others. Currently, the DSAS system cannot perform this function, and adding this feature would require enhancements to this system. Due to considerable expense involved, the Postal Service has determined not to add this enhancement to the system at this time.

This mailer also commented on the error rate of DDU addresses and asked that DDU acceptance hours be expanded. An additional comment by this mailer was that DDU acceptance hours be expanded. These comments are beyond the scope of this **Federal Register** notice and need not be addressed.

The new amendments become effective on March 12, 2000. Until that date, mailers must follow current mailing standards.

Although exempt from the notice and comment requirements of the Administrative Procedures Act (5 U.S.C. 553 (b), (c)) regarding rulemaking by 39 USC 410, the Postal Service hereby gives notice of the following revisions to

the Domestic Mail Manual (DMM), incorporated by reference in the Code of Federal Regulations (see CFR Part 111).

List of Subjects in 39 CFR Part 111

Administrative practice and procedure.

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, 414, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Amend the Domestic Mail Manual as set forth below:

E Eligibility

* * * * *

E600 Standard Mail

* * * * *

E650 Destination Entry

E651 Regular, Nonprofit, and Enhanced Carrier Route Standard Mail

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3.0 DEPOSIT

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(Redesignate 3.3 through 3.11 as 3.4 through 3.12 respectively; add new 3.3 to read as follows:)

3.3 Appointments

Appointments must be made for destination entry rate mail as follows:

a. Except for a local mailer under 4.0 and mailings of perishable commodities, appointments for deposit of destination entry rate mail at BMCs, ASFs, and SCFs must be scheduled through the appropriate appointment control center at least one business day in advance. Same-day appointments may be granted by a control center only through a telephone request. All appointments for BMC loads must be scheduled by the appropriate BMC control center. Appointments for SCFs and ASFs must be scheduled through the appropriate district control center. Appointments may be made up to 30 calendar days before a desired appointment date. The mailer must adhere to the scheduled mail deposit time and location. The mailer must cancel any appointment by notifying the appropriate control center at least 24 hours in advance of a scheduled appointment.

b. Electronic appointments may be made by a mailer or agent using a USPS-issued computer logon ID. Electronic appointments or cancellations must be made at least 12 hours before the desired time and date. All information required by the USPS appointment

system regarding a mailing must be provided.

c. For deposit of DDU mailings, an appointment must be made by contacting the DDU at least 24 hours in advance. If the appointment must be canceled, the mailer must notify the DDU at least one business day in advance of a scheduled appointment. Recurring appointments are allowed if shipment frequency is once a week or more often.

d. When Periodicals are transported together with Standard Mail (A) or Standard Mail (B) as a mixed load (E250), an appointment must be obtained for deposit at a destination entry facility.

(Revise heading of redesignated 3.4 to read as follows:)

3.4 Advance Scheduling

(Amend 3.4 by revising 3.4a, b, c, and d to read as follows:)

Except under 4.0, a mailer must schedule deposit of destination rate mailings at least 24 hours in advance by contacting the proper district or BMC control center or destination delivery unit. Appointments at delivery units must be made by calling the delivery unit at least 24 hours in advance. Appointments for ASFs, SCFs, or for any multistop loads must be made through the USPS district control center. Appointments for BMC loads must be scheduled by the proper BMC control center. When making an appointment, or as soon as available, the mailer must provide the control center or DDU with the following information:

a. Mailer's name and address and, when applicable, the name and telephone number of the mailer's agent or local contact.

b. Description of what is being mailed, product name, number of mailings, volume of mail, how prepared, and whether containerized (e.g., pallets). For DDU entries, the mailer also must provide the 5-digit ZIP Code(s) of the mail being deposited.

c. Where mailing was verified.

d. Postage payment method.

* * * * *

3.6 Redirection by USPS

(Revise redesignated 3.6 to read as follows:)

A mailer may be directed to transport destination entry rate mailings to a facility other than the designated DDU, SCF, or BMC due to facility restrictions, building expansions, peak season mail volumes, or emergency constraints.

* * * * *

(Amend heading of 3.8 by changing "standing" to "recurring" to read as follows:)

3.8 Recurring Appointments

(Revise redesignated 3.8 to read as follows:)

A mailer may request recurring appointments, renewable for a 6-month period, by writing to the BMC control center or the district control center that administers the service area in which the destination facility is located. The mailer must present comparable mailings (by product and volume) on a consistent frequency of at least once a week. Failure to adhere to scheduled appointment procedures can cause revocation of the recurring appointment.

* * * * *

E652 Parcel Post

* * * * *

4.0 DEPOSIT

* * * * *

(Redesignate current 4.6 through 4.11 as 4.7 through 4.12, respectively; add new 4.6 to read as follows:)

4.6 Redirection by USPS

With the exception of mail deposited under 1.3e, a mailer may be directed to transport destination entry rate mailings to a facility other than the designated DDU, SCF, or BMC due to facility restrictions, building expansions, peak season mail volumes, or emergency constraints.

(Revise heading of redesignated 4.7 to read as follows:)

4.7 Advance Scheduling

(Amend redesignated 4.7b by adding second sentence to read as follows:)

When making an appointment, or as soon as available, the mailer must provide the control center or DDU with the following information:

* * * * *

b. Description of what is being mailed, product name, number of mailings, volume of mail, how prepared, and whether containerized (e.g., pallets). For DDU entries, the mailer also must provide the 5-digit ZIP Code(s) of the mail being deposited.

* * * * *

4.8 Deposit Conditions

(Amend redesignated 4.8b by changing the frequency from "once a month" to "once a week" to read as follows:)

Deposit of mail also is subject to these conditions:

* * * * *

b. A mailer may request recurring appointments, renewable for a 6-month period, by writing to the BMC control center or the district control center that administers the service area in which

the destination facility is located. The mailer must present comparable mailings (by product and volume) on a consistent frequency of at least once a week. Failure to adhere to scheduled appointment procedures can cause revocation of the recurring appointment.

* * * * *

Stanley F. Mires, Chief Counsel, Legislative. [FR Doc. 00-5962 Filed 3-9-00; 8:45 am] BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[KY-105-9946a; FRL-6545-5]

Approval and Promulgation of Implementation Plans, Commonwealth of Kentucky: Approval of Revisions to the Kentucky State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a revision to the Commonwealth of Kentucky's State Implementation Plan (SIP) submitted through the Kentucky Natural Resources and Environmental Protection Cabinet (KNREPC) on April 29, 1998. This revision adds a new regulation 401 KAR 50:032, "Prohibitory rule for hot mix asphalt plants," to establish an enforceable production limit for asphalt plants in Kentucky to limit their potential to emit (PTE).

DATES: This direct final rule is effective May 9, 2000 without further notice, unless EPA receives adverse comment by April 10, 2000. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the Federal Register and inform the public that the rule will not take effect.

ADDRESSES: All comments should be addressed to Joey LeVasseur at the EPA, Region 4 Air Planning Branch, 61 Forsyth Street, SW, Atlanta, Georgia 30303.

Copies of the state submittal are available at the following addresses for inspection during normal business hours:

- Environmental Protection Agency, Atlanta Federal Center, Region 4 Air Planning Branch, 61 Forsyth Street S.W., Atlanta, Georgia 30303-3104.
Natural Resources and Environmental Protection Cabinet, 803 Schenkel Lane, Frankfort, Kentucky 40601.

FOR FURTHER INFORMATION CONTACT: Joey LeVasseur at 404/562-9035 (E-mail: levasseur.joey@epa.gov).

SUPPLEMENTARY INFORMATION: The Commonwealth of Kentucky through the KNREPC submitted revisions to the Kentucky SIP on April 29, 1998. These revisions add new Kentucky regulations 401 KAR 50:032, "Prohibitory rule for hot mix asphalt plants," 60:750, "Standards of performance for municipal solid waste landfills," and 61:036, "Emission guidelines and compliance times for municipal solid waste landfills." However, since regulations 401 KAR 60:750 and 61:036 are not SIP-related, Kentucky resubmitted these regulations on December 3, 1998, as required by section 111(d) of the Clean Air Act as amended in 1990 (CAA), and EPA approved these regulations on April 20, 1999, (64 FR 19290). Therefore, today EPA is only taking action on regulation 401 KAR 50:032 as a revision to the Kentucky SIP as described below.

401 KAR 50:032 Prohibitory Rule for Hot Mix Asphalt Plants

This regulation applies to hot mix asphalt plants that without the operational limits of this regulation would have a PTE that would exceed one or more of the major source thresholds and require these plants to obtain a permit as required under part 70 of Title 40 of the Code of Federal Regulations (40 CFR part 70). Compliance with this regulation would only exempt these sources from the 40 CFR part 70 requirement and would not exempt any source from any other applicable requirement. To be eligible for this exemption, sources must comply with maximum consecutive 12 month production and operation limits as well as fuel and recordkeeping requirements which are specific to the type of plant. These requirements are fully discussed in the submittal and the technical support document (TSD) at the Region 4 office listed in the addresses section of this notice.

Final Action

EPA is approving the aforementioned changes to the SIP without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in the proposed rules section of this Federal Register publication, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision should relevant adverse comments be filed. This rule will be effective May 9, 2000 without further notice unless the agency