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(Catalog of Federal Domestic Assistance Number does not apply.)

**List of Subjects in 34 CFR Part 75**

Administrative practice and procedure, Education Department, Grant programs—education, Grant administration, Performance reports, Reporting and recordkeeping requirements, Unobligated funds.

Dated: May 18, 2007.

**Margaret Spellings**,  
*Secretary of Education.*

For the reasons discussed in the preamble, the Secretary proposes to amend part 75 of title 34 of the Code of Federal Regulations as follows:

**PART 75—DIRECT GRANT PROGRAMS**

1. The authority citation for part 75 continues to read as follows:

**Authority:** 20 U.S.C. 1221e-3 and 3474, unless otherwise noted.

2. Section 75.560 is amended by revising paragraphs (b) and (c), redesignating paragraph (d) as paragraph (e) and adding a new paragraph (d) to read as follows:

**§ 75.560 General indirect cost rates; exceptions.**

\* \* \* \* \*

(b) A grantee must have obtained a current indirect cost rate agreement from its cognizant agency, to charge indirect costs to a grant. To obtain an indirect cost rate, a grantee must submit an indirect cost proposal to its cognizant agency within ninety days after the date the Department issues the grant award notification.

(c) If a grantee does not have a federally recognized indirect cost rate agreement, the Secretary may permit the grantee to charge its grant for indirect costs at a temporary rate of ten percent of budgeted direct salaries and wages.

(d)(1) If a grantee fails to submit an indirect cost rate proposal to its cognizant agency within the required ninety days, the grantee may not charge indirect costs to its grant from the end of the ninety-day period until it obtains a federally recognized indirect cost rate agreement applicable to the grant.

(2) If the Secretary determines that exceptional circumstances warrant continuation of a temporary indirect cost rate, the Secretary may authorize the grantee to continue charging indirect costs to its grant at the temporary rate specified in paragraph (c) of this section

even though the grantee has not submitted its indirect cost rate proposal within the ninety-day period.

(3) Once a grantee obtains a federally recognized indirect cost rate that is applicable to the affected grant, the grantee may use that indirect cost rate to claim indirect cost reimbursement for expenditures made on or after the date the grantee submitted its indirect cost proposal to its cognizant agency or the start of the project period, whichever is later. However, this authority is subject to the following limitations:

(i) The total amount of funds recovered by the grantee under the federally recognized indirect cost rate is reduced by the amount of indirect costs recovered under the temporary indirect cost rate after the date the indirect cost proposal was submitted to the cognizant agency.

(ii) The grantee must obtain prior approval from the Secretary to shift direct costs to indirect costs in order to recover indirect costs at a higher negotiated indirect cost rate.

(iii) The grantee may not request additional funds to recover indirect costs that cannot be recovered by shifting direct costs to indirect costs.

\* \* \* \* \*

3. Section 75.562 is amended by revising paragraph (c) to read as follows:

**§ 75.562 Indirect cost rates for educational training projects.**

\* \* \* \* \*

(c)(1) Indirect cost reimbursement on a training grant is limited to the recipient's actual indirect costs, as determined in its negotiated indirect cost rate agreement, or eight percent of a modified total direct cost base, whichever amount is less.

(2) For the purposes of this section, a modified total direct cost base consists of total direct costs minus the following:

(i) The amount of each sub-award in excess of \$25,000.

(ii) Stipends.

(iii) Tuition and related fees.

(iv) Equipment, as defined in 34 CFR 74.2 and 80.3, as applicable.

**Note:** If the grantee has established a threshold for equipment that is lower than \$5,000 for other purposes, it must use that threshold to exclude equipment under the modified total direct cost base for the purposes of this section.

(3) The eight percent indirect cost reimbursement limit specified in paragraph (c)(1) of this section also applies to sub-awards that fund training, as determined by the Secretary under paragraph (b) of this section.

(4) The eight percent limit does not apply to agencies of State or local governments, including federally

recognized Indian tribal governments, as defined in 34 CFR 80.3.

(5) Indirect costs in excess of the eight percent limit may not be charged directly, used to satisfy matching or cost-sharing requirements, or charged to another Federal award.

\* \* \* \* \*

4. Section 75.564 is amended by revising paragraph (e) to read as follows:

**§ 75.564 Reimbursement of indirect costs.**

\* \* \* \* \*

(e)(1) Indirect costs for a group of eligible parties (See §§ 75.127-75.129) are limited to the amount derived by applying the rate of the applicant, or a restricted rate when applicable, to the direct cost base for the grant in keeping with the terms of the applicant's federally recognized indirect cost rate agreement.

(2) If a group of eligible parties applies for a training grant under the group application procedures in §§ 75.127-75.129, the grant funds allocated among the members of the group are not considered sub-awards for the purposes of applying the indirect cost rate in 34 CFR 75.562(c).

(Authority: 20 U.S.C. 1221e-3 and 3474)

[FR Doc. E7-10036 Filed 5-23-07; 8:45 am]

BILLING CODE 4000-01-P

**POSTAL SERVICE**

**39 CFR Part 111**

**Electronic Option for Delivery Confirmation Service Required for Priority Mail Open and Distribute**

**AGENCY:** Postal Service.

**ACTION:** Proposed rule.

**SUMMARY:** The Postal Service currently allows mailers to use the electronic option for Delivery Confirmation service on Priority Mail Open and Distribute containers. We are proposing to make this optional extra service a requirement.

**DATES:** Submit comments on or before June 25, 2007.

**ADDRESSES:** Mail or deliver written comments to the Manager, Mailing Standards, U.S. Postal Service, 475 L'Enfant Plaza, SW., Room 3436, Washington, DC 20260-3436. 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 Postal Service Headquarters Library, 475 L'Enfant Plaza, SW., 11th Floor North, Washington, DC 20260-0004.

**FOR FURTHER INFORMATION CONTACT:** Jean Arnao, Package Services, 202–268–7467; or Garry Rodriguez, Mailing Standards, 202–268–7281.

**SUPPLEMENTARY INFORMATION:** On February 1, 2007, the Postal Service replaced Express Mail Drop Shipment and Priority Mail Drop Shipment with Express Mail Open and Distribute and Priority Mail Open and Distribute. The revised standards were designed to enhance the Postal Service's ability to provide mailers with expedited service to destination delivery units and other mail processing facilities. In the revision, we provided mailers with an option to use the electronic option for Delivery Confirmation service to verify delivery. We offered this option to enable mailers to receive, at no additional cost, vital performance information that includes the date, ZIP Code, and time their Priority Mail Open and Distribute containers are delivered to their destination. The new requirement for electronic option Delivery Confirmation service on all Priority Mail Open and Distribute containers would allow the Postal Service to monitor these mailings by providing increased visibility to the individual mail containers, providing a measurement tool, and effectively communicating to mailers the delivery status of each container.

Our proposal would require mailers to use the electronic option for Delivery Confirmation service for Priority Mail Open and Distribute containers in accordance with instructions in Publication 91, *Confirmation Services Technical Guide*. The required use of the electronic option for Delivery Confirmation service for Priority Mail Open and Distribute containers would be effective October 1, 2007.

Although we are exempt from the notice and comment requirements of the Administrative Procedure Act [5 U.S.C. of 553(b), (c)] regarding proposed rulemaking by 39 U.S.C. 410(a), we invite public comments on the following proposed revisions to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.1.

#### List of Subjects in 39 CFR Part 111

Postal Service.

Accordingly, 39 CFR part 111 is proposed to be amended as follows:

#### 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, 416, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), as follows:

#### 700 Special Standards

\* \* \* \* \*

#### 705 Advanced Preparation and Special Postage Payment Systems

\* \* \* \* \*

#### 16.0 Express Mail Open and Distribute and Priority Mail Open and Distribute

\* \* \* \* \*

#### 16.4 Additional Standards for Priority Mail Open and Distribute

\* \* \* \* \*

##### 16.4.2 Extra Services

*[Revise the first sentence in 16.4.2 to require the use of electronic option Delivery Confirmation service on each container of Priority Mail Open and Distribute as follows:]*

Electronic option Delivery Confirmation service is required on all Priority Mail Open and Distribute containers. \* \* \*

\* \* \* \* \*

##### 16.5 Preparation

\* \* \* \* \*

##### 16.5.4 Tags 161 and 190—Priority Mail Open and Distribute

*[Delete item c.]*

\* \* \* \* \*

##### 16.6.7 Delivery Confirmation Service

*[Revise the text of 16.6.7 as follows:]*

Mailers should prepare address labels on Label 23, Tag 161, and Tag 190, using the formats in 16.6.8 through 16.6.11. A Delivery Confirmation service barcode must be incorporated in the address label (see 16.4.2). Mailers must obtain USPS certification for each printer used to print barcoded Delivery Confirmation service labels. Further certification and formatting specifications are included in Publication 91, *Confirmation Services Technical Guide*.

\* \* \* \* \*

We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes if our proposal is adopted.

**Neva Watson,**

*Attorney, Legislative.*

[FR Doc. E7–9967 Filed 5–23–07; 8:45 am]

**BILLING CODE 7710–12–P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R04–OAR–2006–0985–200625; FRL–8317–9]

#### Approval and Promulgation of Implementation Plans Georgia: Enhanced Inspection and Maintenance Plan

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve the State Implementation Plan (SIP) revisions submitted by the State of Georgia, through the Georgia Environmental Protection Division (GA EPD), on July 25, 2006, and January 25, 2007, pertaining to rules for Enhanced Inspection and Maintenance (I/M). In the Final Rules Section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal 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 rule, no further activity is contemplated. If 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. 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:** Written comments must be received on or before June 25, 2007.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R04–OAR–2006–0985, by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *E-mail*: [harder.stacy@epa.gov](mailto:harder.stacy@epa.gov).

3. *Fax*: (404) 562–9019.

4. *Mail*: “EPA–R04–OAR–2006–0985,” Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960.

5. *Hand Delivery or Courier*: Stacy Harder, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303–8960. Such