PART 1926—SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION

Subpart L—[AMENDED]

5. Revise the authority citation for subpart L to read as follows:

Authority: 40 U.S.C. 333; 29 U.S.C. 653, 655, 657; Secretary of Labor’s Order Nos. 1–90 (55 FR 9033), 5–2007 (72 FR 31159), or 1–2012 (77 FR 3912); and 29 CFR part 1911.

6. Revise paragraphs (z)(3) and (z)(5) of Appendix A to subpart L to read as follows:

(Non-Mandatory) Appendix A to Subpart L of Part 1926—Scaffold Specifications.

(z) * * * *

(3) A taut wire or synthetic rope supported on the scaffold brackets shall be installed at the scaffold plank level between the innermost edge of the scaffold platform and the curved plate structure of the tank shell to serve as a safety line in lieu of an inner guardrail assembly where the space between the scaffold platform and the tank exceeds 12 inches (30.48 cm). In the event the open space on either side of the rope exceeds 12 inches (30.48 cm), a second wire or synthetic rope appropriately placed, or guardrails in accordance with § 1926.451(g)(4), shall be installed in order to reduce that open space to less than 12 inches (30.48 cm).

* * * *

(5) Guardrails shall be constructed of a taut wire or synthetic rope, and shall be supported by angle irons attached to brackets welded to the steel plates. These guardrails shall comply with § 1926.451(g)(4). Guardrail supports shall be located at no greater than 10 feet 6 inch intervals.

8. Revise § 241.3(a)(1)(ii) to read as follows:

(A) Combine a USPS-operated Post Office, station, or branch with another type of USPS-operated retail facility; or

(B) Discontinue a USPS-operated Post Office, station, or branch with another type of USPS-operated retail facility; or

(C) Discontinue a USPS-operated Post Office, station, or branch without providing a replacement facility.

9. In § 241.3, revise paragraph (a)(1) to read as follows:

9. In § 241.3, revise paragraph (a)(1) to read as follows:

§ 241.3 Discontinuance of USPS-operated retail facilities.

(a) Introduction—(1) Coverage. (i) This section establishes the rules governing the Postal Service’s consideration of whether an existing retail Post Office, station, or branch should be discontinued. The rules cover any proposal to:

(A) Replace a USPS-operated Post Office, station, or branch with a contractor-operated retail facility;

(B) Combine a USPS-operated Post Office, station, or branch with another type of USPS-operated retail facility; or

(C) Discontinue a USPS-operated Post Office, station, or branch without providing a replacement facility.

(ii) The conversion of a Post Office into, or the replacement of a Post Office with, another type of USPS-operated retail facility is not a discontinuance action subject to this section. A change in the staffing of a Post Office such that it is staffed only part-time by a postmaster, or not staffed at all by a postmaster, but rather by another type of USPS employee, is not a discontinuance action subject to this section.

(iii) The regulations in this section are mandatory only with respect to discontinuance actions for which initial feasibility studies have been initiated on or after July 14, 2011. Unless otherwise provided by responsible personnel, the rules under § 241.3 as in effect prior to July 14, 2011, shall apply to discontinuance actions for which initial feasibility studies have been initiated prior to July 14, 2011. Discontinuance actions pending as of December 1, 2011, that pertain to the conversion of a Post Office to another type of USPS-operated facility are no longer subject to these regulations.

(b) Definitions. As used in this section, the terms listed below are defined as follows:

(i) “USPS-operated retail facility” includes any Post Service employee-operated Post Office, station, or branch, but does not include any station, branch, community Post Office, or other retail facility operated by a contractor.
(ii) “Contractor-operated retail facility” includes any station, branch, community Post Office, or other facility, including a private business, offering retail postal services that is operated by a contractor, and does not include any USPS-operated retail facility.

(iii) “Closing” means an action in which Post Office operations are permanently discontinued without providing a replacement facility in the community.

(iv) “Consolidation” means an action that converts a Postal Service-operated retail facility into a contractor-operated retail facility. The resulting contractor-operated retail facility reports to a Postal Service-operated retail facility.

(v) “Discontinuance” means either a closure or a consolidation.

(vi) A “Remotely Managed Post Office” (RMPO) is a Post Office that offers part-time window service hours, is staffed by a Postal Service employee at the direction of a postmaster, and reports to an Administrative Post Office. Unless otherwise specified, all references to “Post Office” include RMPOs. The classification of a Post Office as a RMPO is not a discontinuance action under this section.

(vii) A “Part-Time Post Office” (PTPO) is a Post Office that offers part-time window service hours, is staffed by a Postal Service employee, and reports to a district office. Unless otherwise specified, all references to “Post Office” include PTPOs. The classification of a Post Office as a PTPO is not a discontinuance action under this section.

30 days for filing any appeal; up to 120 days for appeal consideration and decision.

(4) Additional requirements. This section also includes:

(i) Rules to ensure that the community’s identity as a postal address is preserved.

(ii) Rules for consideration of a proposed discontinuance and for its implementation, if approved. These rules are designed to ensure that the reasons leading to discontinuance of a particular USPS-operated retail facility are fully articulated and disclosed at a stage that enables customer participation to make a helpful contribution toward the final decision.

(5) Initial feasibility study. A district manager, the responsible Headquarters vice president, or a designee of either may initiate a feasibility study of a USPS-operated retail facility’s potential discontinuance, in order to assist the district manager in determining whether to proceed with a written proposal to discontinue the facility.

(i) Permissible circumstances. The initial feasibility study may be based upon circumstances including, but not limited to, the following:

(A) A postmaster vacancy;

(B) Emergency suspension of the USPS-operated retail facility due to cancellation of a lease or rental agreement when no suitable alternate quarters are available in the community, a fire or natural disaster, irreparable damage when no suitable alternate quarters are available in the community, challenge to the sanctity of the mail, or similar reasons;

(C) Earned workload below the minimum established level for the lowest level RMPO;

(D) Insufficient customer demand, evidenced by declining or low volume,
ENFORCEMENT

AGENCY

40 CFR Part 52

Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Regional Haze

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is approving revisions to the Wisconsin State Implementation Plan (SIP) addressing regional haze for the first implementation period, which extends through July 31, 2018. Wisconsin submitted its regional haze plan on January 18, 2012, with a supplemental submittal on June 7, 2012. EPA received comments on its proposed approval, addressing best available retrofit technology (BART) for a Georgia-Pacific Consumer Products, L.P. (Georgia-Pacific) paper facility and for power plants. EPA provides its response to these comments, and concludes that the Wisconsin regional haze plan satisfactorily addresses these requirements. Consequently, EPA is approving an administrative order establishing BART requirements for Georgia-Pacific into the Wisconsin SIP. More generally, EPA finds that Wisconsin has satisfied the applicable requirements for the State to remedy any existing and to prevent future impairment of visibility at mandatory Class I areas.

DATES: This final rule is effective on September 6, 2012.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA–R05–OAR–2012–0059. All documents in the docket are listed on the www.regulations.gov Web site. Although listed in the index, some information is not publicly available, i.e., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through www.regulations.gov or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Matt Rau, Environmental Engineer, at (312) 886–6524 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Matt Rau, Environmental Engineer, Control Strategies Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6524, rau.matthew@epa.gov.

SUPPLEMENTARY INFORMATION: This supplementary information section is arranged as follows:

I. What was proposed in the proposed rule?
II. What are the responses to comments?
III. What action is EPA taking?
IV. Statutory and Executive Order Reviews

I. What was proposed in the proposed rule?

Wisconsin Department of Natural Resources (WDNR) submitted its regional haze plan on January 18, 2012, with a supplemental submittal on June 7, 2012. This plan was intended to address the requirements in Clean Air Act section 169A and the regional haze rule in Title 40 Code of Federal Regulations 51.308 (40 CFR 51.308). This plan concluded that the Georgia-Pacific paper mill in Green Bay and several electric generating units (EGUs) were subject to requirements for BART. For Georgia-Pacific, EPA proposed action on a draft administrative order that establishes a cap on the sum of sulfur dioxide (SO2) emissions and of nitrogen oxide (NOx) emissions from the various boilers at the facility, including two boilers subject to the BART requirement and multiple other boilers not subject to this requirement. For the power plants, Wisconsin is relying on the Cross-State Air Pollution Rule (CSAPR) as a trading program alternative to mandating source-specific BART, except that Wisconsin addressed BART for particulate matter (PM) for EGUs by supplementing existing limits with a more stringent PM emission limit for one plant.

EPA reviewed Wisconsin’s plan according to the regional haze rule as promulgated on July 1, 1999 (64 FR 35713), and subsequently amended on July 6, 2005 (70 FR 39156), and on October 16, 2006 (70 FR 60631). The July 6, 2005, amendment provides further guidance on provisions related to BART.

EPA proposed approval of the Wisconsin regional haze plan on February 28, 2012 (77 FR 11928). The proposed rule described the nature of the regional haze problem and the statutory and regulatory background for EPA’s review of Wisconsin’s regional haze plan. The proposed rule provided a lengthy description of the regional...