

service (e.g., business reply mail and Bulk Parcel Return Service).

\* \* \* \* \*

**10.0 Postage Due Weight Averaging Program**

**10.1 Basic Information**

**10.1.1 Description**

[Revise the second sentence of 10.1.1 to read as follows:]

\* \* \* This program, subject to application, approval, and authorization, is available for customers who receive a minimum of 50,000 combined postage due parcels and flats or Bulk Parcel Return Service (BPRS) pieces. \* \* \*

**10.1.2 General Qualification**

[Revise the second sentence of 10.1.2 to read as follows:]

\* \* \* Returns can include all classes of mail where postage due fees are assessed, including BPRS return pieces. \* \* \*

\* \* \* \* \*

[Delete 11.0, Scan-Based Payment, in its entirety.]

\* \* \* \* \*

**609 Filing Indemnity Claims for Loss or Damage**

**1.0 General Filing Instructions**

\* \* \* \* \*

**1.3 Who May File**

A claim may be filed by:

\* \* \* \* \*

[Revise the text of items c and d to read as follows:]

c. Only the account holder, for USPS Returns packages that are insured as identified by the account holder's mailer identification (MID) and the applicable STC for insurance imbedded into the IMpb on the label, and for which the account holder has provided electronic data that supports the value of the merchandise being returned (see 503.4.3.1a).

d. Only the mailer, when the mailer has added and paid for insurance on USPS Returns service packages.

\* \* \* \* \*

**3.0 Providing Evidence of Insurance and Value**

**3.1 Evidence of Insurance**

\* \* \* Examples of acceptable evidence are:

\* \* \* \* \*

[Revise the introductory text of item e to read as follows:]

e. For insured mail or COD mail paid using MMS or eVS under 705.2.0, or for insured mail paid using an EPS account

for USPS Returns service under 503.3.0, the mailer must use one of the following:

[Revise the text of item e1 to read as follows:]

1. A Detail Record in their Shipping Services file version 1.6 or higher (which includes the USPS Tracking number of the insured item, total postage paid, insurance fee paid, declared value, mailing date, origin ZIP Code, delivery ZIP Code) along with the recipient name and address information for the accountable extra services pieces.

\* \* \* \* \*

**Index**

\* \* \* \* \*

**M**

\* \* \* \* \*

[Revise the heading and text under "merchandise return service" to read as follows (re-alphabetize heading and text after revision):]

**USPS Returns Service, 505.3.0**

accounts 505.3.1.2

adding extra services (by the mailer), 505.3.1.3

adding extra services (by the permit holder), 505.3.1.3

advanced deposit account, 505.3.1.2

applying for a permit, 505.3.1.2

format for label, 505.3.1.4

general information, 505.3.1.1

\* \* \* \* \*

**R**

\* \* \* \* \*

**Reply Mail**

\* \* \* \* \*

[Revise the "merchandise return service" entry to read as follows (re-alphabetize entry after revision):]

USPS Returns service, 505.3.0

\* \* \* \* \*

**Return Services**

\* \* \* \* \*

[Delete "merchandise return service".]

\* \* \* \* \*

[Revise the "USPS return services" entry to read as follows:]

USPS Returns service, 505.3.0

\* \* \* \* \*

**Joshua J. Hofer,**

Attorney, Federal Compliance.

[FR Doc. 2020-03170 Filed 2-24-20; 8:45 am]

**BILLING CODE 7710-12-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[EPA-R09-OAR-2019-0556; FRL-10004-14-Region 9]

**Air Plan Approval; California; San Diego County Air Pollution Control District**

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is taking final action to approve a revision to the San Diego County Air Pollution Control District (SDCAPCD) portion of the California State Implementation Plan (SIP). This revision concerns emissions of volatile organic compounds (VOCs) from adhesive material application operations. We are approving a local rule that regulates these emission sources under the Clean Air Act (CAA or the "Act").

**DATES:** This rule is effective on March 26, 2020.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-R09-OAR-2019-0556. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., 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 through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Christine Vineyard, EPA Region IX, 75 Hawthorne St., San Francisco, CA 94105. By phone: (415) 947-4125 or by email at [vineyard.christine@epa.gov](mailto:vineyard.christine@epa.gov).

**SUPPLEMENTARY INFORMATION:** Throughout this document, "we," "us" and "our" refer to the EPA.

**Table of Contents**

- I. Proposed Action
- II. Public Comments and EPA Responses
- III. EPA Action
- IV. Incorporation by Reference
- V. Statutory and Executive Order Reviews

**I. Proposed Action**

On October 21, 2019 (84 FR 56156), the EPA proposed to approve the following rule into the California SIP.

Local agency	Rule No.	Rule title	Amended	Submitted
SDCAPCD .....	67.21	Adhesive Material Application Operations .....	05/14/08	08/09/17

We proposed to approve this rule because we determined that it complies with the relevant CAA requirements. Our proposed action contains more information on the rule and our evaluation.

**II. Public Comments and EPA Responses**

The EPA’s proposed action provided a 30-day public comment period. During this period, we received 2 comments supporting EPA’s approval of Rule 67.21 for the protection of human health and the environment.

**III. EPA Action**

No comments were submitted that change our assessment of the rules as described in our proposed action. Therefore, as authorized in section 110(k)(3) of the Act, the EPA is fully approving this rule into the California SIP.

**IV. Incorporation by Reference**

In this rule, the EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is finalizing the incorporation by reference of the SDCAPCD rule described in the amendments to 40 CFR part 52 set forth below. The EPA has made, and will continue to make, these documents available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

**V. Statutory and Executive Order Reviews**

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
  - Is not an Executive Order 13771 (82 FR 9339, February 2, 2017) regulatory action because SIP approvals are exempted under Executive Order 12866;
  - Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
  - Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
  - Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4);
  - Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
  - Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
  - Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
  - Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
  - Does not provide the EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).
- In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as

specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by April 27, 2020. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: December 11, 2019.

**Deborah Jordan,**

*Acting Regional Administrator, Region IX.*

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

## PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

*Authority:* 42 U.S.C. 7401 *et seq.*

### Subpart F—California

■ 2. Section 52.220 is amended by adding paragraph (c)(503)(i)(B) to read as follows:

#### § 52.220 Identification of plan-in part.

\* \* \* \* \*

(c) \* \* \*

(503) \* \* \*

(i) \* \* \*

(B) San Diego County Air Pollution Control District.

(1) Rule 67.21, “Adhesive Material Application Operations,” amended on May 14, 2008.

(2) [Reserved]

\* \* \* \* \*

[FR Doc. 2020–03403 Filed 2–24–20; 8:45 am]

BILLING CODE 6560–50–P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R03–OAR–2019–0553; FRL–10005–49–Region 3]

### Approval and Promulgation of Air Quality Implementation Plans; West Virginia; 2019 Amendments to West Virginia’s Ambient Air Quality Standards

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

**ACTION:** Final rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is approving a state implementation plan (SIP) revision submitted by the State of West Virginia. This revision updates the effective date of the national ambient air quality standards (NAAQS) and the associated monitoring reference and equivalent methods for those NAAQS which West Virginia incorporates into its State regulations and the SIP. EPA is approving this revision to the West Virginia SIP in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This final rule is effective on March 26, 2020.

**ADDRESSES:** EPA has established a docket for this action under Docket ID Number EPA–R03–OAR–2019–0553. All documents in the docket are listed on the <https://www.regulations.gov>

website. Although listed in the index, some information is not publicly available, *e.g.*, 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 through <https://www.regulations.gov>, or please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section for additional availability information.

**FOR FURTHER INFORMATION CONTACT:** Joseph Schulingkamp, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814–2021. Mr. Schulingkamp can also be reached via electronic mail at [schulingkamp.joseph@epa.gov](mailto:schulingkamp.joseph@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On December 23, 2019 (84 FR 64243), EPA published a notice of proposed rulemaking (NPRM) for the State of West Virginia. In the NPRM, EPA proposed approval of a formal SIP revision submitted on May 6, 2019. The formal SIP revision updates the version of the NAAQS and the associated monitoring reference and equivalent methods for those NAAQS that West Virginia incorporates by reference into the State’s legislative rules and the SIP.

##### II. Summary of SIP Revision and EPA Analysis

This SIP revision was submitted by the West Virginia Department of Environmental Protection (WVDEP) in order to update the State’s incorporation by reference of the primary and secondary NAAQS and the ambient air monitoring reference and equivalent methods, found in 40 CFR parts 50 and 53, respectively. Currently, West Virginia’s EPA-approved SIP includes the older version of West Virginia regulation 45CSR8 which incorporates by reference 40 CFR parts 50 and 53 as these Federal regulations existed on June 1, 2017. West Virginia has since adopted at the State level a revision to 45CSR8 which now incorporates by reference the Federal regulations at 40 CFR parts 50 and 53 as these regulations existed on June 1, 2018. Following EPA approval of this SIP revision, the EPA-approved West Virginia SIP will reflect that 40 CFR parts 50 and 53, as they existed on June 1, 2018, are part of the EPA-approved West Virginia SIP. EPA

notes that since June 1, 2017, EPA reviewed the primary standards for oxides of nitrogen (NO<sub>x</sub>), as required by CAA section 109(d), but chose to retain the 1-hour and annual nitrogen dioxide (NO<sub>2</sub>) standards without revision. See 83 FR 17226. Thus, EPA has not made any changes to the ambient air quality standards, ambient air monitoring reference methods, or any ambient air monitoring equivalent methods in 40 CFR parts 50 and 53 since West Virginia last incorporated by reference into 45CSR8 the NAAQS and monitoring methods in 40 CFR parts 50 and 53 as they existed on June 1, 2017. Other specific requirements and the rationale for EPA’s proposed action are explained in the NPRM and will not be restated here.

##### III. Response to Comments

EPA received five sets of anonymous comments in response to the NPRM. Three of the commenters supported West Virginia’s updating of its incorporation by reference of the NAAQS. EPA thanks these commenters but will otherwise only respond to the question contained in one of these comments. Two of the comments were difficult to interpret but did not appear to support the rulemaking. EPA’s best effort to interpret and respond to these two comments is represented in this section of this rulemaking action.

*Comment 1:* The first commenter was generally supportive of the action but also asked when the revision of the effective date in this rulemaking would take place.

*Response 1:* The provisions of West Virginia’s amended regulation, 45CSR8, became effective at the State level on June 1, 2019. EPA’s approval of this revision into the SIP will become effective 30 days after this final rule is published in the **Federal Register**. For the specific effective date of EPA’s approval, see the **DATES** section of this document.

*Comment 2:* One commenter asked why EPA was requiring rules about the NAAQS and asked why EPA requires the NAAQS. The commenter suggested that EPA stop requiring states like West Virginia to adopt rules like this and allow West Virginia to remove these rules. The commenter also generally expressed opinions irrelevant to this rulemaking.

*Response 2:* The Clean Air Act is a Federal law (statute) adopted by Congress and approved by the President. Section 109 of the CAA requires that the Administrator adopt NAAQS for certain air pollutants which, in the judgment of the Administrator, are necessary to protect the public