record of water transfers and otherwise ensure that water resources are not adversely affected. A streamlined approval process is provided that encourages the use of existing Commission-approved water sources to minimize the need to construct and operate new water sources. This Article permits water sources located within the physical boundaries of an approved Natural Gas Development Plan ("NGDP") to be approved for uses within the NGDP. This Article also permits flowback and production waters, treated wastewater and mine drainage waters to be reused for natural gas development under specified conditions.

Natural Gas Development Plan ("NGDP") and Well Pad Siting Requirements: The severity of the risks to water resources from well pad construction and operation depends in large part on where the well pads are placed. Article 7 seeks to minimize impacts to water resources from natural gas development by establishing NGDP and well pad siting and planning requirements, including:

- Mandatory preparation of NGDP by sponsors of natural gas well pad projects who have total lease holdings in the Delaware River Basin of over 3,200 acres or intend to construct more than five natural gas well pads designed for any type of natural gas well.
- Identification, through the NGDP, of the project sponsor's foreseeable natural gas development in a defined geographic area. The NGDP requirement is designed to foster protection of water resources through broad scale lease area planning rather than limited site-by-site decision making, thereby encouraging development only in areas most suitable for it and minimizing impact to sensitive water resource features. These plans identify geographic and hydrological constraints to natural gas development and identify measures to minimize those impacts.
- Restrictions regarding siting in flood hazard areas, on steep slopes, and areas that serve as critical habitat for federal or state designated threatened and endangered (T&E) species.
- Minimum setbacks from water bodies, wetlands, surface water supply intakes and water supply reservoirs at distances specified in the regulations, and from occupied homes, public buildings, public roads, public water supply wells, and domestic water supply wells as provided by regulations of the state in which the well pad is located.
- A requirement for pre- and post-project monitoring of surface and groundwater near well pads involving high volume hydraulically fractured wells, including a characterization of the hydrology, water chemistry and biological resources of surface waters and the water chemistry of ground waters.
- Requiring the monitoring, tracking, and reporting of water usage and wastewater treatment and disposal. All wastewaters must be transported to an approved treatment and disposal facilities.

Well Construction and Operation Procedures: The Commission principally relies on the states' implementation of state laws, regulations and programs concerning construction and operation of natural gas wells, well pads, and appurtenant structures to satisfy the requirements of the Compact and the Commission's Comprehensive Plan. In this Article, the Commission is separately requiring that all non-domestic wastewater be transferred to appropriate tanks for temporary storage on the well pad site or to a centralized wastewater storage facility and that fluids and drill cuttings from horizontal wellbores in the target formation be beneficially reused or disposed of at an appropriate waste facility.

Wastewater Generated from Natural Gas Activities: Wastewater produced at natural gas well sites contains salts and other chemicals that present water treatment challenges. This Article provides that any wastewater treatment facility within the Basin may accept non-domestic wastewater from a natural gas development project only if the facility first obtains approval from the Commission in the form of a docket or modification of an existing docket.

To obtain authorization, a project sponsor must submit a treatability study to demonstrate that acceptance of the non-domestic wastewater will not interfere with the facility's operations, and provide information to show that the facility's discharge will neither (a) cause primary and secondary Safe Drinking Water Act standards to be exceeded where surface water may be used as a public water supply, nor (b) violate zone-specific stream quality objectives and effluent limitations. This Article 7 includes a comprehensive tracking system designed to promote the proper disposal of wastewater from natural gas development projects.

Approval by Rule ("ABR") Procedures: Existing procedures for obtaining a Commission decision on a project application generally take 6–9 months. This Article 7 provides for a streamlined process for natural gas development projects that demonstrate that they satisfy certain criteria. It provides Commission approval for these projects under an "approval by rule" process involving public notice, application to and approval by the Executive Director in a process that may take less than 30 days Eligible projects include (a) Bulk water sales for uses related to natural gas by holders of valid Commission approvals that can provide water within their current allocations; (b) well pad projects that conform to a Commission-approved Natural Gas Development Plan; (c) well pad projects that conform to specified restrictions and setback requirements; and (d) water supply projects involving the reuse of recovered flowback and production fluids as make-up water for hydraulically fracturing natural gas wells. In addition, projects that do not involve fracturing or that consist of well pads constructed exclusively for the development and operation of exploratory natural gas wells and that are expected to use no more than 80,000 gallons or equivalent of hydraulic fracturing fluids ("low volume hydraulically fractured wells") are eligible for an ABR if they comply with applicable state programs and Commission setbacks and requirements. Approval by rule is not available for projects located in National Park Management Areas or in the watersheds of the New York City Reservoirs.

Financial Assurance Requirements: Financial assurance for the plugging, abandonment and restoration of natural gas wells and the remediation of any pollution from natural gas development activities is required in the amount of $125,000 per natural gas well. After well installation and hydraulic fracturing are complete, the Executive Director may approve a reduction in the amount of the financial assurance for individual wells if there is no evidence of harm to the water resources of the Basin and the project sponsor obtains a separate "excess" insurance policy or other financial assurance instrument.

Dated: December 23, 2010.

John F. Calkin,

Attorney, Delaware River Basin Commission.

[FR Doc. 2010–32981 Filed 1–3–11; 8:45 am]

BILLING CODE 6360–01–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2011–6; Order No. 626]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking; availability of rulemaking petition.

SUMMARY: The Commission is establishing a docket to consider a proposed change in certain analytical methods used in periodic reporting. The proposed change has two parts. One part would update the mail processing portion of the Parcel Select/Parcel Return Service cost models. The other part would modify the Parcel Select/Parcel Return Service transportation cost model. This action responds to a Postal Service rulemaking petition. Establishing this docket will allow the Commission to consider the Postal Service's proposal and comments from the public.

DATES: *Comments are due:* February 3, 2011.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Commenters who cannot submit their views electronically should contact the person identified in **FOR FURTHER INFORMATION CONTACT** by telephone for advice on alternatives to electronic filing.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at *stephen.sharfman@prc.gov* or 202–789–6820.

SUPPLEMENTARY INFORMATION: On December 22, 2010, the Postal Service filed a petition pursuant to 39 CFR 3050.11 asking the Commission to initiate an informal rulemaking proceeding to consider changes in the analytical methods approved for use in periodic reporting.[1] The Petition submits two distinct sets of proposals for approval. It proposes to use both sets in the Postal Service's FY 2010 Annual Compliance Report.

Proposal Thirteen is a set of proposals to update the mail processing portion of the Parcel Select/Parcel Return Service cost models.[2] Petition at 1. The Postal Service states that much of the input data and cost methodology that it proposes to use in the new Parcel Select/Parcel Return Service cost model are the same as that relied upon in its Standard Mail parcel/non-flat machinable (NFM) processing cost model that was filed as Proposal Seven on September 8, 2010. Proposal Thirteen at 1. These new data will change the productivity figures and arrival/dispatch profiles used in the model.[3] More detailed descriptions of proposed changes to the Parcel Select/Parcel Return Service mail processing cost model are provided under seal as USPS–RM2011–6/NP1. The Postal Service says that the impact of Proposal Thirteen would be to decrease the mail processing unit cost estimates for price categories that require more processing steps, and increase the cost estimates for the DDU and RDU categories. *Id.* at 3.

Proposal Fourteen is a set of proposals to modify the Parcel Select/Parcel Return Service transportation cost model.[4] *Id.* at 1. It proposes to modify that model to (1) present transportation cost estimates only for the current price categories; (2) use PostalOne! data to estimate the cost of the transportation legs for non-dropshipped price categories; (3) incorporate the official revenue, pieces, and weight volumes into the model; (4) use the method relied upon to distribute Parcel Select transportation costs to distribute Parcel Return Service transportation costs; and (5) use a new method to estimate the return network distribution center cubic foot miles by zone. *Id.* at 1–2. The Postal Service states that it cannot estimate the impact of Proposal Fourteen since it would use data that was not available in 2009. *Id.* at 2.

The Petition, including the attachments, is available for review on the Commission's Web site, *http://www.prc.gov.*

Pursuant to 39 U.S.C. 505, John P. Klingenberg is designated as Public Representative to represent the interests of the general public in this proceeding. Comments are due no later than February 3, 2011.

It is ordered:

1. The Petition of the United States Postal Service Requesting Initiation of a Proceeding to Consider Proposed Changes in Analytic Principles (Proposals Thirteen–Fourteen), filed December 22, 2010, is granted.

2. The Commission establishes Docket No. RM2011–6 to consider the matters raised by the Postal Service's Petition.

3. Interested persons may submit comments on Proposals Thirteen and Fourteen no later than February 3, 2011.

4. The Commission will determine the need for reply comments after review of the initial comments.

5. John P. Klingenberg is appointed to serve as the Public Representative to represent the interests of the general public in this proceeding.

6. The Secretary shall arrange for publication of this notice in the **Federal Register**.

By the Commission.

Shoshana M. Grove,

Secretary.

[FR Doc. 2010–33173 Filed 1–3–11; 8:45 am]

BILLING CODE 7710–FW–P

[1] Petition of the United States Postal Service Requesting Initiation of a Proceeding to Consider Proposed Changes in Analytic Principles (Proposals Thirteen–Fourteen), December 22, 2010 (Petition).

[2] Proposal Thirteen is described in an attachment to the Petition (Proposal Thirteen).

[3] Proposal Thirteen proposes to populate the Parcel Select/Parcel Return model with much of the data that was collected to develop the Standard Mail/non-flat machinable (NFM) mail processing cost model. It also proposes to use Parcel Select arrival profile data that were collected during FY 2009. *Id.* at 2.

[4] Proposal Fourteen is described in an attachment to the Petition (Proposal Fourteen).

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2011–5; Order No. 625]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking; availability of rulemaking petition.

SUMMARY: The Commission is establishing a docket to consider a proposed change in certain analytical methods used in periodic reporting. This action responds to a Postal Service rulemaking petition. Establishing this docket will allow the Commission to consider the Postal Service's proposal and comments from the public.

DATES: *Comments are due:* January 28, 2011.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov.* Commenters who cannot submit their views electronically should contact the person identified in **FOR FURTHER INFORMATION CONTACT** by telephone for advice on alternatives to electronic filing.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at *stephen.sharfman@prc.gov* or 202–789–6820.

SUPPLEMENTARY INFORMATION: *Regulatory History,* 75 FR 58449 (Sept. 24, 2010).

On December 20, 2010, the Postal Service filed a petition pursuant to 39 CFR 3050.11 asking the Commission to initiate an informal rulemaking proceeding to consider changes in the analytical methods approved for use in periodic reporting.[1] Four separate proposals, labeled Proposals Nine through Twelve, are included in the Petition.

Proposal Nine proposes to update the input data to the mail processing cost model for First-Class Mail and Standard Mail presort letters in several respects, and to change the method by which the cost of sorting bundles of letters is

[1] Petition of the United States Postal Service Requesting Initiation of a Proceeding to Consider Proposed Changes in Analytic Principles (Proposals Nine–Twelve), December 20, 2010 (Petition).