

Copies of the agenda will be available free of charge at the hearing.

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Chief, Regulations Unit, Assistant Chief  
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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Parts 1910, 1915 and 1926

[Docket No. H-041]

#### Occupational Exposure to 1,3-Butadiene

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Proposed Rule; Extension of time to submit comments.

**SUMMARY:** On March 8, 1996, the Occupational Safety and Health Administration (OSHA) reopened the record for the proposed revision of the 1,3 Butadiene (BD) standard. (61 FR 9381, March xx, 1996). OSHA is extending the comment period to allow additional time for parties to address the issues raised in the document, including the joint labor/industry recommendations of January 29, 1996. The labor/industry agreement recommended that OSHA reduce the permissible exposure limits and expanded on some provisions that were addressed in OSHA's 1990 proposal. (55 FR 32736, August 10, 1990).

**DATES:** Written comments must be postmarked by April 26, 1996.

**ADDRESSES:** Comments are to be submitted in quadruplicate to the Docket Office, Docket No. H-041, U.S. Department of Labor, Room N-2634, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Telephone (202) 219-7894. Written comments limited to 10 pages or less in length may also be transmitted by facsimile to (202) 219-5046, provided the original and 3 copies are sent to the Docket Office thereafter.

**FOR FURTHER INFORMATION CONTACT:**

Anne C. Cyr, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3647, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Telephone (202) 219-8148. Copies of the labor/industry recommendations and submissions to the record are available for inspection and copying in the

Docket Office. For electronic copies of this notice, contact the Labor News Bulletin Board (202) 219-4784; or OSHA's WebPage on the Internet at <http://www.osha.gov/>. For news releases, fact sheets, and other short documents, contact OSHA FAX at (900) 555-3400 at \$1.50 per minute.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

On August 10, 1990, the Occupational Safety and Health Administration (OSHA) published a notice of proposed rulemaking on BD. (55 FR 32736). Following receipt of recommendations from a joint labor/industry group, OSHA reopened the BD rulemaking record for 30 days, until April 8, 1996, (61 FR 9381), in order to give the public opportunity to comment. The notice reprinted the agreement and raised issues related to its provisions along with some agency concerns. Representatives of the labor/industry group have requested additional time to submit a clarification of their recommendations and their responses to issues raised by the agency in the notice reopening the BD record. OSHA is granting their request. Accordingly, this notice extends the period for the submission of comments until April 26, 1996.

##### II. Public Participation—Comments

Written comments must be postmarked by April 26, 1996. Four copies of these comments must be submitted to the Docket Office, Docket No. HS-041, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, D.C. 20210. Written comments limited to 10 pages or less in length may also be transmitted by facsimile to (202) 219-5046, provided the original and 3 copies are sent to the Docket Office thereafter. All materials submitted will be available for inspection and copying at the above address. Materials previously submitted to the Docket for this rulemaking need not be re-submitted.

##### III. Authority

This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, D.C. 20210. It is issued pursuant to section 6(b) of the Occupational Safety and Health Act (29 U.S.C. 655), and 29 CFR part 1911.

Signed at Washington, D.C., this 1st day of April, 1996.

Joseph A. Dear,  
Assistant Secretary of Labor.

[FR Doc. 96-8504 Filed 4-4-96; 8:45 am]

BILLING CODE 4510-26-P

## POSTAL SERVICE

### 39 CFR Part 111

#### Deposit of Mail With Insufficient Postage

**AGENCY:** Postal Service.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would revise the Domestic Mail Manual (DMM) regarding the treatment of mail with insufficient postage that is deposited for delivery. Currently, mail deposited with no postage is returned to the sender without an attempt at delivery, whereas mail deposited with insufficient postage is marked "POSTAGE DUE" and delivered to the addressee upon payment of the charges marked on the mail. If a sender deposits 10 or more pieces of shortpaid mail, the accepting post office may contact the sender to obtain payment of the additional postage prior to dispatch.

The proposed rule would treat mail with no postage and insufficient postage alike: such mail generally would be returned to the sender without an attempt at delivery. As is currently the case with mail bearing no postage, mail displaying no return address or a return address that is actually the address of the intended recipient would be sent to a Postal Service mail recovery center.

**DATES:** Comments must be received on or before May 20, 1996.

**ADDRESSES:** Written comments should be mailed or delivered to Manager, Revenue Assurance, USPS Headquarters, 475 L'Enfant Plaza SW., Washington, DC 20260-5237. Copies of all written comments will be available for inspection and photocopying between 9 a.m. and 4 p.m., Monday through Friday, in Room 8831 at the above address.

**FOR FURTHER INFORMATION CONTACT:** Rita W. Crawford, (202) 268-2831.

**SUPPLEMENTARY INFORMATION:** Current regulations allow the Postal Service to mark shortpaid mail "POSTAGE DUE" and collect the amount due from the addressee or return the mail to the sender for additional postage after delivery is attempted. Societal changes have rendered this procedure impractical. Letter carriers are often unable to find an individual who can

pay for postage due at home during normal business hours. Furthermore, a steadily increasing percentage of mail is delivered to receptacles that are not immediately adjacent to a dwelling, such as grouped receptacles in the lobby of an apartment building. Often postage is not collected and the mail must be returned to the sender, causing that mail to be delayed in reaching the intended recipient. To improve customer service and avoid such delays, this proposed rule would allow the Postal Service to immediately return shortpaid mail for additional postage so that it can be resent and reach the addressee more expeditiously than under the current procedures.

Additionally, the Postal Service has been victimized by numerous schemes to mail letters with insufficient postage. Much of this loss comes from the deposit of letters for delivery as regular First-Class Mail with only 6 cents or less in postage affixed. The Postal Service must recoup lost postage from mailings by customers who pay the proper rate of postage. In such situations, it can be extremely difficult and time-consuming for a letter carrier to attempt to collect postage due. As a result, postage due on shortpaid mail frequently is not collected, despite the effort and expense incurred to attempt delivery to the addressee.

The proposed rule would treat shortpaid mail in the same manner as mail without any postage. Both forms of mail generally would be returned to the sender without any attempt at delivery. Thus, schemes to mail letters with insufficient postage would no longer be effective. As is currently the case with mail bearing no postage, mail displaying no return address, or a return address that is, in fact, the address of the intended recipient, would be sent to a Postal Service mail recovery center.

In some recent incidents, postal employees have mistakenly treated mail bearing proper postage at a discounted rate as shortpaid mail. An aggressive campaign is under way to ensure that all employees who handle mail can distinguish between discounted rate mail and shortpaid mail. The proposed rule is meant to apply only to mail that is genuinely shortpaid, and the Postal Service will take all steps necessary to see that the rule is implemented accordingly.

Existing DMM sections P011.1.3, 1.4, and 1.7 (renumbered as 1.5) are retained as exceptions to the general rule described above. Proposed new section 1.6 is added to reflect current policy and states clearly that additional postage for disqualified bulk or presort rate mailings is collected from the mailer

prior to dispatch. Proposed new section 1.7 is added as a final exception, and provides that shortpaid mail may be delivered to addressees who have made arrangements with their postmasters to pay the postage due.

In consideration of the foregoing, the Postal Service proposes to amend DMM P011 as set forth below.

Although exempt from the notice and comment requirements of the Administrative Procedures Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites comments on the following proposed revisions of the DMM, incorporated by reference in the Code of Federal Regulations. See 39 CFR part 111.

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

Postal Service.

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

2. Revise the following units of the Domestic Mail Manual as noted below:  
P011 Payment

#### 1.0 PREPAYMENT AND POSTAGE DUE

\* \* \* \* \*

#### 1.2 Unpaid and Shortpaid Mail

Except as provided by 1.3 through 1.7, matter of any class, either with no postage or with insufficient postage, is endorsed "RETURNED FOR POSTAGE" and returned to the sender without an attempt at delivery. Matter bearing no postage or insufficient postage is treated as dead mail and sent to a Postal Service mail recovery center if:

- a. No return address is shown;
- b. The delivery and return addresses are identical;
- c. The delivery and return addresses are different but are actually the same person or organization; or
- d. The mail is refused by the sender when returned for collection of postage due.

\* \* \* \* \*

[Delete existing 1.5, 1.6, and 1.9; renumber existing 1.7 as 1.5; add new 1.6 and 1.7 as follows:]

#### 1.6 Bulk and Presort

Additional postage due must be paid prior to dispatch for a bulk or presort rate mailing that is found to have insufficient postage when presented to the USPS for acceptance.

#### 1.7 Special Payment Arrangements

Shortpaid mail may be delivered if the addressee makes arrangements with the delivery post office for the payment of additional postage.

\* \* \* \* \*

An appropriate amendment to 39 CFR 111.3 to reflect these changes will be published if the proposal is adopted.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 96–8383 Filed 4–4–96; 8:45 am]

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## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Parts 2 and 15**

[ET Docket No. 96–8; FCC 96–36]

#### **Spread Spectrum Transmitters**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** By this *Notice of Proposed Rule Making* ("NPRM"), the Commission proposes to amend its rules regarding the operation of spread spectrum transmission systems in the 902–928 MHz, 2400–2483.5 MHz and 5725–5850 MHz bands. For simplicity, these bands will be referenced in this proposal as 915 MHz, 2450 MHz and 5800 MHz, respectively. The Commission proposes to eliminate the limit on directional gain antennas for spread spectrum transmitters operating in the 5800 MHz band. We are also proposing to reduce, from 50 to 25, the minimum number of channels required for frequency hopping spread spectrum systems operating in the 915 MHz band. These proposals are in response to Petitions for Rule Making filed by Western Multiplex Corporation (WMC) and Spectralink Corporation (Spectralink). We are also denying a Petition for Rule Making from Symbol Technologies, Inc. (Symbol). Further, the Commission on its own motion proposes a number of amendments to the spread spectrum regulations to clarify the existing regulations, to codify existing policies into the rules, and to update the current definitions. These changes will expand the ability of equipment manufacturers to develop spread spectrum systems for unlicensed use.

**DATES:** Comments must be filed on or before June 19, 1996, and reply comments must be filed on or before July 19, 1996.