

Original amendment sub- mission date	Date of final publication	Citation/description
July 1, 1999	October 26, 1999.	Sections 105; 407; 413; 1105 (c)-(d); 2103; 2105; 2313; 3113; 3119; 3121; 3301(b); 3509; 3713; 4301; 4303(g)(6); 4501(c); 4701(a); 5333(b)(3)(A); 5349; 5359; 5377; 5391; 5393; 53111; 5703; 5903; 6501(c)(4); 6511 (a), (l)(1), & (n)(9).

**§ 924.16 [Amended]**

3. Section 924.16 is amended by removing and reserving paragraphs (f), (g), (h), (j), (k), (m) and (n).

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**POSTAL SERVICE**

**39 CFR Part 111**

**Mailing Online Market Test: Changes in Domestic Classifications and Fees—Final Rule**

**AGENCY:** Postal Service.

**ACTION:** Final rule; market test termination.

**SUMMARY:** This serves notice that the United States Postal Service is terminating the Mailing Online market test on October 29, 1999. The Postal Service originally intended that the test, which began on October 30, 1998, would end at a time tied to action on a Request for a Mailing Online experiment. However, such Request has been delayed. Postal management has made the operational decision to end the market test, in accordance with the Postal Rate Commission's Rules of Practice which specify that market tests ordinarily last only one year. This rule makes conforming changes to the Domestic Mail Manual.

**EFFECTIVE DATE:** October 29, 1999.

**FOR FURTHER INFORMATION CONTACT:** Paul Lettmann, (202) 268-6261, or Kenneth N. Hollies, (202) 268-3083.

**SUPPLEMENTARY INFORMATION:** On July 15, 1998, pursuant to its authority under 39 U.S.C. section 3621, *et seq.*, the Postal Service filed with the Postal Rate Commission (PRC) a Request for a Recommended Decision on a Market Test Classification and Fee Schedule and a Recommended Decision on an Experimental Classification and Fee Schedule for Mailing Online Service. The PRC designated the filing as Docket No. MC98-1 and published a notice of the filing, with a description of the Postal Service's proposals, in the **Federal Register** on July 23, 1998 (63 FR 39600).

The Postal Service's Request to the PRC proposed that the Postal Service be

permitted to establish new classifications and fees for Mailing Online, first as a market test and later as an experiment. The market test was to permit assessment of the features and viability of the new service while providing input for PRC and Postal Service consideration of the experiment and perhaps a permanent form of Mailing Online. The market test was to be a limited one involving up to 5,000 customers, starting in Tampa, Florida and the northeastern United States.

On October 7, 1998, the Commission issued its favorable Opinion and Recommended Decision on the market test. The Postal Service Governors voted on October 16, 1998, to accept the Commission's recommendation. Operation of the market test subsequently commenced on October 30, 1998.

On May 3, 1999, the Board of Governors, in Resolution No. 99-5, directed the withdrawal of the request for an experiment in consideration of major changes that had occurred in the structure of the Postal Service's presence on the Internet. These changes rendered inaccurate the factual foundation underlying the earlier request for a Mailing Online experiment.

Accordingly, the market test is being terminated at the end of one year based on operational considerations. This decision also accords with the PRC's Rules of Practice, 39 CFR 3001.162, which specify that market tests ordinarily last only up to one year. The Postal Service is now providing notice that operation of the Mailing Online market test will cease at approximately 1:59 p.m. EST on Friday, October 29, 1999.

**Background**

Mailing Online is a service that allows postal customers with access to a personal computer and the Internet to transmit electronic documents to a postal Web site for subsequent batching and transmission to a contract printer, who creates and presents the physical mailpieces for entry into the mailstream. Payment for postage and mailpiece preparation is made Online via credit card.

The Postal Service remains committed to Mailing Online and has not abandoned the project despite termination of the market test. Development of the single-channel USPS.com Internet presence continues and activities related to Mailing Online are being closely coordinated, although they are both under development and still being tested. Postal management hopes to ask the Governors to authorize the filing of a new request for a Mailing Online experiment, based upon the USPS.com architecture, in the near future.

Because of the limited scope of the market test, the Postal Service earlier did not solicit comment on its implementation. Similarly, the Postal Service finds no need to solicit comment on its termination.

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

Postal Service.

For the reasons discussed above, the Postal Service hereby adopts the following amendments to the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations (see 39 CFR part 111).

**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. Amend the Domestic Mail Manual as follows:

**E Eligibility**

\* \* \* \* \*

**E110 Basic Standards**

**1.0 CLASSIFICATION AND DESCRIPTION**

\* \* \* \* \*

**1.3 Matter Closed Against Postal Inspection**

[Revise 1.3 by removing reference to documents created and mailed by means of Mailing Online to read as follows:]

Matter closed against postal inspection must be mailed as First-Class Mail or Express Mail. Electronic documents created for possible

transmission as First-Class Mail are closed against inspection. Hard copy versions of electronic documents, while being prepared for entry as First-Class Mail, also are closed against postal inspection. The USPS may open mail other than First-Class Mail or Express Mail to determine whether the proper rate of postage is paid. Material wrapped or packaged so that it cannot be examined easily or cannot be examined without destruction or serious damage is closed against postal inspection and is charged the appropriate First-Class Mail or Express Mail rate.

\* \* \* \* \*

4.0 FEES

4.1 Presort Mailing

[Revise 4.1 to remove references to Mailing Online mailers to read as follows:]

A First-Class Mail presort mailing fee must be paid once each 12-month period at each office of mailing by any person or organization entering mailings at automation or Presorted First-Class Mail rates. Payment of one fee allows a mailer to enter mail at all those rates. Persons or organizations paying this fee may enter clients' mail as well as their own mail. The fee may be paid in advance only for the next year and only during the last 30 days of the current service period. The fee charged is that which is in effect on the date of payment.

\* \* \* \* \*

E140 Automation Rates

1.0 BASIC STANDARDS

[Revise 1.1b by removing reference to Mailing Online in G093 to read as follows:]

1.1 All Pieces

All pieces in a First-Class Mail automation rate mailing must:

\* \* \* \* \*

b. Be part of a single mailing of at least 500 pieces of automation rate First-Class Mail, subject to 1.2.

\* \* \* \* \*

E611 All Standard Mail

1.0 BASIC INFORMATION

\* \* \* \* \*

1.2 Postal Inspection

[Revise 1.2 by removing reference to documents created in electronic form by means of Mailing Online to read as follows:]

Standard Mail is not sealed against postal inspection except for electronic documents retained by the Postal

Service, which are sealed against postal inspection. Regardless of physical closure, the mailing of articles at Standard Mail rates constitutes consent by the mailer to postal inspection of the contents.

\* \* \* \* \*

E612 Additional Standards for Standard Mail (A)

\* \* \* \* \*

4.0 BULK RATES

\* \* \* \* \*

4.7 Annual Fees

[Revise 4.7 by removing reference to fees in G093 to read as follows:]

Standard Mail (A) is subject to an annual mailing fee once each 12-month period. The fee may be paid in advance only for the next year and only during the last 30 days of the current service period. The fee charged is that in effect on the date of payment. Each mailer who enters mail at Standard Mail (A) rates paid with a meter or precanceled stamps must pay an annual mailing fee at each post office of mailing; a mailer paying this fee may enter clients' mail as well as the mailer's own. The mailer whose permit imprint appears on pieces in a mailing paid with a permit imprint must show that permit number on the postage statement and must pay the annual mailing fee for that permit; this fee is in addition to the fee for an application to use permit imprints.

\* \* \* \* \*

4.9 Preparation

[Revise 4.9b by removing reference to Mailing Online in G093 to read as follows:]

Each Standard Mail (A) mailing is subject to these general standards:

\* \* \* \* \*

b. Each mailing must contain at least 200 pieces or 50 pounds. See E620 for volume requirement eligibility unique to Presorted Standard rate mailings. Other volume standards can also apply, based on the rate claimed.

\* \* \* \* \*

G General Information

\* \* \* \* \*

[Remove G093, Mailing Online, and remove the preceding headings G000 and G090.]

\* \* \* \* \*

P040 Permit Imprints

5.0 MAILINGS

5.1 Minimum Quantity

[Remove 5.1d, which provided for Mailing Online permit imprint mailings.]

\* \* \* \* \*

These revisions will be incorporated into the pages of the Domestic Mail Manual. An appropriate amendment to 39 CFR 111.3 will be published in the Federal Register to reflect these changes.

Stanley F. Mires,

Chief Counsel, Legislative.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD-FRL-6462-7]

RIN 2060-AF26

National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This action promulgates national emission standards for hazardous air pollutants (NESHAP) for new and existing publicly owned treatment works (POTW). The primary hazardous air pollutants (HAP) emitted by these sources include xylenes, methylene chloride, toluene, ethyl benzene, chloroform, tetrachloroethylene, benzene, and naphthalene.

Each of these HAP can cause adverse health effects provided sufficient exposure. For example, exposure to methylene chloride can adversely affect the central nervous system and has been shown to cause liver and lung cancers in animals, while benzene is known to cause cancer in humans.

With this final rule, the EPA is requiring air pollution controls on a new or reconstructed treatment plant at a POTW that is a major source of HAP. The standards also require that new and existing POTW treating regulated waste streams from an industrial user, for the purpose of allowing that industrial user to comply with another NESHAP, meet the treatment and control requirements of the other relevant NESHAP.

EFFECTIVE DATE: October 26, 1999.

ADDRESSES: Docket. Docket No. A-96-46, containing information considered