

*Necessity of a prehearing conference.* Given the limited scope of this proceeding, the Commission will determine an appropriate procedural schedule after evaluating comments on its Notice of Inquiry. Participants shall file pleadings identifying and discussing the matters that would indicate the need to schedule a prehearing conference or a hearing, along with other matters referred to in this order by May 3, 2006.

*Representation of the general public.* In conformance with section 3624(a) of title 39, the Commission designates Shelley S. Dreifuss, director of the Commission's Office of the Consumer Advocate, to represent the interests of the general public in this proceeding. Pursuant to this designation, Ms. Dreifuss will direct the activities of Commission personnel assigned to assist her and, upon request, will supply their names for the record. Neither Ms. Dreifuss nor any of the assigned personnel will participate in or provide advice on any Commission decision in this proceeding.

#### Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. MC2006-4, Classification Changes for Express Mail Second Day Service to consider clarifying the DMCS language related to Second Day Express Mail service and other germane issues.
2. The Commission will sit en banc in this proceeding.
3. The deadline for filing notices of intervention is May 3, 2006.
4. Notices of intervention shall indicate the nature of the intervening party's participation in the case.
5. Participants are invited to submit comments on the Notice of Inquiry and the proposed DMCS change on or before May 3, 2006. Reply comments may be submitted on or before May 10, 2006.
6. Shelley S. Dreifuss, director of the Commission's Office of the Consumer Advocate, is designated to represent the interests of the general public.
7. The Secretary shall arrange for publication of this document in the **Federal Register**.

Dated: April 19, 2006.

**Steven W. Williams,**  
*Secretary.*

#### List of Subjects in 39 CFR Part 3001

Administrative practice and procedure, Postal Service.

For the reasons discussed above, the Commission proposes to amend 39 CFR part 3001 as follows:

#### PART 3001—RULES OF PRACTICE AND PROCEDURE

1. The authority citation for part 3001 continues to read as follows:

**Authority:** 39 U.S.C. 404(b); 3603; 3622-24; 3661, 3662, 3663.

2. Amend Appendix A to Subpart C—Postal Services Rates and Charges by revising 123.1 to read as follows:

123.1 Availability of Services. Next Day and Second Day Services are available at designated retail postal facilities to designated destination facilities or locations for items tendered by the time or times specified by the Postal Service. Next Day Service is available for overnight delivery. Second Day Service is available for delivery on the second delivery day as specified by the Postal Service.

[FR Doc. E6-6104 Filed 4-21-06; 8:45 am]

**BILLING CODE 7710-FW-P**

#### ENVIRONMENTAL PROTECTION AGENCY

##### 40 CFR Part 63

[EPA-R01-OAR-2006-0119; A-1-FRL-8049-8]

#### Approval of the Clean Air Act, Section 112(l), Authority for Hazardous Air Pollutants; Perchloroethylene Dry Cleaner Regulation, State of Maine Department of Environmental Protection

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the Maine Department of Environmental Protection's (ME DEP) request for approval to implement and enforce "Chapter 125: Perchloroethylene Dry Cleaner Regulation" in place of the National Emissions Standard for Hazardous Air Pollutants for Perchloroethylene Dry Cleaning Facilities ("Dry Cleaning NESHAP") as it applies to area sources. Approval of this request for partial rule substitution would make Chapter 125 federally enforceable and consolidate the compliance requirements for area source dry cleaners in Maine into one set of regulations. Major source dry cleaning facilities would remain subject to the Dry Cleaning NESHAP.

**DATES:** Written comments must be received on or before May 24, 2006.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R01-OAR-2006-0119 by one of the following methods:

1. <http://www.regulations.gov>: Follow the on-line instructions for submitting comments.

2. E-mail: [brown.dan@epa.gov](mailto:brown.dan@epa.gov).

3. Fax: (617) 918-0048.

4. Mail: "EPA-R01-OAR-2006-0119", Dan Brown, U.S. Environmental Protection Agency, EPA New England Regional Office, One Congress Street, Suite 1100 (mail code CAP), Boston, MA 02114-2023.

5. Hand Delivery or Courier. Deliver your comments to: Dan Brown, Manager, Air Permits, Toxics and Indoor Programs Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, One Congress Street, 11th floor, (CAP), Boston, MA 02114-2023. Such deliveries are only accepted during the Regional Office's normal hours of operation. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding legal holidays.

Please see the direct final rule which is located in the Rules Section of this **Federal Register** for detailed instructions on how to submit comments.

#### FOR FURTHER INFORMATION CONTACT:

Susan Lancey, Air Permits, Toxics, and Indoor Programs Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, One Congress St, Suite 1100, Boston, MA 02114, telephone number (617) 918-1656, fax (617) 918-0656, e-mail [lancey.susan@epa.gov](mailto:lancey.susan@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of this **Federal Register**, EPA is approving ME DEP's request as a direct final rule without prior proposal because the Agency views this as a noncontroversial action and anticipates no relevant adverse comments. Chapter 125 has been in effect in Maine since 1991 and is, taken as a whole, more stringent than the Dry Cleaning NESHAP. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, EPA will take no further action on this proposed rule. If the EPA receives relevant adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will then address all public comments received in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period in this action.

For additional information see the direct final action which is published in the Rules Section of this **Federal Register**.

Dated: March 16, 2006.

**Robert W. Varney,**

*Regional Administrator, EPA—New England.*  
[FR Doc. 06–3854 Filed 4–21–06; 8:45 am]

BILLING CODE 6560–50–P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA 2006–24497]

RIN 2127–AI93

#### Federal Motor Vehicle Safety Standards; Occupant Protection in Interior Impact

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Response to petitions for rulemaking; notice of proposed rulemaking.

**SUMMARY:** Our safety standard on occupant protection in interior impact requires, in part, that light vehicles provide head protection when an occupant's head strikes upper interior components, such as pillars, side rails, headers, and the roof during a crash. For altered vehicles and vehicles built in two or more stages, these requirements become effective September 1, 2006. The Recreation Vehicle Industry Association and the National Truck Equipment Association petitioned the agency to permanently exclude certain types of altered vehicles and vehicles manufactured in two or more stages from these requirements. This document responds to these petitions for rulemaking and proposes certain amendments to the standard.

Based on a careful consideration of both the safety benefits of the upper interior protection requirements, and practicability concerns relating to vehicles built in two or more stages and certain altered vehicles, we are proposing to limit these requirements to only the front seating positions of those vehicles. Further, we tentatively conclude that it is appropriate to exclude a narrow group of multi-stage vehicles delivered to the final stage manufacturer without an occupant compartment, because of impracticability concerns.

We are also proposing to delay the effective date of the head impact protection requirements as they apply to final stage manufacturers and alterers until September 1, 2008.

**DATES:** You should submit your comments early enough to ensure that Docket Management System receives them not later than June 23, 2006.

**ADDRESSES:** You may submit comments [identified by DOT Docket Number at the beginning of this document] by any of the following methods:

- Web site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1–202–493–2251.
- Mail: Docket Management System; U.S. Department of Transportation, 400 7th Street, SW., Room PL–401, Washington, DC 20590.

• Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 7th Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

• Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the **SUPPLEMENTARY INFORMATION** section of this document. Note that all comments received will be posted without change to <http://dms.dot.gov>, including any personal information provided. Please see the Privacy Act heading under Regulatory Notices.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL–01 on the plaza level of the Nassif Building, 400 7th Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** The following persons at the National Highway Traffic Safety Administration, 400 7th Street, SW., Washington, DC 20590:

*For technical and policy issues:* Lori Summers, Office of Crashworthiness Standards, telephone: (202) 366–4917, facsimile: (202) 366–4329, E-mail: [Lori.Summers@dot.gov](mailto:Lori.Summers@dot.gov).

*For legal issues:* George Feygin, Office of the Chief Counsel, telephone: (202) 366–2992, facsimile: (202) 366–3820, E-mail [George.Feygin@dot.gov](mailto:George.Feygin@dot.gov).

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#### **I. Background**

##### *A. 1995 Final Rule Upgrading FMVSS No. 201*

On August 18, 1995, the National Highway Traffic Safety Administration (NHTSA) issued a final rule (August 1995 final rule) amending Federal Motor Vehicle Safety Standard (FMVSS) No. 201, "Occupant Protection in Interior Impact," to provide enhanced head impact protection.<sup>1</sup> The August 1995 final rule required passenger cars, and trucks, buses and multipurpose passenger vehicles (MPVs) with a gross vehicle weight rating (GVWR) of 4,536 kilograms (10,000 pounds) or less, to provide protection when an occupant's head strikes upper interior components, including pillars, side rails, headers, and the roof, during a crash. The new head protection requirements were necessary because even in vehicles equipped with air bags, head impacts with upper interior components resulted in a significant number of occupant injuries and fatalities.

The August 1995 final rule significantly expanded the scope of FMVSS No. 201. Previously, the

<sup>1</sup> See 60 FR 43031, Aug. 18, 1995; Docket No. NHTSA–1996–1762–1.