

“§ ” and a numbered heading; for example, § 280.30 How does the Secretary evaluate an application?

- Could the description of the proposed regulations in the **SUPPLEMENTARY INFORMATION** section of this preamble be more helpful in making the proposed regulations easier to understand? If so, how?
- What else could we do to make the proposed regulations easier to understand?

Send any comments that concern how the Department could make these proposed regulations easier to understand to the person listed in the **ADDRESSES** section of the preamble.

Regulatory Flexibility Act Certification

The Secretary certifies that these proposed regulations would not have a significant economic impact on a substantial number of small entities.

Small entities affected by these proposed regulations are small LEAs applying for Federal funds under this program. The changes will not have a significant economic impact on these LEAs in terms of the cost of applying for a MSAP grant.

Paperwork Reduction Act of 1995

These proposed regulations do not contain any information collection requirements.

Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Electronic Access to This Document

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To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

You may also view this document in text or PDF at the following site: <http://www.ed.gov/programs/magnet/applicant.html>.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

(Catalog of Federal Domestic Assistance Number 84.165A Magnet Schools Assistance Program.)

List of Subjects in 34 CFR Part 280

Civil rights, Desegregation, Education, Elementary and secondary education, Grant programs-education, Magnet schools, Reporting and recordkeeping requirements.

Dated: August 16, 2006.

Morgan S. Brown,

Assistant Deputy Secretary, for Innovation and Improvement.

For the reasons discussed in the preamble, the Assistant Deputy Secretary for Innovation and Improvement proposes to amend part 280 of title 34 of the Code of Federal Regulations as follows:

PART 280—MAGNET SCHOOLS ASSISTANCE PROGRAM

1. The authority citation for part 280 continues to read as follows:

Authority: 20 U.S.C. 7231-7231j, unless otherwise noted.

2. Section 280.30 is revised to read as follows:

§ 280.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application under the procedures in 34 CFR part 75 and this part.

(b) To evaluate an application for a new grant the Secretary may use—

(1) Selection criteria established under 34 CFR 75.209;

(2) Selection criteria in § 280.31;

(3) Selection criteria established under 34 CFR 75.210; or

(4) Any combination of criteria from paragraphs (b)(1), (b)(2), and (b)(3) of this section.

(c) The Secretary indicates in the application notice published in the **Federal Register** the specific criteria that the Secretary will use and how points for the selection criteria will be distributed.

(d) The Secretary evaluates an application submitted under this part on the basis of criteria described in paragraph (c) of this section and the priority factors in § 280.32.

(e) The Secretary awards up to 100 points for the extent to which an application meets the criteria described in paragraph (c) of this section.

(f) The Secretary then awards up to 30 additional points based upon the priority factors in § 280.32.

(Authority: 20 U.S.C. 7231-7231j)

§ 280.31 [Amended]

3. Section 280.31 is amended:

A. In the introductory text, by removing the word “uses” and adding, in its place, the words “may use”.

B. In paragraph (a) introductory text, by removing the parenthetical “(25 points)”.

C. In paragraph (b) introductory text, by removing the parenthetical “(10 points)”.

D. In paragraph (c) introductory text, by removing the parenthetical “(35 points)”.

E. In paragraph (d) introductory text, by removing the parenthetical “(5 points)”.

F. In paragraph (e) introductory text, by removing the parenthetical “(15 points)”.

G. In paragraph (f) introductory text, by removing the parenthetical “(10 points)”.

[FR Doc. E6-13795 Filed 8-21-06; 8:45 am]

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POSTAL SERVICE

39 CFR Part 111

New Polywrap Standards for Automation-Rate Flat-Size Mail

AGENCY: Postal Service.TM

ACTION: Proposed rule.

SUMMARY: The Postal Service proposes to require mailers to use polywrap film meeting one set of specifications when using polywrap on automation-rate flat-size mailpieces.

DATES: We must receive your comments on or before September 21, 2006.

ADDRESSES: Mail or deliver written comments to the Manager, Mailing Standards, U.S. Postal Service, 475 L'Enfant Plaza SW., Room 3436, Washington DC 20260-3436. You may inspect and photocopy all written comments at USPS Headquarters Library, 475 L'Enfant Plaza SW., 11th Floor N, Washington DC between 9 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Bill Chatfield, 202-268-7278.

SUPPLEMENTARY INFORMATION: Efficient processing of automation-rate flat-size mailpieces enables the Postal Service to process the substantial volume of polywrapped pieces on our equipment without causing jams, multiple feeds, and missorted mail. Automated flat

sorting machines (AFSM 100) process the majority of our flat-size mail. We have moved many of our upgraded flat sorting machines (UFSM 1000) out of facilities where we use AFSM 100s. To improve our ability to process polywrapped pieces on our primary flat-mail processing equipment, we propose that all polywrap films used on automation-rate flat-size mail meet our revised standards. The new standards would eliminate the current difference in polywrap specifications for mail designed for processing on the AFSM 100 and the UFSM 1000.

Background

In 2001, we ran extensive tests of flat-size mailpieces on our AFSM 100 machines. As a result, we added a specification for “blocking”—the chemical bonding of films to themselves—to our polywrap specifications to help prevent polywrapped pieces from sticking together during processing. But this simple change did not result in a noticeable improvement in the performance of polywrapped mailpieces.

Therefore, we initiated a test program to more accurately define the polywrap characteristics best suited to automated processing of flat-size mail. We performed complete testing on over 100 types of polywrap submitted by polywrap manufacturers. We then selected 46 films (polyethylene, polypropylene, and shrinkwrap) to test on the AFSM 100. We processed 500-piece test decks and collected extensive data to evaluate performance. Again, blocking was the physical attribute that most influenced processing compatibility.

As a result of the testing, we propose revised characteristics for polywrap materials used on automation-rate flat-size mailpieces. We would remove two characteristics, tensile strength and density, because they were irrelevant to performance. We also would remove the “USPS AFSM 100 Approved Polywrap” endorsement requirement. We would change the testing protocol to measure the minimum film-to-metal coefficient of friction to bring consistency to this characteristic across all polywrap manufacturers. We would broaden the film-to-film coefficient of friction, which should help mailers in bundling mailpieces by minimizing the instability of bundles as they exit their stacking equipment. While we would not change the blocking specification, we propose to change the method to measure blocking to more closely match the

environment that mailpieces undergo during normal transportation and storage.

Polywrap Certification Program

Currently, manufacturers requesting approval of their polywrap materials for automation-rate flat-size mail provide us with a certificate stating that their material complies with the polywrap specifications for AFSM 100 mailpieces. After manufacturers provide this certificate, we include the manufacturer’s material in the list of approved polywrap for flat-size mailpieces mailed at automation discount rates.

New Test Procedures

To ensure that all manufacturers use the same criteria in meeting the new specifications, we have developed specification USPS–T–3204, “Test Procedures for Automatable Polywrap.” Manufacturers may obtain the new test procedures at <http://ribbs.usps.gov> (click on “Polywrap Manufacturers” in the left frame) or by contacting USPS Engineering at: Engineering, Flat Mail Technology, U.S. Postal Service, 8403 Lee Hwy, Merrifield VA 22082–8101.

The specification describes exact test procedures and acceptable values for polywrap film characteristics. Should the manufacturer not have the facilities or experience to conduct each of the test procedures in USPS–T–3204, the specification also provides a list of testing laboratories that have experience in conducting these tests.

Recertification

Consistent with our current process, manufacturers would provide an updated certificate of conformance on their letterhead to USPS Mailing Standards after verifying that each polywrap film meets the new characteristics. The certificate of conformance must state the values for each of the six characteristics.

Implementation

We encourage manufacturers to certify their polywrap under the new specifications as soon as possible. We also encourage mailers to use polywrap meeting the new specifications on their mailpieces as soon as practical. Beginning February 4, 2007, all polywrap films used on automation-rate flat-size mailpieces would have to meet the new standards.

Although we are exempt from the notice and comment requirements of the Administrative Procedure Act [5 U.S.C. of 553(b),(c)] regarding proposed rulemaking by 39 U.S.C. 410(a), we

invite public comments on the following proposed revisions to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), incorporated by reference in the *Code of Federal Regulations*. See 39 CFR 111.1.

List of Subjects in 39 CFR Part 111:

Administrative practice and procedure, Postal Service.

Accordingly, 39 CFR part 111 is proposed to be amended as follows:

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 following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), as explained below:

300 Discount Flats

301 Physical Standards

* * * * *

3.0 Physical Standards for Automation Flats

* * * * *

3.5 Polywrap Coverings

3.5.1 Polywrap Films

[Revise 3.5.1 by changing the introduction and removing items a and b to eliminate the distinction between polywrap used on pieces qualifying for AFSM 100 and UFSM 1000, as follows:]

Polywrapped flat-size mailpieces claimed at automation rates must meet the standards in 3.5. Film approved for use under 3.5.4 and 3.5.5 must meet the specifications in Exhibit 3.5.1. If mailers affix the address label to the outside of the polywrap, the film does not have to meet the haze property.

Exhibit 3.5.1 Polywrap Specifications

[Revise Exhibit 3.5.1 by changing the introduction, eliminating the distinction between AFSM 100 and UFSM 1000 pieces, removing current properties 4 and 5 and renumbering properties 6 through 8 as properties 4 through 6, changing the specification and testing methods for coefficients of friction, revising the comments for “blocking,” and specifying testing methods according to USPS specification T–3204, as follows:]

Effective February 4, 2007, mailers who polywrap automation-rate flats must use polywrap that meets all of the properties in this exhibit.

Property	Requirement	Test methods in USPS T-3204	Comment
1. Kinetic Coefficient of Friction, MD.			
a. Film on Stainless Steel with No. 8 (Mirror) Finish.	<0.45	USPS-T-3204 Section 4.5.2.	
b. Film on Film	0.20 to 0.55	USPS-T-3204 Section 4.5.1.	
* * *	* * *	* * *	* * *
6. Blocking	<15 g	USPS-T-3204 Section 4.5.6	To be conducted at 140 degrees Fahrenheit.
* * *	* * *	* * *	* * *

[Delete 3.5.4 to remove the requirement for markings on polywrap.]

[Re-number current 3.5.5 as new 3.5.4 and revise the title and text to require polywrap meeting new standards as of February 4, 2007, as follows:]

3.5.4 Polywrap on Mailpieces

Effective February 4, 2007, mailers claiming automation flat rates for polywrapped pieces must use polywrap that meets the new specifications in 3.5.1 and is on the new USPS list of approved materials. Only products listed on the USPS "RIBBS" Web site (<http://ribbs.usps.gov>) may be used on automation-rate flats.

[Add new 3.5.5 to specify the certification process for polywrap manufacturers, as follows:]

3.5.5 Polywrap Certification Process for Manufacturers

To ensure that all polywrap manufacturers use the same criteria in meeting the new specifications, the Postal Service developed specification USPS-T-3204, "Test Procedures for Automatable Polywrap." This specification describes exact test procedures and acceptable values for polywrap film characteristics. Should the polywrap manufacturer not have the facilities or experience to conduct each of the test procedures in USPS-T-3204, the specification includes a list of independent testing laboratories that have experience in conducting these tests. Customers may obtain the new test procedures by contacting USPS Engineering (see 608.8.1 for address). Effective February 4, 2007, manufacturers must submit a letter, on their letterhead, for each polywrap film indicating compliance with each of the specifications in 3.5.1 and the value for each specification, to USPS Mailing Standards (see 608.8.1 for address). Manufacturers are encouraged to submit the certificate of conformance prior to February 4, 2007. Upon receipt of the certificate of conformance, USPS will list the polywrap film on <http://ribbs.usps.gov>. Manufacturers should

follow this process before submitting the letter certifying compliance with the specifications:

a. Test each film according to procedures listed in USPS-T-3204, "Test Procedures for Automatable Polywrap Film."

b. Test each film gauge and surface treatment separately.

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We will publish an appropriate amendment to 39 CFR Part 111 if our proposal is adopted.

Neva R. Watson,

Attorney, Legislative.

[FR Doc. E6-13802 Filed 8-21-06; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R06-OAR-2005-TX-0027; FRL-8212-3]

Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Chapter 117, Emission Inventories, Transportation Conformity Budgets, and 5% Increment of Progress Plan for the Dallas/Fort Worth 8-Hour Ozone Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to approve revisions to the State Implementation Plan (SIP) submitted by the state of Texas for the Dallas/Fort Worth (DFW) nonattainment area as meeting 1-hour ozone serious area requirements. EPA is proposing to approve the 5% Increment of Progress (IOP) emission reduction plan, the 2002 base year inventory, and a 2007 motor vehicle emission budget for the DFW 8-hour ozone nonattainment area. EPA is also proposing to approve a Federal consent decree concerning the Alcoa Rockdale plant in Milam County; energy

efficiency measures implemented within the DFW 8-hour ozone nonattainment area; and revisions to 30 TAC, Chapter 117, Control of Air Pollution From Nitrogen Compounds, concerning stationary reciprocating internal combustion engines operating within the DFW 8-hour ozone nonattainment area. These revisions will allow the State of Texas to fulfill remaining obligations under the 1-hour ozone standard in the DFW nonattainment area. These actions are being taken in accordance with section 110 and part D of the Clean Air Act (the Act) and EPA's regulations. The intended effect of this action is to approve revisions submitted which satisfy outstanding 1-hour ozone obligations for the DFW area and result in emission reductions within 3 years of the DFW area's nonattainment designation under the 8-hour ozone standard.

DATES: Comments must be received on or September 21, 2006.

ADDRESSES: Submit your comments, identified by Docket No. EPA-R06-OAR-2005-TX-0027, by one of the following methods:

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

U.S. EPA Region 6 "Contact Us" Web site: <http://epa.gov/region6/r6coment.htm>. Please click on "6PD" (Multimedia) and select "Air" before submitting comments.

E-mail: Mr Thomas Diggs at diggs.thomas@epa.gov. Please also send a copy by e-mail to the person listed in the **FOR FURTHER INFORMATION CONTACT** section below.

Fax: Mr. Thomas Diggs, Chief, Air Planning Section (6PD-L), at fax number 214-665-7263.

Mail: Mr. Thomas Diggs, Chief, Air Planning Section (6PD-L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202-2733.

Hand or Courier Delivery: Mr. Thomas Diggs, Chief, Air Planning Section (6PD-L), Environmental Protection