

information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form.

Consideration will be given to all comments received within 30 days of the date of publication of this notice.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Olson, Headquarters, Operations and Regulatory Community of Practice, Washington, DC at (202) 761-4922, or Mr. Jon K. Ahlness, Corps of Engineers, St. Paul District, Regulatory Branch, at (651) 290-5381.

**SUPPLEMENTARY INFORMATION:** Pursuant to its authorities in Section 7 of the Rivers and Harbors Act of 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriations Act of 1919 (40 Stat. 892; 33 U.S.C. 3), the Corps proposes to amend the restricted area regulations at 33 CFR part 334 by adding § 334.815 to establish a restricted area in the Menominee River, at the Marinette Marine Corporation Shipyard, Marinette, Wisconsin, to provide adequate protection for the Littoral Combat Ship (LCS Freedom 1) during its construction. By correspondence dated July 27, 2006, Marinette Marine Corporation, on behalf of the Department of the Navy, requested that the Corps of Engineers establish this restricted area.

#### Procedural Requirements

##### *a. Review Under Executive Order 12866*

This proposed rule is issued with respect to a military function of the Department of Defense and the provisions of Executive Order 12866 do not apply.

##### *b. Review Under the Regulatory Flexibility Act*

This proposed rule has been reviewed under the Regulatory Flexibility Act (Pub. L. 96-354) which requires the preparation of a regulatory flexibility analysis for any regulation that will have a significant economic impact on a substantial number of small entities (i.e., small businesses and small governments). Unless information is obtained to the contrary during the public notice comment period, the Corps expects that this restricted area would have practically no economic impact on the public, and no anticipated navigational hazard or interference with existing waterway traffic. This proposed rule, if adopted, will have no significant economic impact on small entities.

##### *c. Review Under the National Environmental Policy Act*

Due to the administrative nature of this action and because the intended change will only impact waters a distance of 100 feet from Marinette Marine Corporation's pier (an area of approximately 2.81 acres), the Corps expects that this regulation, if adopted, will not have a significant impact to the quality of the human environment and, therefore, preparation of an environmental impact statement will not be required. An environmental assessment will be prepared after the public notice period is closed and all comments have been received and considered. It may be reviewed at the District office listed at the end of the **FOR FURTHER INFORMATION CONTACT**, above.

##### *d. Unfunded Mandates Act*

This proposed rule does not impose an enforceable duty among the private sector and, therefore, it is not a Federal private section mandate and it is not subject to the requirements of either Section 202 or Section 205 of the Unfunded Mandates Act. We have also found under Section 203 of the Act, that small governments will not be significantly and uniquely affected by this rulemaking.

#### List of Subjects in 33 CFR Part 334

Danger zones, Marine safety, Navigation (water), Restricted Areas, Waterways.

For the reasons stated in the preamble, the Corps proposes to amend 33 CFR part 334, as follows:

#### **PART 334—DANGER ZONE AND RESTRICTED AREA REGULATIONS**

1. The authority citation for 33 CFR part 334 continues to read as follows:

**Authority:** 40 Stat. 266 (33 U.S.C. 1) and 40 Stat. 892 (33 U.S.C. 3).

2. Add § 334.815 to read as follows:

##### **§ 334.815 Menominee River, at the Marinette Marine Corporation Shipyard, Marinette, Wisconsin; naval restricted area.**

(a) *The area.* The waters 100 feet from Marinette Marine Corporation's pier defined by a rectangular shaped area on the south side of the river beginning on shore at the eastern property line of Marinette Marine Corporation at latitude 45°5'58.8" N., longitude 087°36'56.0" W.; thence northerly to latitude 45°5'59.7" N., longitude 087°36'55.6" W.; thence westerly to latitude 45°6'3.2" N., longitude 087°37'9.6" W.; thence southerly to latitude 45°6'2.2" N., longitude 087°37'10.0" W.; thence easterly along

the Marinette Marine Corporation pier to the point of origin. The restricted area will be marked by a lighted and signed floating boat barrier.

(b) *The regulation.* All persons, swimmers, vessels and other craft, except those vessels under the supervision or contract to local military or Naval authority, vessels of the United States Coast Guard, and local or state law enforcement vessels, are prohibited from entering the restricted area without permission from the Supervisor of Shipbuilding, USN Marinette or his authorized representative.

(c) *Enforcement.* The regulation in this section, promulgated by the United States Army Corps of Engineers, shall be enforced by the Supervisor of Shipbuilding, United States Navy and/or such agencies or persons as he/she may designate.

Dated: April 14, 2008.

**Michael G.ensch,**  
Chief, Operations, Directorate of Civil Works.  
[FR Doc. E8-8525 Filed 4-18-08; 8:45 am]

**BILLING CODE 3710-92-P**

## POSTAL SERVICE

### 39 CFR Part 111

#### **Service Barcode Required for Priority Mail Open and Distribute Container Address Labels**

**AGENCY:** Postal Service™.

**ACTION:** Proposed rule.

**SUMMARY:** In this proposed rule the Postal Service provides new mailing standards to require the use of a concatenated UCC/EAN Code 128 Service barcode with a unique Service Type Code "55" on all Priority Mail® Open and Distribute container address labels. A proposed rule was published in the **Federal Register** on May 24, 2007 (Volume 72, Number 100, pages 29100-29101), requiring the use of a concatenated UCC/EAN Code 128 Delivery Confirmation service barcode. Although no comments were received in response to the proposed rule, because of the modification we have decided to publish a second proposed rule to solicit any new comments.

**DATES:** Submit comments on or May 5, 2008.

**ADDRESSES:** Mail or deliver written comments to the Manager, Mailing Standards, Postal Service, 475 L'Enfant Plaza, SW., Room 3436, Washington, DC 20260-3436. Copies of all written comments will be available for inspection and photocopying between 9 a.m. and 4 p.m., Monday through

Friday, at the Postal Service Headquarters Library, 475 L'Enfant Plaza, SW., 11th Floor North, Washington, DC 20260-0004.

**FOR FURTHER INFORMATION CONTACT:** Cheryl DuBois at 202-268-3146 or Garry Rodriguez at 202-268-7281.

**SUPPLEMENTARY INFORMATION:**

**Comments**

There were no comments received on the May 24, 2007, proposed rule.

**Background**

Priority Mail Open and Distribute is designed to enhance the Postal Service's ability to provide mailers with expedited service to destination delivery units and other mail processing facilities. Mailers are currently provided an option to use Delivery Confirmation service to receive performance information and confirmation that their containers arrived at the destination facility, along with the date, ZIP Code™, and time their Priority Mail Open and Distribute containers are received at the destination facility.

**Summary**

In order to verify the arrival at the destination facility for all Priority Mail Open and Distribute containers, the Postal Service is requiring mailers to place a barcode on all Priority Mail Open and Distribute address labels. The barcode is required to be a concatenated UCC/EAN 128 Service barcode with a unique Service Type Code (STC) "55". The text, "USPS SCAN ON ARRIVAL," above the barcode is exclusive to this service and will assist in facilitating correct scan behavior.

The decision to require the use of the Service barcode instead of the Delivery Confirmation barcode will lessen any confusion as to the appropriate scans the barcode should receive and ensure the customer gets the appropriate performance information. This will provide better visibility to the customer and enable the USPS® to monitor service performance based on the product. We invite public comment on this change to the proposed rule.

The requirement is in accordance with instructions for barcode specifications, electronic file format and testing, and certification process, in Publication 91, *Confirmation Services Technical Guide*. An update is available in the April 10, 2008, *Postal Bulletin*.

**Implementation**

The required use of a Service barcode with Priority Mail Open and Distribute service will be implemented May 12, 2008.

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, 414, 416, 3001-3011, 3201-3219, 3403-3406, 3621, 3622, 3626, 3632, 3633, and 5001.

2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), as follows:

\* \* \* \* \*

**700 Special Standards**

\* \* \* \* \*

**705 Advanced Preparation and Special Postage Payment Systems**

\* \* \* \* \*

**16.0 Express Mail Open and Distribute and Priority Mail Open and Distribute**

\* \* \* \* \*

**16.4 Additional Standards for Priority Mail Open and Distribute**

\* \* \* \* \*

**16.4.2 Extra Services**

[Revise the first sentence in the introductory text of 16.4.2 as follows:]

No extra services are available for Priority Mail Open and Distribute containers. \* \* \*

\* \* \* \* \*

**16.5 Preparation**

\* \* \* \* \*

**16.5.4 Tags 161 and 190—Priority Mail Open and Distribute**

\* \* \* \* \*

[Delete item c.]

\* \* \* \* \*

**16.5.6 Address Labels**

[Revise the text in 16.5.6 as follows:]

In addition to Tag 157, Label 23, Tag 161, or Tag 190, USPS-supplied containers and envelopes and mailer-supplied containers used for Express Mail Open and Distribute or Priority Mail Open and Distribute must bear an

address label that states "OPEN AND DISTRIBUTE AT:" followed by the facility name. Find the facility name and other information for addressing the labels, according to the type of facility, in 16.5.8 through 16.5.12.

\* \* \* \* \*

[Replace 16.5.7, *Delivery Confirmation Service*, with new 16.5.7, *Address Label Barcode Requirement*, as follows:]

**16.5.7 Address Label Service Barcode Requirement**

An electronic Service barcode using the concatenated UCC/EAN Code 128 symbology must be incorporated in the address label. Mailers must prepare address labels using the formats in 16.5.8 through 16.5.12, including the service type code "55" to identify the service and the human-readable text "USPS SCAN ON ARRIVAL" above the barcode. USPS certification is required from the National Customer Support Center (NCSC) for each printer used to print barcoded open and distribute address labels, except for barcodes created using USPS Shipping Assistant. NCSC contact information, formatting specifications for barcodes and electronic files, and certification, are included in Publication 91, *Confirmation Services Technical Guide*. Mailers can use any of the following options available to create a label with a Service barcode for Priority Mail Open and Distribute address labels:

a. Select a service software developer from the list of companies that have met Postal Service specifications for the electronic file and barcode available at <http://www.usps.com/shipping/shipsystems.htm>.

b. Register and download the USPS Shipping Assistant desktop application available at <http://www.usps.com/shippingassistant/>.

c. Register and integrate the USPS Web Tools Application Program Interface (API) for Priority Mail Open and Distribute using your own developers, available at <http://www.usps.com/webtools/>.

d. Use Publication 91, *Confirmation Services Technical Guide*, for technical specifications and requirements.

**16.5.8 DDU Address Labels**

[Revise the second sentence in 16.5.8 as follows:]

\* \* \* For the DDU address label, use the destination facility name, the street address, city, state, and ZIP+4 found in the Drop Entry Point View File available at USPS' FAST Web site: <https://fast.usps.com>. \* \* \*

**Exhibit 16.5.8 DDU Address Label**

[Revise Exhibit 16.5.8 to replace the Delivery Confirmation barcode and human-readable text above and below, with a Service barcode and human-readable text.]

**16.5.9 SCF Address Labels**

[Revise the first sentence in 16.5.9 as follows:]

For the SCF address label, use SCF followed by the city, state, and ZIP Code found in the Drop Entry Point View File available at USPS' FAST Web site: <https://fast.usps.com>. \* \* \*

**Exhibit 16.5.9 SCF Address Label**

[Revise Exhibit 16.5.9 to replace the Delivery Confirmation barcode and human-readable text above and below, with a Service barcode and human-readable text.]

**16.5.10 ADC Address Labels**

[Revise the first sentence in 16.5.10 as follows:]

For the ADC address label, use ADC followed by the city, state, and ZIP Code found in the Drop Entry Point View File available at USPS' FAST Web site: <https://fast.usps.com>. \* \* \*

**Exhibit 16.5.10 ADC Address Label**

[Revise Exhibit 16.5.10 to replace the Delivery Confirmation barcode and human-readable text above and below, with a Service barcode and human-readable text.]

**16.5.11 BMC Address Labels**

[Revise the first sentence in 16.5.11 as follows:]

For the BMC address label, use BMC followed by the city, state, and ZIP Code found in the Drop Entry Point View File available at USPS' FAST Web site: <https://fast.usps.com>. \* \* \*

**Exhibit 16.5.11 BMC Address Label**

[Revise Exhibit 16.5.11 to replace the Delivery Confirmation barcode and human-readable text above and below, with a Service barcode and human-readable text.]

[Renumber 16.5.12, Markings on Enclosed Mail, as 16.5.13. Add new 16.5.12, ASF Address Labels, and Exhibit 16.5.12, ASF Address Label, as follows:]

**16.5.12 ASF Address Labels**

For the ASF address label, use ASF followed by the city, state, and ZIP Code found in the Drop Entry Point View File under BMC available at USPS' FAST Web site: <https://fast.usps.com>. See Exhibit 16.5.12 for an example of an ASF address label.

**Exhibit 16.5.12 ASF Address Label**

[Add new Exhibit 16.5.12, as follows:]

\* \* \* \* \*

We will publish an appropriate amendment to 39 CFR 111 to reflect these changes if the proposal is adopted.

Neva R. Watson,

Attorney, Legislative.

[FR Doc. E8-8228 Filed 4-18-08; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 761**

[EPA-HQ-RCRA-2008-0123; FRL-8555-9]

RIN 2050-AG42

**Polychlorinated Biphenyls: Manufacturing (Import) Exemption for Veolia ES Technical Solutions, LLC**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule; Extension of comment period.

**SUMMARY:** The Environmental Protection Agency (EPA) is announcing that the comment period to the proposed rule entitled, Polychlorinated Biphenyls: Manufacturing (Import) Exemption for Veolia ES Technical Solutions, LLC published on March 6, 2008 (73 FR 12053) is being extended for 45 days until June 5, 2008. On November 14, 2006, Veolia ES Technical Solutions, LLC (Veolia) submitted a petition to EPA to import up to 20,000 tons of PCB waste from Mexico for disposal at Veolia's TSCA-approved facility in Port Arthur, Texas. EPA is soliciting comments on the proposed decision to grant Veolia's petition. In addition, EPA also received a request to hold an informal public hearing. The Agency grants such a request and will publish another notice in the **Federal Register** announcing the location and date of the hearing.

**DATES:** The comment period for this supplemental proposed rule is extended from the original closing date of April 21, 2008, to June 5, 2008.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-HQ-RCRA-2008-0123 by one of the following methods:

[www.regulations.gov](http://www.regulations.gov): Follow the on-line instructions for submitting comments.

*E-mail:* Comments may be sent by electronic mail (e-mail) to [RCRA-docket@epa.gov](mailto:RCRA-docket@epa.gov), Attention Docket ID No. EPA-HQ-RCRA-2008-0123.

*Fax:* Fax comments to: 202-566-0270, Attention Docket ID No. EPA-HQ-RCRA 2008-0123.

*Mail:* Send comments to: OSWER Docket, EPA Docket Center, Mail Code 5305T, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington DC 20460, Attention Docket ID No. EPA-HQ-RCRA-2008-0123. Please include a total of two copies.

*Hand delivery:* Deliver comments to: Environmental Protection Agency, EPA Docket Center, Room 3334, 1301 Constitution Avenue, NW., Washington DC, Attention Docket ID No. EPA-HQ-RCRA-2008-0123. Such deliveries are only accepted during the docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID Number EPA-HQ-RCRA-2008-0123. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at [www.regulations.gov](http://www.regulations.gov), including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through [www.regulations.gov](http://www.regulations.gov) or e-mail. The [www.regulations.gov](http://www.regulations.gov) Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through [www.regulations.gov](http://www.regulations.gov) your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the docket are listed in the [www.regulations.gov](http://www.regulations.gov) index. Although listed in the index, some information is not publicly available, such as CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material,