

Dated: October 23, 2008.

Fred M. Rosa, Jr.,

*Rear Admiral, U.S. Coast Guard, Commander,
Fifth Coast Guard District.*

[FR Doc. E8-27007 Filed 11-13-08; 8:45 am]

BILLING CODE 4910-15-P

POSTAL REGULATORY COMMISSION

39 CFR Part 3001

[Docket No. RM2009-1; Order No. 130]

Periodic Reporting Rules

AGENCY: Postal Regulatory Commission.

ACTION: Proposed rule; availability of rulemaking petition.

SUMMARY: Under a new law, the Postal Service must file an annual compliance report with the Postal Regulatory Commission on costs, revenues, rates, and quality of service associated with its products. It has filed documents with the Commission to change some of the methods it uses to compile the fiscal year 2008 report. In the Commission's view, these documents constitute a rulemaking petition. Therefore, this document provides an opportunity for the public to comment on potential changes in periodic reporting rules.

DATES: 1. Reserved for technical conference: November 21, 2008.

2. Initial comments: December 1, 2008.

3. Reply comments: December 10, 2008.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 202-789-6820 and stephen.sharfman@prc.gov.

SUPPLEMENTARY INFORMATION:

Regulatory History

73 FR 51983 (September 8, 2008).

73 FR 55464 (September 25, 2008).

On November 4, 2008, the Postal Service filed a petition to initiate an informal rulemaking proceeding to change accepted costing methods for purposes of periodic reporting.¹ The informal rulemaking procedures proposed would be comparable to those followed in Docket Nos. RM2008-2 and RM2008-6. In Docket No. RM2008-2, nine numbered proposals were the

subject of notice and comment rulemaking procedures. In Docket No. RM2008-6, the Postal Service proposed two additional proposals to change costing methods, numbered ten and eleven. The costing proposals in these dockets were evaluated in Order No. 115 (October 10, 2008), and Order No. 118 (October 22, 2008), respectively. The Postal Service refers to the change in accepted cost methods that it proposes in this docket as Proposal Twelve. Labeling it Proposal Twelve indicates that the proposal is sequential to, but distinguishable from, the proposals in the two earlier dockets. See Petition at 1.

Substance of the Postal Service's proposal. Proposal Twelve is a proposal to use data recently gathered in the field to update inputs used in the cost avoidance models for flats generally, and for Periodicals flats, in particular. Some new parameters for these models are proposed as well. Proposal Twelve continues the work of updating the Periodicals cost avoidance models that were first presented by the Postal Service in the FY 2007 Annual Compliance Report (ACR) and evaluated by the Commission in the FY 2007 Annual Compliance Determination (ACD). The petition explains that the Postal Service will soon provide similar updates of the First-Class and Standard Mail flats cost avoidance models.

The petition is accompanied by electronic attachments that contain the new input data, the sample designs used in their collection, and the instructions to the data collectors. The petition explains the background, objectives, and rationale for Proposal Twelve, and how the impact in FY 2008 of each proposed change in input data or parameters can be identified from the attachments provided.

Procedural expedition. The same factors that led the Commission to expedite review of the eleven proposals disposed of in Docket Nos. RM2008-2 and RM2008-6 apply here. The set of changes that make up Proposal Twelve, however, appears to be more substantial and more complex than many of those evaluated in Docket Nos. RM2008-2 and RM2008-6. A countervailing consideration is that the time remaining before the FY 2008 ACR is due is much shorter than in those earlier dockets. Balancing these conflicting considerations will be difficult, given the rapidly approaching holidays and year-end convergence of numerous regulatory deadlines.

The Postal Service explains that any technical conference deemed necessary to further explain Proposal Twelve would require it to bring consultants in

from out of town. Therefore, it requests that a technical conference not be scheduled ahead of time until the need for it is confirmed. *Id.* at 2. The Postal Service should reserve November 21, 2008, for a technical conference to take place if the Commission is ultimately persuaded that a technical conference is needed to expedite evaluation of Proposal Twelve. To allow for the possibility of a technical conference and, if held, to provide time for the information gained at such a conference to be reflected in public comments, comments on Proposal Twelve are due on or before December 1, 2008. Reply comments are due on December 10, 2008. This schedule may make it difficult to issue a final order in time to have these proposals reflected in the FY 2008 ACR, which is due on December 29, 2008, but at least that goal would remain a possibility.

It is Ordered:

1. The Commission establishes Docket No. RM2009-1 to consider the Petition of the United States Postal Service Requesting Initiation of a Proceeding To Consider Further Proposed Methodology Changes for the FY 2008 ACR (Proposal Twelve), filed November 4, 2008.

2. Interested persons may submit initial comments on or before December 1, 2008.

3. Reply comments may be submitted on or before December 10, 2008.

4. William C. Miller is designated as the Public Representative representing the interests of the general public in this proceeding.

5. The Secretary shall arrange for publication of this notice in the **Federal Register**.

Authority: 39 U.S.C. 3652.

By the Commission.

Steven W. Williams,

Secretary.

[FR Doc. E8-27055 Filed 11-13-08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 131

[EPA-HQ-OW-2007-93; FRL-8740-3]

Removing the Federal Antidegradation Policy Applicable to Waters of the United States Within the Commonwealth of Pennsylvania

AGENCY: Environmental Protection Agency (EPA).

ACTION: Re-opening of the public comment period for the proposed rule.

SUMMARY: EPA is re-opening the comment period of a proposed rule that the Agency published on September 15, 2008. The proposed rule solicited public comment on the Agency's proposal to remove from the Code of Federal Regulations a rule that EPA promulgated in 1996 making provisions of the federal antidegradation policy directly applicable for all waters of the United States within the Commonwealth of Pennsylvania. EPA is re-opening the comment period for the proposed rule to ensure all parties have adequate opportunity to express their views to the Agency prior to taking final action on the proposed rule. The original comment period for the proposed rule closed on October 15, 2008. In a separate action published in today's final rule section of the **Federal Register**, EPA is withdrawing a direct final rule that EPA also published on September 15, 2008, removing the federal regulation that made provisions of EPA's antidegradation policy directly applicable to waters in Pennsylvania.

DATES: The comment period for the proposed rule published at 73 FR 53178, on September 15, 2008 is now re-opened and will close on December 15, 2008.

ADDRESSES: EPA has established a docket for this action under Docket ID No. EPA-HQ-OW-2007-0093. All documents in the docket are listed on the <http://www.regulations.gov> Web site. Although listed on the Web site, some information is not publicly available, e.g., CBI or other 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. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the OW docket Center. This docket Facility is open from 8:30 a.m. until 4:30 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (202) 566-2426, and the Docket address is OW Docket, EPA West, Room 3334, and 1301 Constitution Avenue, NW., Washington, DC 20004. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744.

FOR FURTHER INFORMATION CONTACT: Caroline Whitehead at U.S. EPA Headquarters, Office of Water (4305T), 1200 Pennsylvania Ave, NW., Washington, DC 20460 (telephone: 202-566-2907, fax: 202-566-0409 or e-mail: whitehead.caroline@epa.gov) or Denise

Hakowski at U.S. EPA Region 3, (3WP30) 1650 Arch Street, Philadelphia, Pennsylvania 19103 (telephone: 215-814-5726, fax: 215-814-2318 or e-mail: hakowski.denise@epa.gov).

SUPPLEMENTARY INFORMATION:

I. Potentially Affected Entities

Citizens concerned with water quality in Pennsylvania may be interested in this rulemaking. Entities discharging pollutants to the surface waters of Pennsylvania could be indirectly affected by this rulemaking since water quality standards are used in determining National Pollutant Discharge Elimination System (NPDES) permit limits.

Categories and entities which may ultimately be affected include:

Category	Examples of potentially affected entities
Industry	Industries discharging pollutants to surface waters in Pennsylvania.
Municipalities	Publicly-owned treatment works discharging pollutants to surface waters in Pennsylvania.

This table is not intended to be exhaustive, but rather provides a guide for readers regarding NPDES-regulated entities likely to be affected by this action. This table lists the types of entities that EPA is now aware could potentially be affected by this action.

II. Today's Action

As EPA explained in its September 15, 2008 notices (73 FR 53140 and 73 FR 53178), EPA proposed to remove the federal regulation that made provisions of the federal antidegradation policy directly applicable in Pennsylvania. EPA proposed to remove the federal rule because Pennsylvania now has an EPA-approved antidegradation policy meeting the federal requirements at 40 CFR 131.12. Therefore, the federal antidegradation regulation promulgated by EPA for Pennsylvania is no longer needed. On September 15, EPA published a direct final rule to remove the federal regulation at 40 CFR 131.32. EPA has determined that additional opportunity for public comment would be beneficial. Therefore, EPA is re-opening the comment period of the proposed rule (73 FR 53178; September 15, 2008) to ensure all parties have adequate opportunity to express their views to the Agency prior to EPA taking final action regarding removal of the federal regulation at 40 CFR 131.32. In a separate action today, EPA is withdrawing the direct final rule (73 FR 53140; September 15, 2008).

List of Subjects in 40 CFR Part 131

Environmental protection, Antidegradation, Water quality standards.

Dated: November 6, 2008.

Stephen L. Johnson,
Administrator.

[FR Doc. E8-27209 Filed 11-13-08; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 141 and 143

[EPA-HQ-OW-2008-0644; FRL-8740-5]

RIN 2040-AF00

National Primary Drinking Water Regulations: Minor Correction to Stage 2 Disinfectants and Disinfection Byproducts Rule and Changes in References to Analytical Methods

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: In this action, EPA is proposing to make a minor correction to the Stage 2 Disinfectants and Disinfection Byproducts Rule (DBPR) and make minor, unrelated, changes in references to expedited, alternative methods and other analytical methods in the regulations. EPA promulgated the Stage 2 Disinfectants and Disinfection Byproducts Rule on January 4, 2006. A requirement for ground water systems serving 500-9,999 people was unintentionally excluded from the final rule. As a result, the rule allowed for less routine compliance monitoring than intended for this category of Public Water Systems (PWSs). These PWSs should have been required to monitor for both total trihalomethanes (TTHM) and haloacetic acids (HAA5) concentrations at two locations. Due to the error, they were only required to monitor for either TTHM or HAA5 at two locations. EPA is also proposing to make minor, unrelated changes in the CFR by adding references to the list of methods approved under the Expedited Approval Process, removing references to outdated methods, and specifying a new source for the publication titled *Technical Notes on Drinking Water Methods*.

DATES: Comments must be received on or before January 13, 2009.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OW-2008-0644, by one of the following methods: