

Executive Order 13132

This rulemaking does not preempt or modify any provision of State law; nor does it impose enforcement responsibilities on any State; nor does it diminish the power of any State to enforce its own laws. Accordingly, this rulemaking does not have federalism implications warranting the application of Executive Order 13132.

Unfunded Mandates Reform Act of 1995

This rulemaking will not result in the expenditure by State, local, and tribal governments in the aggregate, or by the private sector, of \$120 million or more (adjusted for inflation) in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Congressional Review Act

This rulemaking is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996 (Congressional Review Act). This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation or on the ability of U.S.-based companies to compete with foreign-based companies in domestic and export markets.

List of Subjects*21 CFR Part 1301*

Administrative practice and procedure, Drug traffic control, Security measures.

21 CFR Part 1309

Administrative practice and procedure, Drug traffic control, Exports, Imports, Security measures.

For the reasons set out above, 21 CFR parts 1301 and 1309 are proposed to be amended as follows:

PART 1301—REGISTRATION OF MANUFACTURERS, DISTRIBUTORS, AND DISPENSERS OF CONTROLLED SUBSTANCES

1. The authority citation for part 1301 continues to read as follows:

Authority: 21 U.S.C. 821, 822, 823, 824, 831, 871(b), 875, 877, 886a, 951, 952, 953, 956, 957, 958.

2. Section 1301.52(a) is revised to read as follows:

§ 1301.52 Termination of registration; transfer of registration; distribution upon discontinuance of business.

(a) Except as provided in paragraph (b) of this section, the registration of any person, and any modifications of that registration, shall terminate, without any further action by the Administration, if and when such person dies, ceases legal existence, discontinues business or professional practice, or surrenders a registration. Any registrant who ceases legal existence or discontinues business or professional practice shall notify the Administrator promptly of such fact. In the case of a surrender, termination shall occur upon receipt by any employee of the Administration of a duly executed DEA form 104 or any signed writing indicating the desire to surrender a registration.

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PART 1309—REGISTRATION OF MANUFACTURERS, DISTRIBUTORS, IMPORTERS, AND EXPORTERS OF LIST I CHEMICALS

3. The authority citation for part 1309 continues to read as follows:

Authority: 21 U.S.C. 821, 822, 823, 824, 830, 871(b), 875, 877, 886a, 958.

4. Section 1309.62(a) is revised to read as follows:

§ 1309.62 Termination of registration.

(a) The registration of any person shall terminate, without any further action by the Administration, if and when such person dies, ceases legal existence, discontinues business or professional practice, or surrenders a registration. In the case of a surrender, termination shall occur upon receipt by any employee of the Administration of a duly executed DEA form 104c or any signed writing indicating the desire to surrender a registration. Any registrant who ceases legal existence or discontinues business or professional practice or wishes to surrender a registration shall notify the Special Agent in Charge of the Administration in the area in which the person is located of such fact and seek authority and instructions to dispose of any List I chemicals obtained under the authority of that registration.

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Dated: May 26, 2010.

Joseph T. Rannazzisi,
Deputy Assistant Administrator, Office of Diversion Control.

[FR Doc. 2010-13521 Filed 6-4-10; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF LABOR**Occupational Safety and Health Administration****29 CFR Part 1910****RIN 1218-AC41****Combustible Dust**

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice of combustible dust Web Chat.

SUMMARY: OSHA invites interested parties to participate in a Web Chat on the workplace hazards of combustible dust. OSHA plans to use the information gathered in response to this Web Chat in developing a proposed standard for combustible dust.

DATES: The Web Chat will be held on June 28, 2010, at 1 p.m. EDT.

ADDRESSES:**Registration**

Participants are requested to provide their name, affiliation, and e-mail address so OSHA can respond to comments or seek clarification.

Web Site

Participants can access the Web Chat at <http://www.dol.gov/dol/chat.htm>. The Web Blog will remain accessible for additional feedback through July 7, 2010.

FOR FURTHER INFORMATION CONTACT:

Information regarding this notice is available from the following sources:

- *Press inquiries.* Contact Jennifer Ashley, Director, OSHA Office of Communications, Room N-3647, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-1999.

- *General and technical information regarding Combustible Dust.* Contact Mat Chibbaro, P.E., Fire Protection Engineer, Office of Safety Systems, OSHA Directorate of Standards and Guidance, Room N-3609, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-2255.

- *Technical information regarding Web Chat logistics and electronic access.* Contact Andy Bailey, DOL Web Content Manager, Office of Public Affairs, Division of Enterprise Communications, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-5946.

- *Copies of this Federal Register notice.* Electronic copies are available at <http://www.regulations.gov>. This

Federal Register notice, as well as news releases and other relevant information, also are available on the OSHA Web page at <http://www.osha.gov>.

SUPPLEMENTARY INFORMATION:

I. Background

The hazards of combustible dust encompass a wide array of materials, industries, and processes. Any combustible material can burn rapidly when in a finely divided form. Materials that may form combustible dust include, but are not limited to, wood, coal, plastics, biosolids, candy, sugar, spice, starch, flour, feed, grain, fertilizer, tobacco, paper, soap, rubber, drugs, dried blood, dyes, certain textiles, and metals (such as aluminum and magnesium). Industries that may have combustible dust hazards include, among others: animal food manufacturing, grain handling, food manufacturing, wood product manufacturing, chemical manufacturing, textile manufacturing, furniture manufacturing, metal processing, fabricated metal products and machinery manufacturing, pesticide manufacturing, pharmaceutical manufacturing, tire manufacturing, production of rubber and plastics, plastics and rubber products manufacturing, recycling, wastewater treatment, and coal handling.

OSHA is developing a standard that will comprehensively address the fire and explosion hazards of combustible dust. The Agency issued an Advanced Notice of Proposed Rulemaking (ANPR) that requested comments, including data and other information, on issues related to the hazards of combustible dust in the workplace. (74 FR 54334, Oct. 21, 2009). OSHA plans to use the information received in response to the ANPR, at the stakeholder meetings, and during the Web Chat in developing a proposed standard for combustible dust.

II. Web Chat and Stakeholder Meetings

OSHA conducted stakeholder meetings in Washington, DC, on December 14, 2009; in Atlanta, GA, on February 17, 2010; and in Chicago, IL, on April 21, 2010. This notice announces a Web Chat to gather additional information beyond that provided in the stakeholder meetings. OSHA will pose questions and interact with participants for one hour, beginning at 1 p.m. EDT on June 28, 2010. In addition to the live Web Chat, OSHA will also post additional information on the Department of Labor Blog, <http://www.dol.gov/dol/chat.htm>, and invites the public to provide feedback via comments on these entries. The Web Blog will remain accessible

through July 7, 2010. OSHA will monitor the site, provide additional information, and pose additional questions when appropriate.

OSHA will introduce areas to which participants should focus their views, concerns, and issues related to the hazards of combustible dust. The Web Chat will center on major issues such as:

- Scope.
- Balance between performance and specification based requirements.
- Economic impacts.
- Definitions.

III. Public Participation

To register, follow the instructions provided on the Web site. Participants are asked to provide the following information so that OSHA can solicit clarification of comments, if necessary:

- Name.
- E-mail address.
- Organization being represented.
- Stakeholder category: government, industry, standards-developing organization, research or testing agency, union, trade association, insurance, fire protection equipment manufacturer, consultant, or other (if other, please specify).
 - Industry sector (if applicable): metals, wood products, grain or wet corn milling, food (including sugar), pharmaceutical or chemical manufacturing, paper products, rubber or plastics, coal, or other (if other, please specify).

Authority and Signature

This document was prepared under the direction of David Michaels, PhD, MPH, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, pursuant to sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657), 29 CFR part 1911, and Secretary's Order 5-2007 (72 FR 31160).

Signed at Washington, DC, on June 1, 2010.

David Michaels,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2010-13467 Filed 6-4-10; 8:45 am]

BILLING CODE 4510-26-P

POSTAL SERVICE

39 CFR Part 111

Submission of Electronic Documentation With Comailed and Copalletized Mailings

AGENCY: Postal Service™.

ACTION: Proposed rule.

SUMMARY: The Postal Service is proposing to revise *Mailing Standards*

of the United States Postal Service, Domestic Mail Manual (DMM®) 705 and 707 to require mail owners participating in a comailing or copalletization process for letters or flats to provide electronic documentation, through an approved method, to support their contributed mailpieces. The Postal Service also proposes to require comail and copalletization mailers to submit electronic documentation to the USPS® by an approved method.

DATES: Submit comments on or before July 7, 2010.

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 North, Washington, DC, between 9 a.m. and 4 p.m., Monday through Friday. E-mail comments, containing the name and address of the commenter, may be sent to:

MailingStandards@usps.gov, with a subject line of "EDOC." Faxed comments are not accepted.

FOR FURTHER INFORMATION CONTACT: David Guinther at 202-268-7769 or Kevin Gunther at 202-268-7208.

SUPPLEMENTARY INFORMATION: Current mailing standards do not require mailers preparing comailed or copalletized mailings, or mailers who contribute mailpieces to a consolidated comail or copalletized mailing, to submit electronic documentation to the USPS. The receipt of electronic documentation, when received prior to USPS acceptance of copalletized mailings, will enhance the electronic visibility of the mailpieces, will result in a reduction in postal handling, and will improve efficiency in the processing of copalletized mailings.

The Postal Service can accept piece-level electronic documentation through either of two methods—Mail.dat® or Mail.XML®. The original container data, included in the Mail.dat or Mail.XML file, permits the tracking of containers from their origin, through the consolidation site, and ultimately into USPS processing. Original container data is also an essential element in the generation of standardized documentation (*i.e.* qualification reports) and postage statements for comailed or copalletized mailings. Therefore, the Postal Service proposes to require all mailers associated with the preparation and presentation of comailed and copalletized mailings to transmit electronic documentation to the USPS, using properly formatted