

absorbent cushioning materials, sealed secondary packaging, and a strong outer mailing container. The Postal Service is also adding language to encourage the use of locking rings when mailing metal containers with friction-top closures (push-down tops).

The Postal Service believes these new mailing standards will prevent spills in general and reduce the frequency of incidents in which ruptured containers of liquid cause significant damage to surrounding mailpieces. The Postal Service anticipates that this proposed revision will result in decreased cost and time related to spill response, mail decontamination, site cleanup, and provide for an improved customer experience.

If this proposed rule is adopted, the Postal Service will revise and align the language referencing the packaging of nonhazardous liquids located in DMM 601.3.4 and add clarifying language regarding the use of orientation arrows. The Postal Service will also publish an appropriate amendment to 39 CFR part 111 to reflect these changes. Finally, if the proposed rule is adopted, the Postal Service will also make corresponding revisions to Publication 52, *Hazardous, Restricted, and Perishable Mail*, section 451 to align both publications with regard to the packaging of liquids in its networks.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C. 553(b), (c)) regarding proposed rulemaking by 39 U.S.C. 410(a), the Postal Service invites 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, Incorporation by reference, Postal Service.

Accordingly, for the reasons stated in the preamble, the Postal Service proposes that 39 CFR parts 111 and 113 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); 13 U.S.C. 301–307; 18 U.S.C. 1692–1737; 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:

#### Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM)

\* \* \* \* \*

#### 600 Basic Standards for All Mailing Services

##### 601 Mailability

\* \* \* \* \*

##### 3.0 Packaging

\* \* \* \* \*

##### 3.4 Liquids

*[Revise the introductory paragraph of 3.4 to read as follows:]*

Mailers must mark the outer container of a mailpiece containing liquid to indicate the nature of the contents, and include orientation arrows in accordance with Publication 52, section 226. Mailers must package and mail liquids under the following conditions:

*[Revise 601.3.4a to read as follows:]*

a. Use screw-on caps with a minimum of one and one-half turns, soldering, clips, or similar means to close primary containers containing liquids. Do not use containers with friction-top closures (push-down tops) except as provided in 3.4d.

*[Re-number the current 601.3.4b through 601.3.4d as the new 601.3.4c through 601.3.4e and add a new 601.3.4b to read as follows:]*

b. The use of locking rings or similar devices is encouraged when mailing containers with friction-top closures (push-down tops).

\* \* \* \* \*

*[Revise renumbered 601.3.4d to read as follows:]*

d. All nonmetal containers of liquids, including plastic containers, and metal containers with friction top closures, without regard to volume, must be triple-packaged according to the following requirements:

1. Cushion the primary container(s) with absorbent material capable of absorbing all of the liquid in the container(s) in case of breakage;

2. Place the primary container inside another sealed, leakproof container (secondary container), such as a watertight can or plastic bag; and

3. Use a strong and securely sealed outer mailing container durable enough to protect the contents and durable

enough to withstand normal processing in Postal Service networks.

\* \* \* \* \*

**Ruth Stevenson,**

*Attorney, Federal Compliance.*

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## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3050

[Docket No. RM2018–9; Order No. 4692]

#### Periodic Reporting

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission is acknowledging a recent filing requesting the Commission initiate an informal rulemaking proceeding to consider changes to an analytical method for use in periodic reporting (Proposal Six). This document informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* August 15, 2018.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202–789–6820.

#### SUPPLEMENTARY INFORMATION:

#### Table of Contents

- I. Introduction
- II. Proposal Six
- III. Notice and Comment
- IV. Ordering Paragraphs

#### I. Introduction

On June 26, 2018, the Postal Service filed a petition pursuant to 39 CFR 3050.11, requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.<sup>1</sup> The Petition identifies the

<sup>1</sup> Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Six), June 26, 2018 (Petition). The Postal Service filed a non-public library reference with Proposal Six. Library Reference USPS–RM2018–9/NP1, Nonpublic Material Relating to Proposal Six, June 26, 2018; Notice of Filing of USPS–RM2018–9/NP1 and Application for Nonpublic Treatment, June 26, 2018.

proposed analytical changes filed in this docket as Proposal Six.

## II. Proposal Six

*Background.* The Postal Service indicates that Proposal Six addresses two issues regarding the treatment of international indemnity payments. Petition, Proposal Six at 1. First, the Postal Service states this proposal “addresses the issue of assigning claims for Priority Mail International (PMI) service to Outbound International Insurance, rather than to the PMI product.”<sup>2</sup>

Second, the Postal Service states that Proposal Six responds to a directive in the FY 2017 Annual Compliance Determination report (ACD). *Id.* In the FY 2017 ACD, the Commission directed the Postal Service to file a report on its “evaluation of Outbound International Insurance cost reporting” within 90 days of the FY 2017 ACD, including a determination of “whether a change in analytical principles is warranted.”<sup>3</sup>

*Proposal.* The Postal Service states that Proposal Six will “expand the distribution of the attributable costs for International Indemnity payments to include International Inbound Indemnity payments.” Petition, Proposal Six at 2. The proposal separates Outbound International Insurance indemnities from Inbound International Insurance indemnities, and “develop[s] separate decision rules for treating the costs relating to Outbound International indemnities and Inbound International indemnities.” *Id.* Specifically, the Postal Service proposes

for Outbound International Insurance indemnities “1) when additional insurance is not purchased, the indemnity cost will be assigned to the base parent product, and 2) when additional insurance is purchased, the indemnity cost will be assigned to the Outbound International Insurance product.” *Id.* at 4. For Inbound International Insurance, the Postal Service proposes to split these indemnities from Outbound International indemnities and distribute the costs to their respective inbound products. *Id.* at 5–6.

*Rationale and impact.* The Postal Service states that the current cost reporting requires “refinements” which “may not rise to the level of a change in analytical principles.” *Id.* at 2. It explains that the proposed methodology will correct the prior method of distributing international indemnity payments. *Id.* The Postal Service identifies the likely effects of Proposal Six on the development of the International Cost and Revenue Analysis (ICRA) report in non-public Library Reference USPS–RM2018–9/NP1. *Id.* at 2–3. The Petition indicates the proposal shifts costs from Outbound International Insurance to Inbound International Insurance, resulting in an improvement in contribution for Outbound products and a decline in contribution for Inbound products, and provides cell-by-cell differences between the proposed methodology and the data provided in the ICRA as part of the Postal Service’s annual compliance report for FY 2017. *Id.* at 2–6. The Postal Service anticipates the overall net impact would not result in a negative contribution by any product that previously had a positive contribution, but also would not result in a positive contribution by any product that

currently has a negative contribution. *Id.* at 3.

## III. Notice and Comment

The Commission establishes Docket No. RM2018–9 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission’s website at <http://www.prc.gov>. Interested persons may submit comments on the Petition and Proposal Six no later than August 15, 2018. Pursuant to 39 U.S.C. 505, Kenneth R. Moeller is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

## IV. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. RM2018–9 for consideration of the matters raised by the Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Six), filed June 26, 2018.

2. Comments by interested persons in this proceeding are due no later than August 15, 2018.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Kenneth R. Moeller to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this docket.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

**Ruth Ann Abrams,**

*Acting Secretary.*

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<sup>2</sup> *Id.* (citing Docket No. ACR2017, United States Postal Service *Annual Compliance Report*, December 29, 2017, at 71 (FY 2017 ACR)).

<sup>3</sup> *Id.*; see *Annual Compliance Determination Report*, Fiscal Year 2017, March 29, 2018, at 88 (FY 2017 ACD).