

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2022–13; Order No. 6262]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a Postal Service application for waiver pursuant to Commission regulations as it relates to a workshare discount. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* October 7, 2022.

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:

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I. Introduction

On August 26, 2022, 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.¹ The Petition identifies the

¹ Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Six), August 26, 2022 (Petition). The Postal Service also filed a notice of filing of non-public material

proposed analytical changes filed in this docket as Proposal Six.

II. Proposal Six

Background. Proposal Six relates to the distribution of peak season highway transportation costs. *See* Petition, Proposal Six at 1. In particular, the Postal Service proposes to include additional sampling of peak season trips within the Transportation Cost System (TRACS) “to develop a separate distribution key for the costs in peak season highway accounts.” *Id.*

According to the Postal Service, based on the assumption that “peak season trips have a similar mail mix to regular transportation for the same quarter,” peak season costs have been “distributed similarly to the regular contract costs calculated by quarter.” *Id.* at 8. Thus, the distribution keys associated with the costs of peak season highway contracts are based upon TRACS data for regular contracts (and not Emergency, Exceptional, or Christmas contracts). *See id.* at 1. These data are calculated quarterly using a process that involves developing a sampling frame for each quarter. *See id.* The peak season falls in Quarter One of the fiscal year (FY), and its sampling frame is designed in early September, “using the most recent operations data” including operations data from the last weeks of August. *Id.* at 2. However, peak contract highway trips do not run in August or September; in fact, they may not be finalized completely until approximately mid-November (shortly before the beginning of the peak season). *See id.* As a result, they may not be sampled under the current methodology of sampling highway transportation cost data.²

The Postal Service reports that it studied peak season sampling in the peak seasons of FYs 2021 and 2022. *Id.* at 3–4. For FY 2021, although the Postal Service developed a peak season frame “using a non-finalized list of peak trips from operations obtained in September” and merging this list with actual trip

relating to Proposal Six, as well as public and non-public materials supporting the proposal. *See* Notice of Filing of USPS–RM2022–13–1 and USPS–RM2022–13–NP1 and Application for Nonpublic Treatment, August 26, 2022.

² *See id.*; *see also* Docket No. RM2021–1, Order on Analytical Principles Used in Periodic Reporting (Proposal Seven), October 6, 2021, at 36 (Order No. 5999) (“[T]he TRACS database . . . still does not include Christmas contracts in the sampling frame.”).

data from the peak season of FY 2020, the Postal Service did not obtain “enough useful data to develop a distribution key.” *Id.* at 3. For FY 2022, the Postal Service reports that it conducted a study in November and December 2021 that produced “meaningful data, allowing a distribution key to be developed.” *Id.* at 4. According to the Postal Service, “the only differences in the methodology, compared with the regular TRACS sampling[,]” are in developing the frame and in scheduling the peak TRACS tests in November instead of September. *Id.*

Proposal. The Postal Service's proposal seeks to use additional sampling of peak season trips within TRACS to develop a separate distribution key for the costs in peak season highway accounts. *See* Petition. The Postal Service would use its new system (instead of regular contract data) to determine the distribution of peak costs. *Id.* Proposal Six at 3. More specifically, for the fiscal year (FY) 2022 Annual Compliance Report (ACR), the Postal Service proposes to implement the FY 2022 peak distribution key. *See id.* at 6. Further, for future years' annual compliance reports, the Postal Service recommends the adoption of the following changes: increasing the number of peak tests to 300 (*see id.* at 5); modifying the frame design process to include all trips that fall under the classification of peak/Christmas accounts within the Transportation Contract Support System (TCSS); and using late October and early November trip data. *See id.* at 6.

Further, the Postal Service proposes to “create a separate peak season cost pool apart from the regular highway cost pools.” *Id.* at 7. Under this aspect of Proposal Six, “[t]he new peak season variabilities that were approved [in] Docket [No.] RM2021–1 would be applied to these costs, and then they would be distributed based on the peak distribution key.” *Id.* However, the Postal Service does not propose changing the distribution of such costs outside of the peak period. *See id.*

Rationale and impact. The Postal Service asserts that adopting Proposal Six would allow peak contract costs to be estimated more accurately. *See id.* at 8–9. As noted, according to the Postal Service, the current approach of relying on regular contract costs calculated by quarter is founded on “the assumption

that peak season trips have a similar mail mix to regular transportation for the same quarter.” *Id.* at 8. However, the Postal Service advises that this is not necessarily so because “peak season transportation is used to supplement the regular transportation network during peak season[.]” *Id.* Thus, the Postal Service asserts that “sampling of peak season trips provides visibility into the peak season trip mail mix” and offers “a more accurate estimation of the cost distribution of peak contract costs.” *Id.* at 8–9.

According to the Postal Service, for FY 2022 Quarter One, there were \$356 million of accrued costs relating to peak season highway contracts, of which \$346 million were volume variable. *Id.* at 9. If Proposal Six is implemented, the Postal Service advises that “these costs would be shifted out of the regular transportation cost pools and into a separate peak season cost pool.” *Id.* Further, the Postal Service states that “[t]he costs would mainly shift to competitive domestic products” as detailed in Table 2 (in public and non-public versions). *Id.*

III. Notice and Comment

The Commission establishes Docket No. RM2022–13 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the Commission’s website at <https://www.prc.gov>. Interested persons may submit comments on the Petition and Proposal Six no later than October 7, 2022. Pursuant to 39 U.S.C. 505, Manon A. Boudreault 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. RM2022–13 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 August 26, 2022.

2. Comments by interested persons in this proceeding are due no later than October 7, 2022.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Manon A. Boudreault 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.

Erica A. Barker,

Secretary.

[FR Doc. 2022–19131 Filed 9–2–22; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[EPA–R04–RCRA–2022–0259; FRL–10134–01–R4]

Florida: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to authorize changes to Florida’s hazardous waste program under the Resource Conservation and Recovery Act (RCRA). These changes were outlined in an application to the EPA and correspond to certain Federal rules promulgated between July 1, 1987 through June 30, 2020. The EPA reviewed Florida’s application and has determined that these changes satisfy all requirements needed to qualify for final authorization. Therefore, in the “Rules and Regulations” section of this **Federal Register**, we are authorizing Florida for these changes as a direct final action without a prior proposed rule. If we receive no adverse comment, we will not take further action on this proposed rule.

DATES: Comments must be received on or before October 6, 2022.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R04–RCRA–2022–0259, at <https://www.regulations.gov>. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from www.regulations.gov. The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (*i.e.*, on the web,

cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <http://www.epa.gov/dockets/commenting-epa-dockets>.

The EPA encourages electronic submissions, but if you are unable to submit electronically or need other assistance, please contact Leah Davis, the contact listed in the **FOR FURTHER INFORMATION CONTACT** section. Please also contact Leah Davis if you need assistance in a language other than English or if you are a person with disabilities who needs a reasonable accommodation at no cost to you.

All documents in the docket are listed in the www.regulations.gov index. Publicly available docket materials are available electronically in www.regulations.gov. For alternative access to docket materials, please contact Leah Davis, the contact listed in the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT:

Leah Davis; RCRA Programs and Cleanup Branch; Land, Chemicals and Redevelopment Division; U.S. Environmental Protection Agency; Atlanta Federal Center, 61 Forsyth Street SW, Atlanta, Georgia 30303–8960; telephone number: (404) 562–8562; fax number: (404) 562–9964; email address: davis.leah@epa.gov.

SUPPLEMENTARY INFORMATION: This document proposes to act on Florida’s changes to its hazardous waste management program under the Resource Conservation and Recovery Act (RCRA), as amended. We have published a direct final action authorizing these changes in the “Rules and Regulations” section of this issue of the **Federal Register** because we view this as a noncontroversial action and anticipate no adverse comment. We have explained our reasons for this action in the preamble to the direct final action.

If we receive no adverse comment, we will not take further action on this proposed rule. If we receive adverse comment, we will withdraw the direct final action and it will not take effect. We would then address all public comments in a subsequent final action and base any further decision on the authorization of the State program changes after considering all comments received during the comment period.

We do not intend to institute a second comment period on this action. Any parties interested in commenting must do so at this time. For further