POSTAL REGULATORY COMMISSION

39 CFR Part 3010
[Docket No. RM2019–2; Order No. 4882]

Rate Setting Proceedings for Inbound Letter Post and Related Services

AGENCY: Postal Regulatory Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent filing requesting the Commission to consider the application of the market dominant price cap to rates for Inbound Letter Post and certain other inbound international market dominant products. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: Comments are due: December 10, 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:

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I. Introduction

On November 16, 2018, the Postal Service filed a request for the Commission to consider the application of the market dominant price cap to rates for Inbound Letter Post and certain other inbound international market dominant products. The Postal Service requests that the Commission replace the price cap treatment with an “evaluation of whether price changes for these services promote the objectives in [39 U.S.C.] section 3622(b), taking into account the factors in [section 3622(c)].” Petition at 2. The Commission-initiated rulemaking seeks to comment and facilitate the Commission’s examination into ratemaking procedures for Inbound Letter Post and related international services.

II. Background

At the same time it filed the instant Petition, the Postal Service filed a concurrent request seeking to transfer a portion of Inbound Letter Post (and inbound registered services associated with those items) to the competitive product list. The Postal Service states that it intends for the instant Petition to cover only the related products remaining on the market dominant product list upon resolution of the Transfer Request. Petition at 2, n.4.

The Postal Service states that the recommendation to adopt self-declared rates for terminal dues, made by the Department of State and endorsed by the President, creates uncertainty regarding the rates going forward. See Petition at 1, nn.1, 2; 2–3. The Postal Service further notes that the Department of State’s negotiations could result in a decision to rescind withdrawal from the Universal Postal Union (UPU), but it is impossible to predict to what extent terminal dues would be self-declared or set by the UPU. Petition at 2–3. The Postal Service suggests that although the Commission’s review of the market dominant ratemaking system is pending, the extent to which the market dominant price cap currently applies or is maintained in some form, there should be an exception for generally applicable rates set by the Postal Service that are paid by foreign postal operators. Id. at 4. The Postal Service states that its requested treatment of Inbound Letter Post rates should apply whether the rates are self-declared or not. Id. at 5.

III. Petition

The Postal Service requests that the Commission reconsider its decision in Order No. 43, in which it held that Inbound Letter Post must be classified as a market dominant product. The Postal Service states that changes in circumstances, including “a significant shift in U.S. Government policy toward Inbound Letter Post,” warrant a reconsideration of the decision to apply the market dominant price cap to inbound international products. See Petition at 5–9. The Postal Service states that the Postal Accountability and Enhancement Act’s intent was to protect individual domestic customers, rather than foreign postal operators.

The Postal Service proposes a regulatory system for Inbound Letter Post wherein the Commission would apply the objectives and factors listed in 39 U.S.C. § 3622(b) and § 3622(c) as standards for review of inbound international rate adjustments. Petition at 2, 9. The Postal Service suggests that this review can occur after-the-fact,
through the annual compliance review proceedings, but also proposes an alternative before-the-fact review of rate adjustments. Id. at 10. The Postal Service submits these proposed rules and alternative proposed rules in Appendix I of the Petition.

IV. Invitation to Comment


Pursuant to 39 U.S.C. 505, Kenneth E. Richardson is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in the above-captioned docket.

V. Ordering Paragraphs

It is ordered:


2. Comments are due no later than December 10, 2018.

3. Pursuant to 39 U.S.C. 505, the Commission appoints Kenneth E. Richardson 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 Notice in the Federal Register.

By the Commission.

Stacy L. Ruble,
Secretary.

[FR Doc. 2018–25665 Filed 11–23–18; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52


Air Plan Approval; OR: Lane County Outdoor Burning and Enforcement Procedure Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) proposes to approve and incorporate by reference (IBR) into the Oregon State Implementation Plan (SIP) the Lane Regional Air Protection Agency’s (LRAPA) revised outdoor burning rule submitted by the Oregon Department of Environmental Quality (ODEQ) on July 19, 2018. The revised rule, as it applies in Lane County, Oregon, clarifies terminology and provides additional controls of outdoor burning activities, reducing particulate emissions and strengthening the Oregon SIP. In addition, the EPA proposes to approve but not IBR the enforcement procedures and civil penalties rule for LRAPA submitted by the ODEQ on September 25, 2018. The revised rule contains revisions that bring enforcement procedures and civil penalties rule into alignment with recent changes in Oregon State regulations.

DATES: Comments must be received on or before December 26, 2018.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA–R10–OAR–2018–0596, at https://www.regulations.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from 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 the disclosure of which 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 https://www.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT: Christi Duboiski at (360) 753–9081, or duboiski.christi@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, wherever “we,” “us,” or “our” is used, it is intended to refer to the EPA.

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I. Background

Each State has a Clean Air Act (CAA) State Implementation Plan (SIP), containing the control measures and strategies used to attain and maintain the national ambient air quality standards (NAAQS) established for the criteria pollutants (carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, sulfur dioxide). The SIP contains such elements as air pollution control regulations, emission inventories, attainment demonstrations, and enforcement mechanisms. The SIP is a compilation of these elements and is revised and updated by a State over time—to keep pace with Federal requirements and to address changing air quality issues in that State.

The Oregon Department of Environmental Quality (ODEQ) implements and enforces the Oregon SIP through rules set out in Chapter 340 of the Oregon Administrative Rules (OAR), Divisions 200 to 268, apply in all areas of the State, except where the Oregon Environmental Quality Commission (EQC) has designated Lane Regional Air Protection Agency (LRAPA) to administer rules within its area of jurisdiction.

LRAPA has been designated by the EQC to implement and enforce State rules in Lane County, and to adopt local rules that apply within Lane County. LRAPA may promulgate a local rule in lieu of a State rule provided: (1) it is as strict as the corresponding State rule; and (2) it has been submitted to and approved by the EQC. This delegation of authority to LRAPA in the Oregon SIP is consistent with CAA section 110(a)(2)(E) requirements for State and local air agencies.

On July 19, 2018 and September 25, 2018, the ODEQ and LRAPA submitted revisions to the Oregon SIP as it applies in Lane County. These changes update the LRAPA Title 47 outdoor burning rule providing clarification and additional controls of outdoor burning activities in Lane County and align the Title 15 enforcement procedure and civil penalties rule with recently approved State rules in OAR Chapter 340, Division12 (80 FR 64346, October 23, 2015).