

other good cause. Good cause does not include an increase in the tenant's income or refusal of the tenant to purchase the housing. To terminate or refuse to renew tenancy, the owner must serve written notice upon the tenant specifying the grounds for the action at least 30 days before the termination of tenancy or refusal to renew tenancy. The minimum 30-day period is not required if the termination of tenancy or refusal to renew is due to a direct threat to the safety of the tenants or employees of the housing or an imminent and serious threat to the property and the termination of tenancy or refusal to renew is in accordance with the requirements of paragraph (c)(2) of this section. Good cause includes when:

(i) The owner is permitted to do so pursuant to the provisions contained in 24 CFR part 5, subpart I; 24 CFR 882.511; or 24 CFR 982.310;

(ii) A tenant or household member is a direct threat to the safety of the tenants or employees of the housing or an imminent and serious threat to the property;

(iii) A tenant unreasonably refuses to provide the owner access to the unit to allow the owner to repair the unit;

(iv) An owner must terminate a tenancy to comply with an order issued by a governmental entity or court that requires the tenant to vacate the project or unit;

(v) An owner must terminate a tenancy to comply with a local ordinance that necessitates vacating the project or unit;

(vi) A tenant fails to purchase a housing unit within the timeframes listed within the tenant's lease-purchase agreement; or

(vii) For tenants with tenant-based rental assistance only, when an owner intends to: withdraw the unit from the rental market to occupy the unit; allow an owner's family member to occupy the unit; or demolish or substantially rehabilitate the unit.

(2) The termination of tenancy or refusal to renew must be in accordance with Federal, State, local law, and the requirements of this part, including but not limited to requirements regarding fair housing, nondiscrimination, and VAWA.

* * * * *

- (d) * * *
(3) * * *
(ii) * * *

(C) The families must not be required to accept the services offered at the project. The owner may advertise the project as offering various supportive services, including a description of the specific supportive services available.

The project must be open to all eligible persons with disabilities.

(4) The limitation does not exclude an applicant with a voucher under the Housing Choice Voucher Program (24 CFR part 982) or an applicant participating in a HOME tenant-based rental assistance program because of the status of the applicant as a holder of such type of assistance;

(5) Except for small-scale housing and scattered site manufactured housing rental projects, provides for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable. The participating jurisdiction may establish alternative procedures to a written waiting list for the selection of tenants in small-scale housing and scattered site manufactured housing rental projects;

* * * * *

§ 92.254 [Amended]

■ 12. Amend § 92.254 by removing the citation to "§ 92.251(c)(3)" in paragraph (a)(4) and adding in its place a citation to "§ 92.251".

§ 92.351 [Amended]

■ 13. In § 92.351, amend paragraph (a)(1) by removing the citation to "§ 92.253(e)(3)" and adding in its place a citation to "§ 92.253".

■ 14. Amend § 92.504 by:

- a. Revising the last sentence of paragraph (c)(2)(xii); and
b. Removing the citation to "§ 92.253(e)" in paragraph (c)(3)(iii) and adding in its place a citation to "§ 92.253".

The revision reads as follows:

§ 92.504 Participating jurisdiction responsibilities; written agreements.

* * * * *

- (c) * * *
(2) * * *

(xii) * * * For any projects involving HOME rental housing, tenant-based rental assistance, or security deposit assistance, the agreement must require that the tenant leases comply with § 92.253 for all HOME-assisted rental housing units or tenants.

* * * * *

■ 15. In § 92.508, revise paragraph (a)(3)(iii) to read as follows:

§ 92.508 Recordkeeping.

- (a) * * *
(3) * * *

(iii) Records demonstrating that each rental housing or homeownership project meets the minimum per-unit subsidy amount of § 92.205(c), the maximum per-unit subsidy amount in accordance with the requirement in

§ 92.250(a), and the subsidy layering and underwriting evaluation adopted in accordance with § 92.250(b).

* * * * *

Ronald J. Kurtz,

Assistant Secretary for Community Planning and Development.

[FR Doc. 2026-08406 Filed 4-29-26; 8:45 am]

BILLING CODE 4210-67-P

POSTAL REGULATORY COMMISSION

39 CFR Part 3050

[Docket No. RM2026-4; Order No. 9548]

Periodic Reporting

AGENCY: Postal Regulatory Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Commission is acknowledging a recent Postal Service filing requesting the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports. This document informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: Comments are due: May 29, 2026.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at https://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. Background
III. Proposal
IV. Notice and Comment
V. Ordering Paragraphs

I. Introduction

On April 24, 2026, the Postal Service filed a petition pursuant to 39 CFR 3050.11 and Order No. 9377¹ requesting that the Commission initiate a rulemaking proceeding to consider changes to analytical principles relating to periodic reports.² The Petition

¹ Docket No. RM2023-7, Order on Motion for Reconsideration and Clarification of Order No. 6659, December 1, 2025 (Order No. 9377).

² Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles, April 24, 2026 (Petition).

identifies the proposed analytical changes filed in this docket in a proposal accompanying the Petition.

II. Background

The Postal Service Reform Act of 2022³ modified and expanded the Postal Service's ability to enter into interagency agreements (IAAs) to provide property and services to, or on behalf of, other government agencies. Specifically, 39 U.S.C. 3703 for the first time authorizes the Postal Service to enter into agreements with agencies of any state government, local government, or tribal government to provide property or nonpostal services to the public on behalf of such agencies for non-commercial purposes. At the same time, with respect to the Postal Service's pre-existing authority under 39 U.S.C. 411 to provide property and services to other Federal agencies, the PSRA specifies that "[t]he Postal Service may establish a program to provide property and nonpostal services to other Government [*i.e.*, federal] agencies within the meaning of section 411,⁴ but only if such program provides a net contribution to the Postal Service, defined as reimbursement that covers at least 100 percent of the costs attributable" 39 U.S.C. 3704.

Under the PSRA, the Postal Service must submit a report to the Commission after the close of each fiscal year that:

[A]nalyzes costs, revenues, rates, and quality of service for each agreement or substantially similar set of agreements for the provision of property or nonpostal services under section 3703 or the program as a whole under section 3704, and any other nonpostal service authorized under [Chapter 37 of Title 39 of the United States Code], using such methodologies as the Commission may prescribe, and in sufficient detail to demonstrate compliance with the requirements of [Chapter 37 of Title 39 of the United States Code].

39 U.S.C. 3705(a)(1). Upon receiving the Postal Service's report and providing an opportunity for public comment, the Commission must make a written determination of compliance. 39 U.S.C. 3705(e).

Because the PSRA was enacted on April 6, 2022 (during FY 2022 Quarter

3), the Postal Service's first report responsive to this new statutory requirement was due December 29, 2022, covering FY 2022. In its FY 2022 Annual Compliance Determination (ACD), the Commission directed the Postal Service to develop a proposed methodology (or methodologies) for calculating and attributing costs and revenue to IAAs authorized under 39 U.S.C. 3703 and 3704, and to initiate a rulemaking proceeding to establish such methodology (or methodologies) in accordance with 39 CFR 3050.11.⁵ As directed, the Postal Service initiated Docket No. RM2023-7 on May 26, 2023, proposing a categorical approach to calculating and attributing costs and revenue to similar types, or groupings, of IAAs.⁶

On August 31, 2023, the Commission conditionally approved the Postal Service's proposed methodology, subject to seven conditions.⁷ As relevant here, three of the conditions had to do with what the Commission termed "hybrid agreements," or agreements that involve the provision to government agencies of both: (1) postal services as defined by 39 U.S.C. 102(5) and/or nonpostal services authorized under 39 U.S.C. 404(e); and (2) property or nonpostal services authorized under 39 U.S.C. 411, 3703, and 3704. Order No. 6659 at 16-17, Attachment Under Seal at 1. As explained in Order No. 6659, postal services and nonpostal services are subject to different legal requirements with respect to pre-implementation review and post-implementation accounting and reporting. Order No. 6659 at 13. For these unique types of agreements, therefore, the Commission sought to ensure that the postal and nonpostal aspects of the agreements were separately accounted for and attributed, and that the correct pre-implementation procedures were followed. *Id.* at 16-17; *see* Attachment Under Seal. The Commission directed the Postal Service to make additional filings responsive to these conditions by September 29, 2023. *Id.*

On September 15, 2023, the Postal Service filed a motion seeking reconsideration and clarification of

Order No. 6659, including the three conditions specific to hybrid agreements.⁸ On December 1, 2025, the Commission denied the Postal Service's motion with respect to the conditions relating to hybrid agreements in Order No. 9377. The Commission directed the Postal Service to file a proposed change in analytical principles consistent with the terms of Conditions 5 and 7 of Order No. 6659, as clarified by Order No. 9377, by May 1, 2026. Order No. 9377 at 44-45. On January 27, 2026, the Postal Service appealed Order Nos. 6659 and 9377 to the United States Court of Appeals for the District of Columbia Circuit. *See* Petition for Review, *United States Postal Serv. v. Postal Regul. Comm'n*, No. 25-1289 (D.C. Cir. filed Dec. 26, 2025, ECF No. 2152063). Nevertheless, the Postal Service states that it is "proceeding with this proposal in the interim as a good faith attempt to comply with Order No. 9377 and outline the procedure for disaggregating costs, revenues, and volumes for agreements that fit the Commission's definition of 'hybrid' agreements." Petition at 4.

III. Proposal

The Postal Service proposes that it begin, for purposes of each fiscal year's Annual Compliance Review (ACR), designating fulfillment costs as "nonpostal" and disaggregating any nonpostal product costs and revenues from postal product costs and revenues. *Id.* Fulfillment related costs and revenues currently included in NSA reporting would be moved to IAA reporting and categorized under one of the 6 categories approved in Order No. 6659. *Id.* The Postal Service additionally proposes to change the name of the current IAA category "COVID Test Kits-Fulfillment" to only "Fulfillment." *Id.* at 5. The Postal Service states that "[w]ith the discontinuance of the Postal Service distribution of COVID test kits, this category may have been removed[;] [however,] [t]o support the reporting of fulfillment activities within IAAs and NSAs with government counterparties, the Postal Service finds an IAA category for fulfillment services necessary for accurate IAA reporting." *Id.*

IV. Notice and Comment

Pursuant to 39 CFR 3050.11(d)(1), the Commission establishes Docket No. RM2026-4 for consideration of matters raised by the Petition. More information on the Petition may be accessed via the

³Postal Service Reform Act of 2022 (PSRA), Public Law 117-108, 136 Stat. 1127 (2022).

⁴Prior to the enactment of the PSRA, the Postal Service's authority for these agreements was governed by 39 U.S.C. 411, which authorizes the Postal Service to "furnish property and services" to "Executive agencies within the meaning of [5 U.S.C. 105] and the Government Publishing Office. . . ." 39 U.S.C. 411. Section 105 of Title 5 of the United States Code specifies that an "'Executive agency' means an Executive department, a Government corporation, and an independent establishment" of the U.S. Government, as those terms are defined in 5 U.S.C. chapter 1. 5 U.S.C. 105.

⁵Docket No. ACR2022, *Annual Compliance Determination*, March 29, 2023, at 102 (FY 2022 ACD).

⁶Docket No. RM2023-7, Petition of the United States Postal Service for the Initiation of a Proceeding to Consider Proposed Changes in Analytical Principles (Proposal Two), May 26, 2023.

⁷Docket No. RM2023-7, Order on Analytical Principles Used in Periodic Reporting (Proposal Two), Directing the Postal Service's Participation in Further Proceedings, and Providing Notice of Filing Attachment Under Seal, August 31, 2023 (Order No. 6659).

⁸Docket No. RM2023-7, USPS Motion for Reconsideration and Clarification of Commission Order No. 6659, with Portions Filed Under Seal, September 15, 2023.

Commission's website at <http://www.prc.gov>. Interested persons may submit comments on the Petition and the Postal Service's Proposal by May 29, 2026. Pursuant to 39 U.S.C. 505, Jennaca Upperman is designated as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.

V. Ordering Paragraphs

It is ordered:

1. The Commission establishes Docket No. RM2026-4 for consideration of the matters raised by the Petition of the United States Postal Service to Initiate a Proceeding to Change Analytical Principles, filed April 24, 2026.

2. Comments by interested persons in this proceeding are due May 29, 2026.

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

4. This order, or abstract thereof, will be published in the **Federal Register**.

By the Commission.

Sarah Wessel,

Senior Paralegal Specialist.

[FR Doc. 2026-08432 Filed 4-29-26; 8:45 am]

BILLING CODE 7710-FW-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R03-OAR-2025-0215; FRL-13068-01-R3]

Air Plan Approval; Delaware; Excess Emissions Provisions Pertaining to Periods of Startup, Shutdown and Malfunction Events

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve revisions to the state implementation plan (SIP) for three state regulations submitted by the State of Delaware through the Delaware Department of Natural Resources and Environmental Control (DNREC) on February 3, 2025. The proposed 2025 revisions to the SIP amend certain startup and shutdown provisions in a manner that avoids the deficiencies that the EPA identified in a disapproval action dated October 23, 2023, in which the Agency disapproved portions of a prior SIP revision dated November 22, 2016. This action is being taken under section 110 of the Clean Air Act (CAA).

DATES: Written comments must be received on or before June 1, 2026.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-R03-OAR-2025-0215 at www.regulations.gov, or via email to gordon.mike@epa.gov. For comments submitted at Regulations.gov, follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from Regulations.gov. For either manner of submission, 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, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. For the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit www.epa.gov/dockets/commenting-epa-dockets.

FOR FURTHER INFORMATION CONTACT:

Bryan Cashman, Planning & Implementation Branch (3AD30), Air & Radiation Division, U.S. Environmental Protection Agency, Region III, 1600 John F Kennedy Boulevard, Philadelphia, Pennsylvania 19103. The telephone number is (215) 814-2012. Mr. Cashman can also be reached via electronic mail at cashman.bryan@epa.gov.

SUPPLEMENTARY INFORMATION:

On February 3, 2025, the State of Delaware through DNREC submitted four separate SIP revisions to correct deficiencies identified in a prior 2023 action in which the EPA disapproved portions of a SIP revision dated November 22, 2016 (88 FR 72688; October 23, 2023). The EPA determined in the 2023 disapproval action that provisions in the 2016 SIP revision did not address the deficiencies identified in the EPA's June 2015 SIP Call (80 FR 33840, June 12, 2015) related to exemptions during periods of startup, shutdown, and malfunction (SSM) from the otherwise applicable SIP emission limitations, and the SIP submission contained insufficient analysis to meet the requirements of section 110(l) of CAA.

In response, Delaware amended the following four state regulations relating: excess emissions during SSM events that comprise the SIP revisions submitted February 3, 2025: 7 Delaware Administrative Code (DE Admin. Code) 1104—Particulate Emissions from Fuel Burning Equipment; 7 DE Admin. Code 1105—Particulate Emissions from Industrial Process Operations; 7 DE Admin. Code 1109—Emission of Sulfur Compounds from Industrial Operations; and 7 DE Admin. Code 1114—Visible Emissions. In this proposed rulemaking, the EPA is proposing to approve the amendments to the following three state regulations into the State's SIP: 7 DE Admin. Code 1104, 1105, and 1109. Delaware submitted, and the EPA views the SIP revisions as separate and the Agency may take final action on each separately. This notice of proposed rulemaking (NPRM) does not include Delaware's submitted SIP revision applicable to 7 DE Admin Code 1114 which the EPA will address separately.

I. Background

A. The EPA's 2015 SSM SIP Action, Environmental Committee of the Florida Electric Power Coordinating Group, Inc. v. EPA, 94 F.4th 77 (D.C. Cir. 2024), and Delaware's SSM SIP Revisions

On June 12, 2015, the EPA finalized the 2015 SSM SIP Action¹ which clarified, restated, and updated the EPA's national policy regarding SIP provisions applying to excess emissions that occur during periods of SSM. The 2015 SSM SIP Action found that certain SIP provisions in 36 states were substantially inadequate to meet CAA requirements and issued a SIP call to those states to submit SIP revisions to address the inadequacies. The EPA established an 18-month deadline by which the affected states had to submit such SIP revisions and states were required to submit corrective revisions to their SIPs in response to the SIP calls by November 22, 2016. Delaware submitted a revision to its SIP on November 22, 2016.² On October 23, 2023 (88 FR 72688), the EPA took final action disapproving certain portions of Delaware's November 22, 2016, SIP revision based on the EPA's finding that

¹ 80 FR 33840 (June 12, 2015). State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA's SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction.

² 2016 DE SIP-Revision to Satisfy EPA's State Implementation Plan (SIP) Call Related to Air Emissions During Equipment Start-up and Shutdown.