

U.S.C. 1352(c) to \$11,000 and the maximum CMP it may assess under the statute to \$110,000.

Matters of Regulatory Procedures

Notice and an opportunity for public comment are not necessary prior to issuance of this final rule because it implements a definitive statutory formula mandated by the Act.

The Paperwork Reduction Act (44 U.S.C. chapter 35) does not apply because this rule does not contain any information collection requirements that require the approval of the Office of Management and Budget.

List of Subjects in 18 CFR Part 1315

Administrative practice and procedures, Penalties.

For the reasons set out in the preamble, 18 CFR part 1315 is amended as follows:

PART 1315—NEW RESTRICTIONS ON LOBBYING

1. The authority citation for part 1315 is revised to read as follows:

Authority: 16 U.S.C. 831–831dd; 31 U.S.C. 1352.

§ 1315.400 [Amended]

2. Section 1315.400 is amended by removing the figure “\$10,000” and adding in its place “\$11,000” each time it appears in paragraphs (a) and (b) and by removing the figure “\$100,000” and adding in its place \$110,000 each time it appears in paragraphs (a) and (b).

Dated: October 18, 1996.

William L. Osteen,

Associate General Counsel.

[FR Doc. 96–27274 Filed 10–23–96; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1952

Approved State Plans for Enforcement of State Standards Approval of Supplements to the Kentucky, Tennessee, Wyoming and Indiana State Plans

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

ACTION: Final Rule.

SUMMARY: This document gives notice of Federal approval of State Plan supplements concerning the Kentucky, Tennessee, Wyoming and Indiana

Voluntary Protection Programs (VPP). These programs are modeled on the OSHA VPP, which recognize excellence in worksite safety and health. Employers participating in VPP can realize lower workers' injury rates, lower workers' compensation costs and greater employee productivity.

EFFECTIVE DATE: October 24, 1996.

FOR FURTHER INFORMATION CONTACT: Ann Cyr, Acting Director, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N3647, 200 Constitution Avenue, N. W., Washington, D.C., 20210, Telephone (202) 219–8148.

SUPPLEMENTARY INFORMATION

A. Background

Kentucky. The Kentucky Occupational Safety and Health Plan was approved under section 18(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667(c)) (hereinafter referred to as the Act) and Part 1902 of this chapter on July 31, 1973 (38 FR 20324). A determination of final approval was made under section 18(e) of the Act on June 13, 1985 (50 FR 24896).

Tennessee. The Tennessee Occupational Safety and Health Plan was approved under section 18(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667(c)) (hereinafter referred to as the Act) and Part 1902 of this chapter on July 5, 1973 (38 FR 17840). A determination of final approval was made under section 18(e) of the Act on July 22, 1985 (50 FR 29669).

Wyoming. The Wyoming Occupational Safety and Health Plan was approved under section 18(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667(c)) (hereinafter referred to as the Act) and Part 1902 of this chapter on April 25, 1974 (39 FR 15394). A determination of final approval was made under section 18(e) of the Act on June 27, 1985 (50 FR 26548).

Indiana. The Indiana Occupational Safety and Health Plan was approved under Section 18(c) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667(c)) (hereinafter referred to as the Act) and Part 1902 of this chapter on March 6, 1974 (39 FR 8611). A determination of final approval was made under section 18(e) of the Act on September 26, 1986 (51 FR 34206). Part 1953 of this chapter provides procedures for the review and the approval of State change supplements by the Assistant Secretary of Labor for Occupational Safety and Health

(hereinafter referred to as the Assistant Secretary).

B. Description of Supplements

The Federal Voluntary Protection Programs (VPP) are designed to recognize and promote effective safety and health program management. In the VPP, management, labor and OSHA establish cooperative relationships at workplaces that have implemented strong programs.

VPP participants are a select group of facilities that have designed and implemented outstanding safety and health programs. The Star Program is the most highly selective program and is for applicants with safety and health programs that are comprehensive and are successful in reducing workplace hazards. It is open to any industry and to companies with injury incidence and lost workday injury rates at or below the industry's national average. Star participants are evaluated onsite every three years, with annual injury rate reviews. The Merit Program provides a planned set of “stepping stones” to Star participation for those employers who have demonstrated the potential and willingness to achieve Star requirements. Open to sites with injury rates above the industry's national average, Merit participants are evaluated onsite annually. The Demonstration Program allows evaluation of criteria different from, but potentially as protective for workers as the Star criteria.

Approved VPP participants must meet all relevant OSHA standards and have an on-going safety program. OSHA will verify qualifications, exempt participants from regularly scheduled inspections, provide necessary technical support, investigate complaints and accidents, and evaluate the program. Participation does not diminish employer/employee rights or responsibilities under the Occupational Safety and Health Act of 1970. States operating OSHA approved State plans are encouraged to develop their own parallel programs.

Kentucky. On October 6, 1995, Bill Riggs, Former Secretary, Kentucky Labor Cabinet, submitted a plan change supplement concerning Kentucky's Voluntary Protection Programs (VPP). Kentucky's VPP was found to be generally identical to the Federal Voluntary Protection Program, with the exception that the State's VPP is limited to the Star Program in general industry, and excludes the Merit and Demonstration Programs. Kentucky will require that all elements of the employer's program be in place at least 12 months prior to application. The

program is known as the Voluntary Protection Partnership of Kentucky.

Tennessee. On April 25, 1996, Alphonso R. Bodie, Commissioner, Department of Labor, Tennessee, submitted a plan change supplement concerning Tennessee's Voluntary Protection Programs (VPP) with subsequent clarification submitted by letter dated August 30, 1996.

Tennessee's VPP was found to be generally identical to the Federal Voluntary Protection Program, with the exception that the State's VPP is limited to the Star Program in general industry and excludes the Merit and Demonstration Programs. The program is known as the Tennessee Volunteer Star Program.

Wyoming. On August 9, 1993, Stephen R. Foster, Safety Administrator, Worker's Safety and Compensation Division, submitted a plan change supplement concerning Wyoming's Voluntary Protection Program (VPP). Wyoming's VPP is generally identical to the Federal Voluntary Protection Program, with the exception of organizational and position titles.

Indiana. On June 18, 1996, Kenneth Zeller, Commissioner, Indiana Department of Labor, submitted a plan change supplement concerning Indiana's Voluntary Protection Program (VPP). Indiana's VPP is generally identical to the Federal Voluntary Protection Program with the exception of organizational and position titles.

C. Location of Supplement for Inspection and Copying

Kentucky. A copy of the State plan supplement on the Kentucky VPP may be inspected and copied during normal business hours at the following locations: U. S. Department of Labor, Occupational Safety and Health Administration, Office of the Regional Administrator, Suite 587, 1375 Peachtree Street, N.E., Atlanta, Georgia 30367; Kentucky Labor Cabinet, 1047 U.S. Highway 127 South, Frankfort, Kentucky 40601.

Tennessee. A copy of the State plan supplement on the Tennessee VPP and may be inspected at the following locations: U.S. Department of Labor, Occupational Safety and Health Administration, Office of the Regional Administrator, Suite 587, 1375 Peachtree Street, N.E., Atlanta, Georgia 30367; Tennessee Department of Labor, 710 James Robertson Parkway, Nashville, Tennessee 37243-0659.

Wyoming. A copy of the State plan supplement on the Wyoming VPP may be inspected and copied during normal business hours at the following locations: U.S. Department of Labor,

Occupational Safety and Health Administration Office of the Regional Administrator, Room 1999 Broadway Suite 1690, Denver, Colorado 80202-5716; Worker's Safety and Compensation Division, Wyoming Department of Employment, Herschler Building, 2nd Floor East, 122 West 25th Street, Cheyenne, Wyoming 82002.

Indiana. A copy of the State plan supplement on the Indiana VPP may be inspected and copied during normal business hours at the following locations: U.S. Department of Labor, Occupational Safety and Health Administration Office of the Regional Administrator, 230 S. Dearborn Street, 32nd Floor, Room 3244, Chicago, Illinois 60604; Indiana Department of Labor, State Office Building, 402 West Washington Street, Room W195, Indianapolis, Indiana 46204.

Copies of the Kentucky, Tennessee, Wyoming and Indiana supplements are also available at the U.S. Department of Labor, Occupational Safety and Health Administration, Directorate of Federal-State Operations, 200 Constitution Avenue, N.W., Room N3700, Washington, D.C. 20210.

D. Public Participation

Under 29 CFR 1953.2(c) of this chapter, the Assistant Secretary may prescribe alternative procedures to expedite the review process or for any other good cause which may be consistent with applicable law. The Assistant Secretary finds that the Kentucky, Tennessee, Wyoming, and Indiana Voluntary Protection Programs are generally identical to the Federal Voluntary Protection Program, meet Federal requirements and were adopted by the States in accordance with State procedural requirements. Good cause is therefore found for approval of these supplements and further public participation would be unnecessary.

E. Decision

After careful consideration and review by the Regional and National Offices, the Kentucky, Tennessee, Wyoming and Indiana plan supplements described above are found to meet OSHA requirements and are hereby approved under Part 1953 of this chapter. The decision incorporates the requirements of the Act and implementing regulations applicable to State plans generally.

Signed at Washington, DC. This 16th day of October 1996.

Joseph A. Dear,
Assistant Secretary.

Accordingly, for the reasons set forth in the preamble, 29 CFR Part 1952 is hereby amended as follows:

PART 1952—[AMENDED]

1. The authority citation for Part 1952 continues to read as follows:

Authority: Sec. 18, 84 Stat. 1608 (29 U.S.C. 657); 29 CFR part 1902, Secretary of Labor's Order No. 1-90 (55 FR 9033).

2. Subpart Q-Kentucky, § 1952.237 is amended by adding paragraph (b) to read as follows:

§ 1952.237 Changes to approved plans.

* * * * *

(b) *The Voluntary Protection Program.* On October 24, 1996, the Assistant Secretary approved Kentucky's plan supplement, which is generally identical to the Federal Voluntary Protection Program, with the exception that the State's VPP is limited to the "Star" level participation for general industry firms.

3. Subpart P-Tennessee, § 1952.227 is amended by adding paragraph (b) to read as follows:

§ 1952.227 Changes to approved plans.

* * * * *

(b) *The Voluntary Protection Program.* On October 24, 1996, the Assistant Secretary approved Tennessee's plan supplement, which is generally identical to the Federal Voluntary Protection Program, with the exception that the State's VPP is limited to the "Star" level participation for general industry firms.

3. Subpart BB-Wyoming, § 1952.347 is amended by adding paragraph (c) to read as follows:

§ 1952.347 Changes to approved plans.

* * * * *

(c) *The Voluntary Protection Program.* On October 24, 1996, the Assistant Secretary approved Wyoming's plan supplement which is generally identical to the Federal Voluntary Protection Program, with the exception of organizational and position titles.

4. Subpart Z-Indiana, § 1952.327 is amended by adding paragraph (c) to read as follows:

§ 1952.327 Changes to approved plans.

* * * * *

(c) *The Voluntary Protection Program.* On October 24, 1996, the Assistant Secretary approved Indiana's plan supplement which is generally identical to the Federal Voluntary Protection

Program, with the exception of organizational and position titles.
[FR Doc. 96-27203 Filed 10-23-96; 8:45 am]
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POSTAL RATE COMMISSION

39 CFR Part 3001

Rules of Practice and Procedure: Correction

AGENCY: Postal Rate Commission.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the final rule which was published on Tuesday, June 25, 1996 (61 FR 32656-32693). The rule revised Appendix A to Subpart C—Postal Service Rates and Charges of the Agency's Rules of Practice and Procedure.

EFFECTIVE DATE: October 6, 1996.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, Legal Advisor, 1333 H Street, NW, Suite 300, Washington, D.C. 20268-0001 (202) 789-6820.

SUPPLEMENTARY INFORMATION: The final rule that is the subject of these corrections was published to incorporate revisions to Appendix A as a result of the Governors' Decisions on Recommended Decisions of the Postal Rate Commission in Docket Nos. MC95-1 and MC96-1.

Need for Correction

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

List of Subjects in 39 CFR Part 3001

Administrative practice and procedure, Postal Service.

For reasons set out in the preamble, 39 CFR part 3001 is corrected by making the following correcting amendments:

PART 3001—RULES OF PRACTICE AND PROCEDURE

1. The authority citation for part 3001 continues to read as follows:

Authority: 39 U.S.C. 404(b), 3603, 3622-3624, 3661, 3662.

Appendix A to Subpart C—Postal Service Rates and Charges

2. Appendix A to Subpart C is amended by removing General Definitions, Terms and Conditions—Sections 1000 through 6030 from the Table of Contents and the text of the Appendix.

3. The Table of Contents to Appendix A is amended by adding a new entry for

General Definitions, Terms and Conditions after the entry for Classification Schedule SS-20—Merchandise Return and preceding the entry for Rate Schedules to read as follows:

Table of Contents

* * * * *

General Definitions, Terms and Conditions—Sections 1000 through 6030

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4. General Definitions, Terms and Conditions—Sections 1000 through 6030 are added following section 20.061 of Classification SS-20 and preceding Rate Schedules to read as follows:

* * * * *

GENERAL DEFINITIONS, TERMS AND CONDITIONS

1000 GENERAL DEFINITIONS

As used in this Domestic Mail Classification Schedule, the following terms have the meanings set forth below.

1001 Advertising

Advertising includes all material for the publication of which a valuable consideration is paid, accepted, or promised, that calls attention to something for the purpose of getting people to buy it, sell it, seek it, or support it. If an advertising rate is charged for the publication of reading matter or other material, such material shall be deemed to be advertising. Articles, items, and notices in the form of reading matter inserted in accordance with a custom or understanding that textual matter is to be inserted for the advertiser or his products in the publication in which a display advertisement appears are deemed to be advertising. If a publisher advertises his own services or publications, or any other business of the publisher, whether in the form of display advertising or editorial or reading matter, this is deemed to be advertising.

1002 Aspect Ratio

Aspect ratio is the ratio of width to length.

1003 Bills and Statements of Account

1003.1 A bill is a request for payment of a definite sum of money claimed to be owing by the addressee either to the sender or to a third party. The mere assertion of an indebtedness in a definite sum combined with a demand for payment is sufficient to make the message a bill.

1003.2 A statement of account is the assertion of the existence of a debt in a definite amount but which does not necessarily contain a request or a demand for payment. The amount may be immediately due or may become due after a certain time or upon demand or billing at a later date.

1003.3 A bill or statement of account must present the particulars of an indebtedness with sufficient definiteness to inform the debtor of the amount he is required to pay to acquit himself of the debt. However, neither a bill nor a statement of account need state the precise amount if it

contains sufficient information to enable the debtor to determine the exact amount of the claim asserted.

1003.4 A bill or statement of account is not the less a bill or statement of account merely because the amount claimed is not in fact owing or may not be legally collectible.

1004 Girth

Girth is the measurement around a piece of mail at its thickest part.

1005 Invoice

An invoice is a writing showing the nature, quantity, and cost or price of items shipped or sent to a purchaser or consignor.

1006 Permit Imprints

Permit imprints are printed indicia indicating postage has been paid by the sender under the permit number shown.

1007 Preferred Rates

Preferred rates are the reduced rates established pursuant to 39 U.S.C. 3626.

1008 ZIP Code

The ZIP Code is a numeric code that facilitates the sortation, routing, and delivery of mail.

2000 DELIVERY OF MAIL

2010 Delivery Services

The Postal Service provides the following modes of delivery:

- Caller service. The fees for caller service are set forth in Rate Schedule SS-10.
- Carrier delivery service.
- General delivery.
- Post office box service. The fees for post office box service are set forth in Rate Schedule SS-10.

2020 Conditions of Delivery

2021 General. Except as provided in section 2022, mail will be delivered as addressed unless the Postal Service is instructed otherwise by the addressee in writing.

2022 Refusal of Delivery. The addressee may control delivery of his mail. The addressee may refuse to accept a piece of mail that does not require a delivery receipt at the time it is offered for delivery or after delivery by returning it unopened to the Postal Service. For mail that requires a delivery receipt, the addressee or his representative may read and copy the name of the sender of registered, insured, certified, COD, return receipt, and Express Mail prior to accepting delivery. Upon signing the delivery receipt the piece may not be returned to the Postal Service without the applicable postage and fees affixed.

2023 Receipt. If a signed receipt is required, mail will be delivered to the addressee (or competent member of his family), to persons who customarily receive his mail or to one authorized in writing to receive the addressee's mail.

2024 Jointly Addressed Mail. Mail addressed to several persons may be delivered to any one of them. When two or more persons make conflicting orders for delivery for the same mail, the mail shall be delivered as determined by the Postal Service.