

the Route 370 bridge is required to open on signal from sunrise to sunset. Vessels wishing to pass through the draw between sunset and sunrise must notify the bridge tender of the time they wish to pass, and the draw opens as close to that time as practicable. This test is intended to help the Coast Guard determine if a permanent change to the regulations would relieve the bridge owner of the burden of having a bridge tender constantly available at times when there are few or no requests for openings while still providing for the reasonable needs of navigation.

DATES: This deviation is effective from April 1 through June 30, 1997. Comments must be received on or before July 31, 1997.

ADDRESSES: Comments should be mailed to Commander (Aowb), USCG Atlantic Area, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or may be hand delivered to the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6222. Comments will become a part of this docket and will be available for inspection and copying at the above address.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, USCG Atlantic Area, at (757) 398-6222.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to comment on this temporary deviation by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice of temporary deviation (CGD05-97-001) and the specific section of this deviation to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgement of receipt of comments should enclose a stamped self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period when determining whether to propose a permanent change to the regulation.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (AOWB), USCG Atlantic Area, at the address under **ADDRESSES**. The request

should include reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid any future proposed rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Coast Guard is conducting a temporary deviation from the requirements of 33 CFR 117.565 to test the effects of requiring a six hour advance notice for openings from 6 p.m. to 6 a.m. for the Maryland Route 370 bridge, and changing the requirement for opening on demand from the currently designated period from sunrise to sunset to the period from 6 a.m. to 6 p.m. This change was requested by the Maryland Department of Transportation (MDOT) due to the minimal number of bridge openings during the period between 6 p.m. and 6 a.m. and to better clarify the times during which the bridge must open on signal. This test is based on a review of drawlog records from 1992 and 1993 provided by MDOT. These records show that during the hours between 6 p.m. and 6 a.m., a total of 4 bridge openings were recorded for the entire two year period. Due to the minimal number of openings, this test will be conducted to determine if a permanent change to the regulations would still provide any needed drawbridge openings to accommodate vessel traffic while helping to relieve the bridge owner of the burden of having a bridgetender constantly available.

Based on the above information, Commander, Fifth Coast Guard District has approved a temporary deviation from the requirements of 33 CFR 117.565 from April 1 through June 30, 1997. This temporary deviation will require the drawbridge to open on signal from 6 a.m. to 6 p.m., and from 6 p.m. to 6 a.m. a six hour advance notice to the Maryland Department of Transportation would be required. The provisions of 33 CFR 117.31 which provide for the passage on signal for Federal, State and local Government vessels used for public safety; vessels in distress where delay would endanger life and property; commercial vessels engaged in rescue or emergency salvage operations; and vessels seeking shelter from severe weather will remain unchanged.

The terms of the temporary deviation are as follows: the draw of the S370 bridge, mile 10, located in Easton, Maryland, shall operate as follows from April 1 through June 30, 1997: from 6 a.m. to 6 p.m. shall open on signal; and

from 6 p.m. to 6 a.m. to draw shall open if at least six hours advance notice is given to the Maryland Department of Transportation. Signs will be posted on the bridge providing the necessary information and phone numbers. Vessel operators may contact the Maryland Department of Transportation, state-wide operations center at phone number 1-800-543-2515.

Dated: March 28, 1997.

Kent H. Williams,
*Vice Admiral, U.S. Coast Guard, Commander,
Fifth Coast Guard District.*

[FR Doc. 97-10148 Filed 4-18-97; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 20

Global Package Link

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Postal Service, after considering comments submitted in response to its request in 61 FR 55 572 (October 28, 1996) for comments on an interim rule establishing a charge for harmonization of catalog items for mailers using Global Package Link, hereby gives notice that it is adopting the interim regulations on a permanent basis, with modification.

EFFECTIVE DATE: 12:01 a.m., April 21, 1997.

FOR FURTHER INFORMATION CONTACT: Robert Michelson, (202) 268-5731.

SUPPLEMENTARY INFORMATION: On October 28, 1996, the Postal Service published in the **Federal Register** interim regulations establishing a charge of \$1.25 per item for catalog harmonization work performed by the Postal Service for the mailer. Harmonized items are needed for most GPL destination countries to ensure an expeditious customs clearance and to allow the USPS to settle the customs charges on behalf of the mailer. The service includes expedited customs clearance through use of a software-based information system containing all the applicable duty and tax rates for specific products being mailed to destination countries. Of the current GPL destination countries, Brazil, Canada, Chile, Germany, Japan, and the U.K., only Japan does not require harmonized items for a GPL clearance.

Comments were due on or before December 15, 1996. Comments were received from one commenter, a company engaged in international package mail order, J.C. Penney

International Catalog, Inc. After considering the comments, the Postal Service has decided to adopt the rule with modification.

J.C. Penney asserts that harmonization is a basic component of the GPL service and therefore is included in the GPL rate chart. The Postal Service does not agree that harmonization is included in the GPL rate chart. When GPL, then called IPCS, was first implemented in December 1994, Japan was the only destination country and did not require a harmonized datafile to be transmitted for customs clearance. All subsequent rates for GPL to other destinations were developed without inclusion of customs harmonization costs, with the knowledge that at a later date a specific harmonization fee would be implemented when the costs to perform this service were fully revealed. By late summer of 1996, the Postal Service had determined its customs harmonization costs and took action to publish a specific fee in the **Federal Register** (October 28, 1996). The Postal Service does not feel it is appropriate to include these costs in the rate charts for GPL because GPL mailers have very different levels of need for harmonization. For example, if the harmonization costs were in the rate charts, a high volume GPL mailer with a small number of catalog items would be paying for harmonization services not fully utilized, while a lower volume GPL mailer with a large catalog and many more harmonized items would be receiving more services and paying the same rate. Also, some customers may already have a fully harmonized database of their catalog items at the time of initiating GPL service, and as such should not be paying higher rates for a harmonization service that they will not use.

J.C. Penney also asserts that billing for this portion of the service causes an unnecessary accounting step (separate billing, invoicing, etc.), creating numerous invoices for small specialty catalogs (hundreds of dollars) and a disincentive for larger catalogers with thousands of items. The Postal Service disagrees that invoicing for small amounts will be an unnecessary accounting step. To our knowledge, most companies do not excuse payment from customers owing small amounts just because it is extra effort. The USPS has developed an accounts receivable infrastructure and as such is able to generate invoices in an automated manner.

In its last assertion, J.C. Penney claims that a number of private customs brokers in Canada are already set up to handle pre-customs advisory and

package processing for catalog shipments and do not charge separate small fees for harmonization but rather incorporate this feature in the overall rate per package. J.C. Penney asserts that if the USPS were to add this new fee, GPL service would no longer be competitive. The Postal Service will not dispute that some Canada customs brokers include this charge in the overall package delivery fee, but the USPS is also aware that other Canada customs brokers do charge separately for harmonization and do not include these charges as part of the per package fee. Harmonization fees alone are a relatively small investment for an international mailer to make and therefore is unlikely to make the GPL service noncompetitive in the marketplace.

After carefully reviewing J.C. Penney's comments and input received from other sources, the Postal Service has decided to modify the policy regarding harmonization fees to allow each GPL mailer to have 2,500 catalog items harmonized by the Postal Service at no cost during the first 12 months after signing a GPL agreement to a destination country that requires harmonization. This free service will be offered only once to each customer and only during the first 12 months after signing a GPL agreement. Any harmonization service performed in excess of 2,500 items and/or after 12 months will be assessed a per-item fee of \$1.25.

Accordingly, the Postal Service adopts the following amendments to the International Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1. All other interim changes in the rule for Global Package Link service which were published in the **Federal Register** as amendments of the interim rule remain in effect as interim rules.

List of Subjects in 39 CFR Part 20

International postal service, Foreign relations.

PART 20—[AMENDED]

1. The authority citation for 39 CFR part 20 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408.

2. Chapter 6 of the International Mail Manual is amended to read as follows:

626.4 Customs Clearance

* * * * *

626.421 Catalog Harmonization Services

The Postal Service will provide free catalog harmonization services for the first 2,500 catalog items presented for harmonization during the first 12 months following the GPL customer signing an agreement for a GPL destination country that requires harmonization. Any harmonization work performed in excess of 2,500 for each customer and/or after the first 12 months of signing a GPL agreement will be charged a fee of \$1.25 per item. The mailer has the option of performing their own harmonization, provided it is done in a format compatible with the Postal Service's Customs Pre-Advisory System (CPAS) software.

* * * * *

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 97-10250 Filed 4-18-97; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[ND8-1-7233a & ND-001-0001a; FRL-5812-3]

Clean Air Act Approval and Promulgation of State Implementation Plan for North Dakota; Revisions to the Air Pollution Control Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA approves certain State implementation plan (SIP) revisions submitted by the State of North Dakota with letters dated August 15, 1995 and January 9, 1996. The revisions address air pollution control rules regarding general provisions; open burning; emissions of particulate matter, certain settleable acids and alkaline substances, and fugitives; air pollution emergency episodes; new source performance standards (NSPS); national emission standards for hazardous air pollutants (NESHAPs); and the minor source construction and operating permit programs. The State's January 9, 1996 submittal also revised SIP Chapter 6, Air Quality Surveillance, to identify current activities regarding visibility monitoring. In addition, these submittals included revisions involving the Title V Operating Permits Program, the Acid Rain Program, the restriction of sulfur compound emissions, and emission standards for hazardous air pollutants for source categories, which