

that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

VIII. References

The following references have been placed on display in the Dockets Management Branch (address above) and may be seen by interested persons between 9 a.m. and 4 p.m., Monday through Friday.

1. Memorandum from the Division of Product Manufacture and Use, Chemistry Review Team (HFS-246), to the Division of Petition Control (HFS-215), entitled "FAP 1B4278 (MATS #583, M2.2.1): Ciba-Geigy Corp., Request from DHEE dated 12-16-97 for a revised exposure estimate to Araldite XU GY 376, an epoxy resin for use as a repeat-use coating component that will contact bulk grains and dry foods," dated February 27, 1998.

2. Kokoski, C. J., "Regulatory Food Additive Toxicology," in *Chemical Safety Regulation and Compliance*, edited by F. Homburger and J. K. Marquis, published by S. Karger, New York, NY, pp. 24 to 33, 1985.

3. Memorandum from the Chemistry Review Branch (HFS-247) to the Indirect Additives Branch (HFS-216), entitled "FAP-1B4278 (MATS #583) Ciba-Geigy Corp., Submission dated 10-23-92. Araldite XU GY 376 as a component of food-contact coatings," dated May 12, 1993.

4. Konishi, Y. et al., "Forestomach Tumors Induced by Orally Administered Epichlorohydrin in Male Wistar Rats," *Gann*, 71: pp. 922 to 923, 1980.

5. Memorandum from the Indirect Additives Branch (HFS-216) to the Executive Secretary, Quantitative Risk Assessment Committee (QRAC) (HFS-308) entitled "Estimation of the upper bound lifetime risk from epichlorohydrin in 2,2'-[(1-methylethylidene)bis[4,1-phenyleneoxy[1-(butoxymethyl)-2,1-ethanedyl]oxymethylene]] bisoxirane, the subject of FAP 1B4278 (Ciba-Geigy Corp.)," dated November 22, 1993.

List of Subjects in 21 CFR Part 175

Adhesives, Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 175 is amended as follows:

PART 175—INDIRECT FOOD ADDITIVES: ADHESIVES AND COMPONENTS OF COATINGS

1. The authority citation for 21 CFR part 175 continues to read as follows:

Authority: Secs. 21 U.S.C. 321, 342, 348, 379e.

2. Section 175.300 is amended in paragraph (b)(3)(viii)(a) by alphabetically adding an entry to read as follows:

§ 175.300 Resinous and polymeric coatings.

- (b) * * *
- (3) * * *
- (viii) * * *
- (a) * * *

* * * * *

2,2'-[(1-methylethylidene)bis[4,1-phenyleneoxy[1-(butoxymethyl)-2,1-ethanedyl]oxymethylene]]bisoxirane, CAS Reg. No. 71033-08-4, for use only in coatings intended for contact with bulk dry foods at temperatures below 100 1/2°F.

* * * * *

Dated: October 25, 1999.

Margaret M. Dotzel,

Acting Associate Commissioner for Policy.

[FR Doc. 99-28850 Filed 11-3-99; 8:45 am]

BILLING CODE 4160-01-F

POSTAL SERVICE

39 CFR Part 20

Priority Mail Global Guaranteed

AGENCY: Postal Service.

ACTION: Amendment to interim rule.

SUMMARY: On April 19, 1999, the Postal Service announced in the **Federal Register** (62 FR 19039-19042) the introduction of Priority Mail Global Guaranteed on an interim basis and requested comment from the public. Comments were received until May 19, 1999. The Postal Service is amending the interim rule to increase the number of acceptance locations and destination countries and territories. All other conditions of service, including rates, remain the same. Additionally, the Postal Service is responding to the public comments.

EFFECTIVE DATE: November 1, 1999. Comments on the amendment to the interim rule must be received on or before December 6, 1999.

ADDRESSES: Written comments should be mailed or delivered to the Manager, International Finance, International Business, U.S. Postal Service, 475 L'Enfant Plaza SW, Room 370-IBU, Washington, DC 20260-6500. Copies of

all written comments will be available for public inspection between 9 a.m. and 4 p.m., Monday through Friday, in International Business, 10th Floor, 901 D Street SW, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Walter J. Grandjean, (202) 314-7256.

SUPPLEMENTARY INFORMATION: On April 19, 1999, the Postal Service announced in the **Federal Register** (62 FR 19039-19042) the introduction of Priority Mail Global Guaranteed on an interim basis and requested comment from the public.

The U.S. Postal Service, through an alliance with DHL Worldwide Express Inc., is offering an enhanced expedited service, Priority Mail Global Guaranteed, from selected locations in the United States to selected countries. This service offers day-certain delivery with postage refund guarantee and document reconstruction coverage of \$100 for allowable contents. Comments were requested by May 19, 1999.

By that date the Postal Service received comments from one company, United Parcel Service (UPS), concerning the interim rule. UPS challenged the service in two areas. First, UPS argued that the Postal Service-DHL contract pursuant to which the service is provided appears to be an unauthorized transaction that is contrary to law. Second, UPS asserts that the rates for Priority Mail Global Guaranteed may be below cost, in violation of the Postal Reorganization Act.

UPS states that the arrangement with DHL provides for the air transportation of mail. UPS asserts that this is a contract for air transportation services and that such a contract must comply with 39 U.S.C. 5402, which requires that contracts be filed with the Secretary of Transportation, that contracts be for at least 750 pounds of mail per flight, and that mail transported under contract consist of not more than 5 percent letter mail by weight. UPS's premise for these comments, that there is a contract between the Postal Service and DHL for the transportation of PMGG, is not correct. No such contract has been made. PMGG items are tendered to DHL as an air carrier authorized to transport mail by its certificate of public convenience and necessity in the same manner as mail is tendered to other certificated air carriers. The rates of compensation for the international air transportation service performed by DHL are as prescribed by the Secretary of Transportation under section 41901(b). As there is no contract for air carriage, there is no basis for UPS's comments in this respect.

UPS asserts that the rates for Priority Mail Global Guaranteed may be below

cost, in violation of the Postal Reorganization Act. The basis for this assertion is that the rates for Priority Mail Global Guaranteed are alleged to be as much as 65 percent lower than the published rates charged by courier companies for comparable services and lower than the rates charged by DHL for comparable service. UPS further asserts that the rates for other USPS delivery services are below cost, and that this also is grounds for suspecting that the rates for Priority Mail Global Guaranteed are below cost. UPS does not, however, provide any tangible evidence that the revenues from Priority Mail Global Guaranteed do not cover costs.

In general, rates for postal services should cover costs over some relevant period of time. The rates for Priority Mail Global Guaranteed were designed to do that, based on the unique costs of that service. Nothing in UPS's comments provides any basis for changing the Postal Service's conclusion that the rates for Priority Mail Global

Guaranteed cover its costs. The prices courier companies charge for their services are not probative evidence that rates for Priority Mail Global Guaranteed are non-compensatory, since courier prices are based on the costs incurred by those companies and on their perceptions of what their users are willing to pay for the service provided. Similarly, the prices charged by DHL for the services it provides by itself are not a reliable guide to what Priority Mail Global Guaranteed rates should be, nor do they provide any probative evidence that Priority Mail Global Guaranteed rates do not cover costs. The costs DHL incurs in its own services are not the same as the costs the Postal Service incurs in performing similar functions in providing Priority Mail Global Guaranteed. Finally, the allegation that the rates for some other Postal Service offerings do not produce revenues that cover costs does not provide any evidence that the rates for Priority Mail Global Guaranteed do not produce revenues that cover costs. The

rates for each Postal Service offering are based on the costs incurred in providing that particular offering and that offering alone. In each case, Postal Service offerings are priced to produce revenues greater than costs, although in rare cases unforeseen circumstances or events can produce results that might not be as projected. In any event, UPS has provided no information that would cause the Postal Service to change its view that the rates developed for Priority Mail Global Guaranteed will produce revenues greater than costs.

The Postal Service is not adopting a final rule at this time. The Postal Service is amending the interim rule to increase the number of metropolitan areas that can accept Priority Mail Global Guaranteed and the number of destinations to which it may be sent. This is an expansion of origins and destinations only, and all other conditions of service remain the same.

Service will be available from the following ZIP Code areas:

Metropolitan area	ZIP code
Arizona: Phoenix	850, 852-853.
California:	
Los Angeles, Oakland, San Francisco/San Jose	900, 902-908, 910-918, 926-928, 937, 939-941, 943-944, 946, 949-951, 954.
Colorado: Denver	802.
Connecticut: Stamford	060-069.
Delaware: Wilmington	197-199.
District of Columbia	200, 202-203, 205.
Florida:	
Fort Lauderdale, Jacksonville, Miami, Orlando, Tampa	320, 322, 327-338, 342, 346-347.
Georgia: Atlanta	300-303, 305-306, 311.
Illinois: Chicago	600-608, 610-611, 620, 622, 629.
Indiana: Indianapolis	460-470, 472-475, 478-479.
Kentucky: Newport	410, 452.
Maine: Portland	039-041.
Maryland: Baltimore	206-212, 214, 217, 219.
Massachusetts: Boston	010-027.
Michigan:	
Detroit, Grand Rapids	481-482, 486-491, 493-497, 530-531.
Minnesota:	
Minneapolis, Saint Paul	550-551, 553-554, 558-559.
Missouri: St. Louis	630-631, 633.
New Hampshire: Manchester	030-034, 038.
New Jersey:	
Jersey City, Newark	070-085, 087-089.
New York:	
Flushing, New York City	100-101, 103-105, 107, 109-119, 124-127.
North Carolina:	
Charlotte, Greensboro, Raleigh	270-278, 280-282, 286.
Ohio:	
Akron, Cincinnati, Cleveland, Columbus, Dayton, Toledo, Youngstown.	430-438, 440-458.
Pennsylvania: Philadelphia	189-191, 193-196.
Rhode Island: Providence	028-029.
Tennessee: Nashville	372.
Texas:	
Dallas, Fort Worth, Houston, Lubbock, San Antonio	750-752, 760-764, 769-770, 772-778, 780-782, 784, 791, 794.
Virginia: Richmond	201, 220-225, 230-232, 238-239.
Vermont: Burlington	054, 056.
Washington: Seattle	980-982.
Wisconsin: Milwaukee	530-532, 534.

Service will be available to the following countries and territories:

Anguilla, Antigua and Barbuda, Aruba, Australia, Austria, Bahamas, Barbados, Belgium, Bermuda, British Virgin Islands, Canada, Cayman Islands, Denmark, Dominica, Dominican Republic, Finland, France (includes Monaco), Germany, Gibraltar, Great Britain and Northern Ireland (includes Guernsey and Jersey), Greece, Grenada, Guadeloupe (includes St. Barthelemy), Haiti, Hong Kong, Indonesia, Ireland, Italy, Jamaica, Korea, Republic of (South Korea), Liechtenstein, Luxembourg, Macao, Malaysia, Malta, Martinique, Mexico, Montserrat, Netherlands, Netherlands Antilles (includes Bonaire, Curacao, St. Eustatius, and St. Maarten), New Zealand, Norway, Philippines, Portugal, Saint Christopher (St. Kitts) and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Spain (includes Canary Islands), Sweden, Switzerland, Taiwan, Thailand, Trinidad and Tobago, Turks and Caicos Islands, and Vietnam.

Although the Postal Service is exempted by 39 U.S.C. 410(a) from the

advance notice requirements of the Administrative Procedure Act regarding proposed rulemaking (5 U.S.C. 553), the Postal Service invites public comment on the amendment to the interim rule at the above address.

The Postal Service is amending International Mail Manual Chapter 2, Conditions for Mailing, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 20.1.

A transmittal letter changing the relevant pages in the International Mail Manual will be published and automatically transmitted to all subscribers. Notice of issuance of the transmittal will be published in the **Federal Register** as provided by 39 CFR 20.3.

List of Subjects in 39 CFR Part 20

Foreign relations, International postal service.

The Postal Service adopts the following amendments to the International Mail Manual.

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 2 of the International Mail Manual is amended as follows:

2 Conditions for Mailing

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210 Express Mail International Service

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215 Priority Mail Global Guaranteed

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215.3 Service Areas

215.31 Origins

Priority Mail Global Guaranteed service is available only from the following ZIP Code areas:

Metropolitan area	ZIP code
Arizona: Phoenix	850, 852-853.
California:	
Los Angeles, Oakland, San Francisco/San Jose	900, 902-908, 910-918, 926-928, 937, 939-941, 943-944, 946, 949-951, 954.
Colorado: Denver	802.
Connecticut: Stamford	060-069.
Delaware: Wilmington	197-199.
District of Columbia	200, 202-203, 205.
Florida:	
Fort Lauderdale, Jacksonville, Miami, Orlando, Tampa	320, 322, 327-338, 342, 346-347.
Georgia: Atlanta	300-303, 305-306, 311.
Illinois: Chicago	600-608, 610-611, 620, 622, 629.
Indiana: Indianapolis	460-470, 472-475, 478-479.
Kentucky: Newport	410, 452.
Maine: Portland	039-041.
Maryland: Baltimore	206-212, 214, 217, 219.
Massachusetts: Boston	010-027.
Michigan: Detroit, Grand Rapids	481-482, 486-491, 493-497, 530-531.
Minnesota:	
Minneapolis, Saint Paul	550-551, 553-554, 558-559.
Missouri: St. Louis	630-631, 633.
New Hampshire: Manchester	030-034, 038.
New Jersey: Jersey City Newark Newark.	070-085, 087-089.
New York: Flushing, New York City	100-101, 103-105, 107, 109-119, 124-127.
North Carolina: Charlotte, Greensboro, Raleigh.....	270-278, 280-282, 286.
Ohio:	
Akron, Cincinnati, Cleveland, Columbus, Dayton, Toledo, Youngstown.	430-438, 440-458.
Pennsylvania: Philadelphia	189-191, 193-196.
Rhode Island: Providence	028-029.
Tennessee: Nashville	372.
Texas:	
Dallas, Fort Worth, Houston, Lubbock, San Antonio	750-752, 760-764, 769-770, 772-778, 780-782, 784, 791, 794.
Virginia: Richmond.....	201, 220-225, 230-232, 238-239.
Vermont: Burlington	054, 056.
Washington: Seattle.....	980-982.
Wisconsin: Milwaukee.....	530-532, 534.

215.32 Destinations

Priority Mail Global Guaranteed service is available only to the following countries and territories:

Anguilla, Antigua and Barbuda, Aruba, Australia, Austria, Bahamas, Barbados, Belgium, Bermuda, British Virgin Islands, Canada, Cayman Islands, Denmark, Dominica, Dominican Republic, Finland, France (includes Monaco), Germany, Gibraltar, Great Britain and Northern Ireland (includes Guernsey and Jersey), Greece, Grenada, Guadeloupe (includes St. Barthelemy), Haiti, Hong Kong, Indonesia, Ireland, Italy, Jamaica, Korea, Republic of (South Korea), Liechtenstein, Luxembourg, Macao, Malaysia, Malta, Martinique, Mexico, Montserrat, Netherlands, Netherlands Antilles (includes Bonaire, Curacao, St. Eustatius, and St. Maarten), New Zealand, Norway, Philippines, Portugal, Saint Christopher (St. Kitts) and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Singapore, Spain (includes Canary Islands), Sweden, Switzerland, Taiwan, Thailand, Trinidad and Tobago, Turks and Caicos Islands, and Vietnam.

* * * * *

Stanley F. Mires,

Chief Counsel, Legislative.

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BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[CA 211-0189; FRL-6466-4]

Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing limited approval and limited disapproval of a revision to the California State Implementation Plan (SIP) proposed in the **Federal Register** on March 17, 1999. This final action will incorporate this rule into the federally approved SIP. The intended effect of finalizing this action is to regulate emissions of volatile organic compounds (VOCs) in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). The revised rule controls VOC emissions from adhesive and sealant products. Thus, EPA is finalizing a simultaneous limited approval and limited disapproval under CAA provisions regarding EPA action on SIP submittals and general rulemaking authority because this revision, while strengthening the SIP,

also does not fully meet the CAA provisions regarding plan submissions and requirements for nonattainment areas. As a result of this limited disapproval EPA will be required to impose highway funding or emission offset sanctions under the CAA unless the State submits and EPA approves corrections to the identified deficiencies within 18 months of the effective date of this disapproval. Moreover, EPA will be required to promulgate a Federal implementation plan (FIP) unless the deficiencies are corrected within 24 months of the effective date of this disapproval.

EFFECTIVE DATE: This action is effective on December 6, 1999.

ADDRESSES: Copies of the rule revisions and EPA's evaluation report are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions are available for inspection at the following locations:

Rulemaking Office, [AIR-4], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105

Environmental Protection Agency, Air Docket (6102), 401 "M" Street, SW., Washington, DC 20460

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814

Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109

FOR FURTHER INFORMATION CONTACT: Yvonne Fong, Rulemaking Office, [AIR-4], Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1199.

SUPPLEMENTARY INFORMATION:**I. Applicability**

The rule being approved into the California SIP is Bay Area Air Quality Management District, BAAQMD, Rule 8-51, Adhesive and Sealant Products. This rule was submitted by the California Air Resources Board, CARB, to EPA on June 23, 1998.

II. Background

On March 17, 1998 in 64 FR 13143, EPA proposed granting limited approval and limited disapproval of BAAQMD Rule 8-51, Adhesive and Sealant Products into the California SIP. Rule 8-51 was adopted by the BAAQMD on January 7, 1998. This rule was submitted by the CARB to EPA on June 23, 1998. This rule was submitted in

response to EPA's 1988 SIP Call and the CAA section 182(a)(2)(A) requirement that nonattainment areas fix their reasonably available control technology (RACT) rules for ozone in accordance with EPA guidance that interpreted the requirements of the pre-amendment Act. A detailed discussion of the background for this rule and nonattainment area is provided in the proposed rule (PR) cited above.

EPA has evaluated the rule for consistency with the requirements of the CAA and EPA regulations and EPA's interpretation of these requirements as expressed in the various EPA policy guidance documents referenced in the PR. EPA is finalizing the limited approval of this rule in order to strengthen the SIP and finalizing the limited disapproval requiring the correction of the remaining deficiencies. The rule contains inadequate recordkeeping, director's discretion, and unsubstantiated deviations from RACT level controls. A detailed discussion of the rule provisions and evaluation have been provided in the PR and in the February 1999 technical support document (TSD) available at EPA's Region IX office.

III. Response to Public Comments

A 30-day public comment period was provided in 64 FR 13143. EPA received one comment letter on the PR from the BAAQMD. The comments have been evaluated by EPA and a summary of the comments and EPA's responses are set forth below.

Comment: The BAAQMD commented that no clear guidance on recordkeeping intervals exists for rules like Rule 8-51 which specify product VOC limits. The BAAQMD argues that, although section 113(b) of the CAA establishes a daily penalty limit of \$25,000 and might serve as a rationale for a daily recordkeeping requirement, no regulatory language compels daily recordkeeping. BAAQMD asserts that monthly recordkeeping as required by Section 501 is sufficient. Furthermore, BAAQMD emphasized that daily recordkeeping is burdensome for small businesses and does not enhance enforceability.

Response: Rule 8-51 was evaluated against the CAA and the documents cited in the TSD. The EPA's recordkeeping policies have been further interpreted and clarified in other EPA rulemakings and communications, including a June 19, 1996 guidance document on recordkeeping which was distributed to all air districts in Region IX including the BAAQMD (Rule Development Recordkeeping Policy, under June 27, 1996 cover letter from Daniel Meer). The June 19, 1996