

categories. Although some customers may view these changes as an inconvenience, the Postal Service believes that the increased security these additional procedures may bring about outweigh their negative impact. In addition, as discussed above, customers will retain the opportunity to obtain a full range of package services at their local post offices or from their rural letter carriers. In view of these factors, the Postal Service has determined that this change to its regulations is primarily a matter of internal practice and procedures that will not substantially affect the rights or obligations of private parties. Moreover, because of the need to act expeditiously in this matter to protect the safety of the public and postal employees and contractors, the Postal Service has determined that the notice and public comment procedure on this change would be impracticable and inconsistent with the public interest and that this change should take effect immediately.

#### List of Subjects in 39 CFR Part 111

##### Postal Service.

For the reasons discussed above, the Postal Service hereby adopts the following amendments to the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations (see 39 CFR part 111).

#### PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Revise the following sections of the Domestic Mail Manual as set forth below:

#### D DEPOSIT, COLLECTION, AND DELIVERY

\* \* \* \* \*

##### D100 First-Class Mail

\* \* \* \* \*

#### 2.0 MAIL DEPOSIT

[Revise 2.1 and 2.3 and add new 2.6 to read as follows:]

##### 2.1 Single-Piece and Card Rates

Single-piece rate and card rate First-Class Mail, and single-piece rate Priority Mail weighing less than 16 ounces, may be deposited into any collection box, mailchute, or mail receptacle or at any place where mail is accepted if the full required postage is paid with adhesive stamps. Metered mail must be deposited in locations under the jurisdiction of the licensing post office, except as permitted under P030. Permit imprint mail

must be presented at a post office under P040 or P700.

\* \* \* \* \*

##### 2.3 Zoned Rate Priority Mail

Unless restricted by 2.6, pickup service for Priority Mail is available under D010. Single-piece rate Priority Mail paid with adhesive stamps and weighing 16 ounces or more must be presented at a post office retail counter or handed to a postal carrier as prescribed by 2.6. Metered mail must be deposited in locations under the jurisdiction of the licensing post office, except as permitted under P030. Permit imprint mail must be presented at a post office under P040 or P700.

\* \* \* \* \*

##### 2.6 Restriction

Single-piece rate Priority Mail weighing 16 ounces or more must be presented at a post office retail counter if postage is paid with adhesive stamps. The sender may be required to provide identification before the mail is accepted by the USPS. Such mail may be presented by a sender known to the postal carrier at the sender's residence or place of business. Priority Mail weighing 16 ounces or more and not complying with the requirements of this section is returned to the sender for proper deposit.

\* \* \* \* \*

#### E ELIGIBILITY

##### E000 Special Eligibility Standards

##### E010 Overseas Military Mail

#### 1.0 BASIC INFORMATION

\* \* \* \* \*

[Add new 1.7 to read as follows:]

##### 1.7 Restriction

Regardless of postage payment method, the following types of mail weighing 16 ounces or more must be presented at a post office retail counter: all single-piece rate Priority Mail; all single-piece rate Parcel Post, Bound Printed Matter, and Special Standard Mail; and all Library Mail. The sender may be required to provide identification before the mail is accepted by the USPS. Such mail may be presented by a sender known to the postal carrier at the sender's residence or place of business. Mail not complying with the requirements of this section and requiring air transportation is returned to the sender for proper deposit.

\* \* \* \* \*

Stanley F. Mires,

*Chief Counsel, Legislative.*

[FR Doc. 96-25782 Filed 10-7-96; 8:45 am]

BILLING CODE 7710-12-P

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 763

[OPPTS-62152A; FRL-5377-2]

#### Asbestos-containing Materials in Schools; State Request for Waiver From Requirements; Notice of Final Decision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of final decision on requested waiver.

**SUMMARY:** EPA is issuing a final decision which approves the request of Maine for a waiver from the requirements of 40 CFR part 763, subpart E, Asbestos-Containing Materials in Schools.

**EFFECTIVE DATE:** November 7, 1996.

**ADDRESSES:** A copy of the complete waiver application submitted by the State is available from the TSCA Public Docket Office. A copy is also on file and may be reviewed at the EPA Region 1 office in Boston, Massachusetts. TSCA Docket Receipt (7407), Office of Pollution Prevention and Toxics, Rm. NE-B607, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460 EPA, Region 1 (CPT) JFK Federal Building, Boston, MA 02203.

**FOR FURTHER INFORMATION CONTACT:** Susan B Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Rm. E-543B, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, (202) 554-1404.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

This document is issued under the authority of Title II of the Toxic Substances Control Act (TSCA), 15 U.S.C. 2641, *et seq.* TSCA Title II was enacted as part of the Asbestos Hazard Emergency Response Act 1986 (AHERA), Pub. L. 99 519. AHERA is the abbreviation commonly used to refer to the statutory authority for EPA's rules affecting asbestos in schools and will be used in this document. EPA issued a final rule in the Federal Register of October 30, 1987 (52 FR 41846), the Asbestos-Containing Materials in Schools Rule (the Schools Rule, 40 CFR part 763, subpart E), which requires all Local Education Agencies (LEAs) to identify asbestos-containing building materials (ACBMs) in their school buildings and to take appropriate actions to control the release of asbestos fibers.

Under section 203 of AHERA, EPA may, upon request by a State Governor

and after notice and comment and opportunity for a public hearing in the State, waive in whole or part the requirements of the Schools Rule, if the State has established and is implementing or intends to implement an ongoing program of asbestos inspection and management which is at least as stringent as the requirements of the rule. Section 763.98 (40 CFR 763.98) sets forth the procedures to implement this statutory provision. The Schools Rule requires that specific information be included in the waiver request submitted to EPA, establishes a process for reviewing waiver requests, and sets forth procedures for oversight and rescission of waivers granted to States. The Agency encourages States to establish and manage their own school regulatory programs under the AHERA waiver provision. EPA issued a notice in the Federal Register of March 5, 1996, (61 FR 8619; FRL-4985-9) which announced the receipt of a waiver request from the State of Maine, and solicited comments from the public. The notice also discussed the program elements of the State program, listed differences between the State program and the AHERA requirements, and provided EPA's preliminary response to the State on the differences identified.

No comments were received during the 60-day comment period. No request for a public hearing was received. Consequently, no hearing was held.

EPA is required to issue a notice in the Federal Register announcing its decision to grant or deny a request for waiver within 30 days after the close of the comment period. The comment period for this docket closed May 6, 1996. The 60-day review period may be extended if mutually agreed upon by EPA and the State.

The remainder of this document is divided into two units. The first unit discusses the Maine program and sets forth the reasons and rationale for EPA's decision on the State's waiver request. This unit is sub-divided into two sections. Section A discusses key elements of the State's program at the time the waiver request was submitted. Section B gives EPA's final approval of the waiver request based on the State's response. The second unit of this notice discusses statutory requirements of the Paperwork Reduction Act.

## II. The Maine Program

### A. Program Elements

Maine Revised Statutes 38 M.R.S.A. The Maine Department of Environmental Protection (MDEP) has the authority to regulate asbestos in schools and State buildings. The Maine

Administrative Code, Title 16B, Chapter 12A and Appendix A are the State provisions for asbestos inspections and management in school and public and commercial buildings.

The MDEP conducts inspections to ensure compliance with the above laws and rules. MDEP reviews the management plans submitted for schools. The requirements of the Maine Program are the same or more stringent than the Federal AHERA requirements. The State requirements are more stringent in that the requirements apply to public and commercial buildings in addition to schools.

### B. EPA's Decision on Maine's Request for Waiver

Based on a formal assurance to EPA from the lead Maine agency (MDEP) having the legal authority to carry out the requirements relating to the waiver request that Maine has incorporated into its asbestos inspection and management program, an asbestos accreditation program at least as stringent as the EPA MAP, Interim Final Rule is approved by this Notice.

Accordingly, EPA grants the State of Maine a waiver from the requirements of 40 CFR part 763, subpart E, effective November 7, 1996. Federal jurisdiction shall be in effect in the period between the date of publication of this document and that date. This will assure that the State has sufficient time to prepare to assume its new responsibilities. It will also assure the public that no gap in authority occurs, and gives the public sufficient notice of the transfer of duties from EPA to the State of Maine. This waiver is applicable to all schools covered by AHERA in the State. This waiver is subject to rescission under 40 CFR 763.98(j) based on periodic EPA oversight evaluation and conference with the State in accordance with 40 CFR 763.98(h) and 763.98(i).

## III. Other Statutory Requirements

### Paperwork Reduction Act

The reporting and recordkeeping provisions relating to State waivers from the requirements of the Asbestos-Containing Materials in Schools Rule (40 CFR part 763) have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act and have been assigned OMB control number 2070 0091.

### List of Subjects in 40 CFR Part 763

Environmental protection, Administrative practice and procedure, Asbestos, Confidential business information, Hazardous substances, Imports, Intergovernmental relations,

Labeling, Reporting and recordkeeping requirements, Schools.

Dated: September 23, 1996.

John P. DeVillars,

Regional Administrator, Region 1.

[FR Doc. 96-25798 Filed 10-07-96; 8:45 am]

BILLING CODE 6560-50-F

## FEDERAL MARITIME COMMISSION

### 46 CFR Part 506

[Docket No. 96-17]

### Inflation Adjustment of Civil Monetary Penalties

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

**SUMMARY:** This final rule implements the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Debt Collection Improvement Act of 1996. The rule adjusts the amount of each statutory civil penalty subject to Federal Maritime Commission jurisdiction in accordance with the requirements of the Act.

**EFFECTIVE DATE:** November 7, 1996.

### FOR FURTHER INFORMATION CONTACT:

Vern W. Hill, Director, Bureau of Enforcement, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573, (202) 523-5783.

**SUPPLEMENTARY INFORMATION:** The Federal Civil Penalties Inflation Adjustment Act of 1990 ("1990 Act"), Public Law 101-410, 104 Stat. 890, 28 U.S.C. 2461 note, as amended by the Debt Collection Improvement Act of 1996 ("Act"), Public Law 104-134, April 26, 1996, requires the inflation adjustment of Civil Monetary Penalties ("CMP") to ensure that they continue to maintain their deterrent value. The Act requires that not later than 180 days after its enactment, October 23, 1996, and at least once every 4 years thereafter, the head of each agency shall, by regulation published in the Federal Register, adjust each CMP within its jurisdiction by the inflation adjustment described in the 1990 Act. The inflation adjustment under the Act is to be determined by increasing the maximum CMP by the cost-of-living adjustment, rounded off as set forth in section 5(a) of the 1990 Act. The cost-of-living adjustment is the percentage (if any) for each CMP by which the Consumer Price Index ("CPI")<sup>1</sup> for the month of June of the calendar year preceding the adjustment, exceeds the CPI for the

<sup>1</sup> CPI is defined as the CPI for all urban consumers published annually by the Department of Labor.