

under § 255.3. The decision about which corrective action to take, if any, should be made within the time limits set forth in paragraph (c)(3), or sooner if possible.

* * * * *

5. In § 255.1, newly redesignated paragraph (c)(3) is amended by revising the third sentence to read as follows: "Whenever it appears that a complaint cannot be resolved within 60 days of its receipt, a written report and explanation must be submitted to the appropriate district manager."

6. In § 255.1, newly redesignated paragraph (c)(4) is revised to read as follows:

* * * * *

(c) * * *

(4) *Automatic review.* If the local official proposes to deny a request or complaint by a handicapped customer for a special arrangement or the alteration of a facility, the proposed decision shall be submitted to the appropriate district manager. The customer must be notified in writing of the approved decision.

* * * * *

7. In § 255.1, newly redesignated paragraph (c)(5) is revised to read as follows:

* * * * *

(c) * * *

(5) *Exhaustion of administrative remedies.* If a customer service complaint filed under this paragraph (c) is not resolved within 60 days of its receipt, the customer may seek relief in any other appropriate forum, including the right to appeal to the Customer Advocate in accordance with Postal Operations Manual 166. The Postal Service may continue to consider the complaint after the expiration of the 60 day period.

* * * * *

8. Section 255.2(a)(1) is amended by revising "Domestic Mail Manual 155.262" to read "Postal Operations Manual 631.42".

9. Section 255.2(a)(2)(i) is revised to read as follows:

§ 255.2 Special arrangements for postal services.

(a) * * *

(2) * * *

(i) *Stamps by mail, phone, or on consignment.* See Postal Operations Manual 151-153.

* * * * *

10. Section 255.2(a)(2)(ii) is amended by revising "Domestic Mail Manual 156.41" to read "Postal Operations Manual 652-653".

11. Section 255.2(a)(2)(iii) is amended by revising "Postal Operations Manual

154" to read "Postal Operations Manual 145.6".

12. Section 255.2(a)(2)(iv) is revised to read as follows:

(a) * * *

(2) * * *

(iv) *Postage-free mailing for certain mailings.* See Domestic Mail Manual E040, Administrative Support Manual 274.24, and International Mail Manual 250.

* * * * *

13. Section 255.2(b)(2) is revised to read as follows:

* * * * *

(b) * * *

(2) *Response to Customer Request or Complaint for a Special Arrangement.* A local official receiving a request or complaint seeking a special arrangement must provide the customers with any such arrangement as may be required by postal regulations. If no special arrangements are required, the postal official, in consultation with the district office as needed, may provide a special arrangement or take any action that will accommodate the customer, including, among others, performing a discretionary retrofit, providing curb or home delivery, or directing the customer to a nearby accessible facility, if he or she determines the arrangement or action would be reasonable, practical, and consistent with the economical and proper operation of the particular program or activity.

* * * * *

14. Section 255.2(c) is removed.

15. Section 255.3(a)(1) is to read as follows:

§ 255.3 Access to postal facilities.

(a) * * *

(1) *Legal and policy requirements.* Where the design standards of the Architectural Barriers Act (ABA) of 1968 do not apply, the Postal Service may perform a retrofit to the facility for a handicapped customer in accordance with this part.

* * * * *

16. Section 255.3(a)(2) introductory text is amended by removing "also" and revising the phrase "the Barrier Act's" to read "ABA" in the first sentence, and by removing the second sentence.

17. Sections 255.3(a), (a)(4), and (a)(5) are removed.

18. Section 255.3(b)(2) is revised to read:

* * * * *

(b) * * *

(2) *Response to customer request or complaint for an alteration to a facility.* If a local official determines, in consultation with the district office as needed, that modification to meet ABA

standards is not required, discretionary alteration may be made on a case-by-case basis in accordance with the criteria listed in paragraph (a)(2) of this section. If a discretionary alteration is not made, the local official should determine if the customer can be provided a special arrangement under § 255.2.

* * *

19. Section 255.3(c) is removed.

Stanley F. Mires,

Chief Counsel, Legislative.

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POSTAL SERVICE

39 CFR Part 954

Rules of Practice in Proceedings Relative to the Denial, Suspension, or Revocation of Second-Class Mail Privileges

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The Postal Service is making several technical amendments to reflect new terminology adopted in connection with Periodicals, formerly second-class mail, and to update titles and make other technical and grammatical changes.

EFFECTIVE DATE: December 23, 1998.

FOR FURTHER INFORMATION CONTACT:

Diane M. Mego, (202) 268-5438.

SUPPLEMENTARY INFORMATION: As a part of Classification Reform proceedings, second-class mail was renamed Periodicals. As of July 1, 1996, second-class mail privileges have been referred to as Periodicals mailing privileges (Domestic Mail Manual § E211.1.1). Administrative decisions determined under that section now refer to Periodicals mail privileges. Procedural rules for the denial, suspension, and revocation of these privileges are found at 39 CFR 954.

Amendment to part 954 is needed to substitute references to Periodicals mail privileges for second-class mail privileges. Additional amendment is needed to reflect the revision and renumbering of the Domestic Mail Manual on July 1, 1993 (54 Fed. Reg. 34887 (1993)), and to update and correct the titles of the Docket Clerk, Director, Law Librarian, and Law Library to the Recorder, authorized official, Librarian, and Library, respectively. Also, several grammatical amendments reflecting gender neutrality are being made.

These revisions are changes in agency rules of procedure before the Judicial Officer and do not substantially affect

any rights or obligations of private parties. Therefore, it is appropriate for their adoption by the Postal Service to become effective immediately.

List of Subjects in 39 CFR Part 954

Administrative practice and procedure, Periodicals, Postal Service.

Accordingly, the Postal Service adopts amendments to 39 CFR part 954 as specifically set forth below:

PART 954—[AMENDED]

1. The authority citation for part 954 continues to read as follows:

Authority: 39 U.S.C. 204, 401.

2. The title of part 954 is amended by substituting "Periodicals" for "Second-Class."

§ 954.2 [Amended]

3. Section 954.2 is amended by substituting "Periodicals" for "second-class."

§ 954.3 [Amended]

4. Section 954.3 is amended by substituting "Periodicals" for "second-class."

§ 954.5 [Amended]

5. Section 954.5 is amended by substituting "Periodicals" for "second-class."

6. Section 954.5 is amended by substituting "§ E213 of the Domestic Mail Manual" for "Part 132 of this chapter."

7. Section 954.5 is amended by adding "or she" after "he" and "or her" after "his" wherever it appears.

§ 954.6 [Amended]

8. Section 954.6 is amended by substituting "Periodicals" for "second-class."

9. Section 954.6 is amended by adding "or she" after "he."

§ 954.8 [Amended]

10. Section 954.8 is amended by substituting "Recorder" for "Docket Clerk" wherever it appears.

11. Section 954.8(b) is amended by substituting "Periodicals" for "second-class" wherever it appears.

12. Section 954.8(b) is amended by adding "or her" after "his."

13. Section 954.8(e) is amended by adding "or she" after "he" wherever it appears.

§ 954.10 [Amended]

14. Section 954.10 is amended by adding "or her" after "his" and "or she" after "he."

§ 954.12 [Amended]

15. Section 954.12 is amended by adding "or her" after "his" and "or she" after "he" wherever it appears.

§ 954.13 [Amended]

16. Section 954.13(a) is amended by substituting "authorized official" for "Director."

17. Section 954.13(a) is amended by adding "or her" after "his" and "him."

18. Section 954.13(c) is amended by adding "or she" after "he."

§ 954.14 [Amended]

19. Section 954.14(b)(6) is amended by adding "or she" after "he."

20. Section 954.14(b)(8) is amended by adding "or her" after "his."

§ 954.16 [Amended]

21. Section 954.16(d)(1) is amended by substituting "the authorized official's" for "Director's."

§ 954.17 [Amended]

22. Section 954.17(b) is amended by adding "or her" after "his" and "or she" after "he" wherever it appears.

§ 954.18 [Amended]

23. Section 954.18(a) is amended by substituting "Recorder" for "Docket Clerk" wherever it appears.

§ 954.19 [Amended]

24. Section 954.19(a) is amended by adding "or she" after "he."

§ 954.25 [Amended]

25. Section 954.25 is amended by substituting "Librarian" for "Law Librarian."

26. Section 954.25 is amended by substituting "Library" for "Law Library."

27. Section 954.25 is amended by substituting "Recorder" for "Docket Clerk."

Stanley F. Mires,

Chief Counsel, Legislative.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 179-0057 FRL-5934-8]

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 the approval of revisions to the California State Implementation Plan (SIP) proposed in the **Federal Register** on August 4, 1997. The revisions concern rules from the Bay Area Air Quality District (BAAQMD). This approval action will incorporate these rules into the federally approved SIP. The intended effect of approving these rules is to incorporate BAAQMD rules with updated definitions which include a revised definition of volatile organic compound (VOC) into the federally approved SIP.

EFFECTIVE DATE: This action is effective on January 22, 1998.

ADDRESSES: Copies of the rule revisions and EPA's evaluation report for the rules 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.

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

FOR FURTHER INFORMATION CONTACT: Christine Vineyard, Rulemaking Office, (AIR-4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105, Telephone: (415) 744-1197.

SUPPLEMENTARY INFORMATION:

I. Applicability

The rules being approved into the California SIP include the following BAAQMD rules: Rule 8-4, General Solvent and Surface Coating Operations; Rule 8-11, Metal Container, Closure and Coil Coating; Rule 8-12, Paper, Fabric, and Film Coating; Rule 8-13, Light and Medium Duty Motor Vehicle Assembly Plants; Rule 8-14, Surface Coating of Large Appliance and Metal Furniture; Rule 8-19, Surface Coating of Miscellaneous Metal Parts and Products; Rule 8-20, Graphic Arts Printing and Coating; Rule 8-23, Coating of Flat Wood Paneling and Wood Flat Stock; Rule 8-29, Aerospace Assembly and Component Coating Operations; Rule 8-31, Surface Coating of Plastic Parts and Products; Rule 8-32, Wood Products; Rule 8-38, Flexible and Rigid Disc Manufacturing; Rule 8-43, Surface Coating of Marine Vessels; Rule 8-45, Motor Vehicle and Mobile Equipment Coating Operations; Rule 8-50, Polyester Resin Operations.