

susceptible strains of yeast (*Malassezia pachydermatis*) and bacteria (*Staphylococcus pseudintermedius*). The NADA is approved as of November 23, 2009, and the regulations are amended in 21 CFR part 524 by adding new 21 CFR 524.1445 to reflect the approval.

In accordance with the freedom of information provisions of 21 CFR part 20 and 21 CFR 514.11(e)(2)(ii), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852, between 9 a.m. and 4 p.m., Monday through Friday.

FDA has determined under 21 CFR 25.33 that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Under section 512(c)(2)(F)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(ii)), this approval qualifies for 3 years of marketing exclusivity beginning on the date of approval.

This rule does not meet the definition of "rule" in 5 U.S.C. 804(3)(A) because it is a rule of "particular applicability." Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801-808.

#### List of Subjects in 21 CFR Part 524

Animal drugs.

■ Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 524 is amended as follows:

#### PART 524—OPHTHALMIC AND TOPICAL DOSAGE FORM NEW ANIMAL DRUGS

■ 1. The authority citation for 21 CFR part 524 continues to read as follows:

**Authority:** 21 U.S.C. 360b.

■ 2. Add § 524.1445 to read as follows:

#### § 524.1445 Miconazole, polymixin B, and prednisolone suspension.

(a) *Specifications.* Each milliliter of suspension contains 23 milligrams (mg) miconazole nitrate, 0.5293 mg polymixin B sulfate, and 5 mg prednisolone acetate.

(b) *Sponsor.* See No. 012578 in 510.600(c) of this chapter.

(c) *Conditions of use in dogs—(1) Amount.* Instill five drops in the ear canal twice daily for 7 consecutive days.

(2) *Indications for use.* For the treatment of canine otitis externa associated with susceptible strains of yeast (*Malassezia pachydermatis*) and bacteria (*Staphylococcus pseudintermedius*).

(3) *Limitations.* Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Dated: January 22, 2010.

**Bernadette Dunham,**

*Director, Center for Veterinary Medicine.*

[FR Doc. 2010-1794 Filed 1-28-10; 8:45 am]

**BILLING CODE 4160-01-S**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2009-1129]

#### Drawbridge Operation Regulation; Inner Harbor Navigational Canal, New Orleans, LA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Senator Ted Hickey (Leon C. Simon) Bascule Bridge across the Inner Harbor Navigational Canal, mile 4.6, at New Orleans, LA. The deviation is necessary to ensure the safety of pedestrians as they bike across the bridge for the Ochsner Ironman 70.3 New Orleans event. This deviation allows the bridge to remain closed during the event.

**DATES:** This deviation is effective from 5 a.m. to 2 p.m. on April 18, 2010.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG-2009-1129 and are available online by going to <http://www.regulations.gov>, inserting USCG-2009-1129 in the "Keyword" box and then clicking "Search". They are also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or

e-mail Lindsey Middleton, Bridge Administration Branch; telephone 504-671-2128, e-mail

[Lindsey.R.Middleton@uscg.mil](mailto:Lindsey.R.Middleton@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** The bridge owner approved the request for the closure of the Senator Ted Hickey (Leon C. Simon) Bascule Bridge on Seabrook Highway crossing the Inner Harbor Navigational Canal, mile 4.6, in New Orleans, LA. In the closed-to-navigation position, the vertical clearance of the bridge is 45 feet above mean sea level. Currently, according to 33 CFR 117.458 (c), The draw of the Leon C. Simon Blvd. (Seabrook) bridge, mile 4.6, shall open on signal; except that, from 7 a.m. to 8:30 a.m. and 5 p.m. to 6:30 p.m. Monday through Friday, the draw need not be opened. This deviation allows the draw span of the bridge to remain closed to navigation between 5 a.m. and 2 p.m. on April 18, 2010 while the Ironman contenders travel across the bridge as part of the 56 mile bike course. Navigation on the waterway consists mainly of tugs with tows. As a result of coordination between the Coast Guard and the waterway users, it has been determined that this closure will not have a significant effect on these vessels. The Coast Guard will inform users through the Local and Broadcast Notice to Mariners of the closure period. There are alternate routes available to vessel traffic. Vessels that can pass under the bridge in the closed-to-navigation position can do so at any time. The bridge will not be able to open for emergencies.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: January 19, 2010.

**David M. Frank,**

*Bridge Administrator.*

[FR Doc. 2010-1801 Filed 1-28-10; 8:45 am]

**BILLING CODE 9110-04-P**

## POSTAL REGULATORY COMMISSION

### 39 CFR Part 3020

[Docket Nos. MC2010-13 and CP2010-12; Order No. 365]

#### New Postal Product

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is adding Inbound International Expedited International Services 3 to the Competitive Product List. This action is consistent with changes in a recent law governing postal operations. Republication of the lists of market dominant and competitive products is also consistent with new requirements in the law.

**DATES:** Effective January 29, 2010 and is applicable beginning December 22, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Stephen L. Sharfman, General Counsel, 202-789-6820 or [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:** *Regulatory History*, 74 FR 65170 (December 9, 2009).

- I. Introduction
- II. Background
- III. Comments
- IV. Commission Analysis
- V. Ordering Paragraphs

**I. Introduction**

The Postal Service seeks to add a new product identified as Inbound International Expedited Services 1 to the Competitive Product List. For the reasons discussed below, the Commission approves the Request, but designates the new product as Inbound International Expedited Services 3.

**II. Background**

On November 20, 2009, the Postal Service filed a request pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.* to add Inbound International Expedited Services 1 to the Competitive Product List.<sup>1</sup> The Postal Service asserts that Inbound International Expedited Services 1 is a competitive product within the meaning of 39 U.S.C. 3632(b)(3).

The Postal Service states that prices and classifications underlying these rates are supported by Governors' Decision No. 08-5.<sup>2</sup> *Id.* at 1-2. This Request has been assigned Docket No. MC2010-13.

The Postal Service states that Governors' Decision No. 08-5 establishes the prices for Inbound International Expedited Services 1 and the changes in classification "not of

general applicability" necessary to implement those prices. *Id.* at 1.

The Postal Service contemporaneously filed notice, pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5, that it has entered into a contractual bilateral agreement (Agreement) governing bilateral rates for Express Mail Service (EMS) with China Post Group, the public postal operator in the People's Republic of China. The Postal Service states that the supporting financial materials included in this filing indicate that the inbound EMS rates comply with the requirements of 39 U.S.C. 3633(a). *Id.* at 2. The rates as established in the bilateral agreement are assigned Docket No. CP2010-12.

In support of its Request, the Postal Service filed the following materials: (1) An application for non-public treatment of pricing and supporting documents filed under seal;<sup>3</sup> (2) a redacted version of Governors' Decision No. 08-5 establishing prices and classifications for services offered under EMS bilateral/multilateral agreements; Mail Classification Schedule (MCS) language applicable to Inbound EMS bilateral/multilateral agreements; formulas for inbound prices under EMS bilateral/multilateral agreements; and an analysis of the formulas, certification of the Governors' vote, and certification of compliance with 39 U.S.C. 3633(3)(a);<sup>4</sup> (3) a redacted version of the China Post Group bilateral agreement;<sup>5</sup> (4) certification of prices for the bilateral agreement;<sup>6</sup> and (5) a Statement of Supporting Justification as required by 39 CFR 3020.32.<sup>7</sup>

On June 1, 2008, the Postal Service filed notice of Governors' Decision No. 08-5 in Docket Nos. CP2008-6 and CP2008-7.<sup>8</sup> These dockets gave notice of a competitive negotiated service agreement with China Post Group covering EMS prices.<sup>9</sup> In Order No. 84, the Commission added the China Post Agreement as a product not of general applicability to the competitive product list as Inbound International Expedited Services 1.<sup>10</sup> The Postal Service states

<sup>3</sup> Attachment 1 to the Request.

<sup>4</sup> Attachment 2 to the Request.

<sup>5</sup> Attachment 3 to the Request.

<sup>6</sup> Attachment 4 to the Request.

<sup>7</sup> Attachment 5 to the Request.

<sup>8</sup> See Docket Nos. CP2008-6 and CP2008-7, Notice and Order Concerning Prices Under Express Mail International Bilateral/Multilateral Agreements, June 3, 2008. The Commission consolidated Docket No. CP2008-6 with Docket No. CP2008-7 in this Order.

<sup>9</sup> See Docket No. CP2008-7, Notice of United States Postal Service of Filing an Agreement for Inbound Express Mail International (EMS) Prices, May 20, 2008.

<sup>10</sup> Docket No. CP2008-7, Order Concerning the China Post Group Inbound EMS Agreement, June 27, 2008 (Order No. 84).

the agreement became effective on July 15, 2008, and continued in effect until July 14, 2009. Request at 3. The Postal Service entered into a new agreement with the China Post Group on November 16, 2009. The Postal Service now requests to restore the Inbound International Expedited Services 1 product to the Competitive Product List. *Id.*

The bilateral agreement establishes alternative, negotiated rates to China Post Group for inbound EMS, instead of the EMS 2 product rates that would otherwise be applicable.<sup>11</sup> The Postal Service notes that the inbound portion of the bilateral agreement fits within the MCS language included as Attachment A to Governors' Decision No. 08-5. The agreement becomes effective upon completion of all necessary regulatory reviews, but in no case earlier than January 1, 2010. The agreement continues in effect until terminated, which may occur upon 30 days' notice by either party. The negotiated prices are subject to change based upon contingencies included in the agreement. *Id.* at 4. If rates change, the Postal Service will offer China Post Group EMS rates reflecting an adjusted rate. *Id.*

The Postal Service states that the new agreement is functionally equivalent to the prior contract reviewed by the Commission except for different rates that may be applicable to certain flows in the new agreement. *Id.* at 5. It notes the instant agreement exhibits the same cost and market characteristics as the previous agreement. The Postal Service describes minor changes in the instant agreement which include changes in standard clauses due to the Commission's confidentiality rules and other internal issues. *Id.*

In the Statement of Supporting Justification, Kang Zhang, General Manager, Business Development, Asia/Pacific, Global Business Development, asserts that "[t]he addition of [the Bilateral] Agreement as a competitive product will enable the Commission to verify that each contract covers its attributable costs and enables competitive products, as a whole, to make a positive contribution to coverage of institutional costs." He further states that as a result, "no issue of subsidization of competitive products by market dominant products arises." *Id.*, Attachment 5.

<sup>11</sup> The Postal Service states that in the absence of this negotiated agreement, EMS rates for calendar year 2010 as reviewed by the Commission in Docket No. CP2009-57 would apply. *Id.* at 4. See Docket No. CP2009-57, Order Concerning Filing of Changes in Rates for Inbound International Expedited Services 2, August 19, 2009.

<sup>1</sup> Request to Add Inbound International Expedited Services 1 to the Competitive Product List, and Notice of United States Postal Service of Filing China Post Group-United States Postal Service Contractual Bilateral Agreement (Under Seal), November 20, 2009 (Request).

<sup>2</sup> Governors' Decision No. 08-5, April 1, 2008, established prices for the inbound services offered under Express Mail International bilateral/multilateral agreements.

Joseph Moeller, Manager, Regulatory Reporting and Cost Analysis, Finance Department, certifies that the contract complies with 39 U.S.C. 3633(a). *Id.*, Attachment 4. He asserts that the prices for the China Post Group bilateral agreement “should cover its attributable costs and preclude the subsidization of competitive products by market dominant products.” *Id.*

The Postal Service filed much of the supporting materials, including the specific bilateral agreement, under seal. Request at 5. In its Request, the Postal Service maintains that certain portions of the contract, the rates, descriptions of the rates, and related financial information should remain under seal. *Id.*, Attachment 1.

In Order No. 347, the Commission gave notice of the two dockets, appointed a public representative, and provided the public with an opportunity to comment.<sup>12</sup>

### III. Comments

Comments were filed by the Public Representative.<sup>13</sup> No other interested person submitted comments. The Public Representative states that the prices and classifications underlying the rates in the bilateral agreement are supported by Governor’s Decision No. 08–5, which was originally filed in Docket Nos. CP2008–6 and CP2008–7. *Id.* at 2. He finds that the agreement appears to be in compliance with 39 CFR 3015.5, 3020.30 and 39 U.S.C. 3632, 3633(a) and 3642. *Id.*

He states that the Postal Service has provided adequate justification for maintaining confidentiality in this case. *Id.* at 2–3. The Public Representative further states that based on review of the supporting data, the agreement satisfies the requirements of 39 U.S.C. 3633(a). *Id.* at 2.

The Public Representative concludes that the bilateral agreement comports with the provisions of title 39 and offers negotiated pricing, dispatch methods, and other negotiated provisions favorable both to the Postal Service and general public. *Id.* at 3.

### IV. Commission Analysis

The Commission has reviewed the agreement, the financial analysis provided under seal that accompanies

it, and the comments filed by the Public Representative.

**Statutory requirements.** The Commission’s statutory responsibilities in this instance entail assigning the Agreement to either the Market Dominant Product List or to the Competitive Product List. 39 U.S.C. 3642. As part of this responsibility, the Commission also reviews the proposal for compliance with the Postal Accountability and Enhancement Act (PAEA) requirements. This includes, for proposed competitive products, a review of the provisions applicable to rates for competitive products. 39 U.S.C. 3633.

**Product list assignment.** In determining whether to assign the Agreement to the Market Dominant Product List or the Competitive Product List, the Commission must consider whether “the Postal Service exercises sufficient market power that it can effectively set the price of such product substantially above costs, raise prices significantly, decrease quality, or decrease output, without risk of losing a significant level of business to other firms offering similar products.” 39 U.S.C. 3642(b)(1). If so, the product will be categorized as market dominant. The competitive category of products shall consist of all other products.

The Commission is further required to consider the availability and nature of enterprises in the private sector engaged in the delivery of the product, the views of those who use the product, and the likely impact on small business concerns. 39 U.S.C. 3642(b)(3).

The Postal Service asserts that its bargaining position is constrained by the existence of other shippers who can provide similar services, thus precluding it from taking unilateral action to increase prices without the risk of losing volume to private companies. Request, Attachment 5, para. (d). It also contends that it may not decrease quality or output without risking the loss of business to large competitors that offer similar expedited delivery services. *Id.* The Postal Service states that the bilateral agreement prices provide sufficient incentive for China Post Group and its customers to tender EMS volume to the Postal Service rather than a competitor. The Postal Service further states that raising its prices could risk losing its China Post Group volume to a private competitor in the international shipping industry. *Id.*

The Postal Service relates that the instant bilateral agreement’s terms relate to the exchange between the Postal Service and China Post Group for Inbound EMS at negotiated prices which has been classified as

competitive because of its exclusion from the letter monopoly and the level of competition in the relevant market. *Id.* It contends that even if the EMS tendered under the bilateral agreement might contain “letters” as defined in postal regulations, the EMS items at issue in the agreement fall outside the Private Express Statutes because all prices paid by China Post Group exceed six times the rate for the first ounce of a First-Class Mail letter. *Id.*, para. (e). Additionally, the Postal Service contends that many inbound EMS items may be expected to weigh more than 12.5 ounces. *Id.*

Finally, the Postal Service states that private consolidators, freight forwarders, and integrators offer international shipping services using EMS. It notes that delivery of EMS in the domestic service area of the United States requires a substantial infrastructure to support a national network and as a result large carriers serve this market. *Id.*, para. (f). The Postal Service mentions that it has no specific data on China Post Group’s or its customers’ view on the regulatory classification of this agreement. *Id.*, para. (g). However, it contends that presumably China Post Group and its end users find this type of product satisfactory since they have a choice of competitors providing similar services. *Id.* Finally, the Postal Service states that the market for expedited delivery services is highly competitive, and the bilateral agreement should not have a significant impact on small businesses. Accordingly, the Postal Service states that it is unaware of any small business concerns that could offer comparable service for this customer. *Id.*, para. (h). It contends that the bilateral agreement gives China Post Group’s small business customers another option for shipping articles to the United States resulting in a positive impact on small business. *Id.*

No commenter opposes the proposed classification of the Agreement as competitive. Having considered the statutory requirements and the support offered by the Postal Service, the Commission finds that the Agreement is appropriately classified as a competitive product and should be added to the Competitive Product List.

**Cost considerations.** The Postal Service presents a financial analysis showing that the Agreement covers its attributable costs, does not result in subsidization of competitive products by market dominant products, and increases contribution from competitive products.

Based on the data submitted, the Commission finds that the new product, which, as noted below, is designated as

<sup>12</sup> PRC Order No. 347, Notice and Order Concerning Adding Inbound International Expedited Services 1 to the Competitive Product List and China Post Group Bilateral Agreement, November 25, 2009 (Order No. 347).

<sup>13</sup> See Public Representatives Comments in Response to United States Postal Service Request to Add Inbound International Expedited Services 1 to the Competitive Product List and China Post Bilateral Agreement, December 10, 2009 (Public Representative Comments).

International Expedited Services 3, should cover its attributable costs (39 U.S.C. 3633(a)(2)), should not lead to the subsidization of competitive products by market dominant products (39 U.S.C. 3633(a)(1)), and should have a positive effect on competitive products' contribution to institutional costs (39 U.S.C. 3633(a)(3)). Thus, an initial review of proposed International Expedited Services 3 indicates that it comports with the provisions applicable to rates for competitive products.

*Other considerations.* Inbound International Expedited Services 1 was added to the Competitive Product List in Docket No. CP2008-7. See Order No. 84, supra. That agreement terminated on July 15, 2009. Request at 3. The Postal Service seeks to restore the Inbound International Expedited Services 1 product on the Competitive Product List. *Id.* Given that the prior Inbound International Expedited Services 1 product agreement has ended and the Postal Service has negotiated a comparable new agreement with a different term and rates, the Commission will designate the Agreement as Inbound International Expedited Services 3. The Commission has followed this practice with other products which exhibited sufficient variation from the original agreement to warrant classification as a new product.<sup>14</sup>

The China Post Group agreement indicates that it becomes effective upon receipt of all necessary regulatory approvals. Request at 4. The Postal Service shall notify the Commission of the effective dates of the China Post Group agreement. The agreement states it is to remain in effect until terminated. The Postal Service shall inform the Commission of the termination date.

**Conclusion.** The Commission approves International Expedited Services 3 as a new product. The revision to the Competitive Product List is shown below the signature of this order and is effective upon issuance of this order.

## V. Ordering Paragraphs

*It is ordered:*

1. International Expedited Services 3 (MC2010-13 and CP2010-12) is added to the Competitive Product List as a new product under Express Mail Inbound International Expedited Services, as discussed in this order.

2. The Postal Service shall notify the Commission upon termination of the agreement as discussed in this order.

3. The Secretary shall arrange for the publication of this order in the **Federal Register**.

### List of Subjects in 39 CFR Part 3020

Administrative practice and procedure; Postal Service.

By the Commission.

**Shoshana M. Grove,**  
*Secretary.*

■ For the reasons discussed in the preamble, the Postal Regulatory Commission amends chapter III of title 39 of the Code of Federal Regulations as follows:

### PART 3020—PRODUCT LISTS

■ 1. The authority citation for part 3020 continues to read as follows:

**Authority:** Authority: 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise Appendix A to Subpart A of Part 3020—Mail Classification Schedule to read as follows:

#### Appendix A to Subpart A of Part 3020—Mail Classification Schedule

##### Part A—Market Dominant Products

1000 Market Dominant Product List  
First-Class Mail

Single-Piece Letters/Postcards  
Bulk Letters/Postcards  
Flats  
Parcels  
Outbound Single-Piece First-Class Mail  
International  
Inbound Single-Piece First-Class Mail  
International  
Standard Mail (Regular and Nonprofit)  
High Density and Saturation Letters  
High Density and Saturation Flats/Parcels  
Carrier Route  
Letters  
Flats  
Not Flat-Machinables (NFM)/Parcels

##### Periodicals

Within County Periodicals  
Outside County Periodicals

##### Package Services

Single-Piece Parcel Post  
Inbound Surface Parcel Post (at UPU rates)  
Bound Printed Matter Flats  
Bound Printed Matter Parcels  
Media Mail/Library Mail

##### Special Services

Ancillary Services  
International Ancillary Services  
Address List Services  
Caller Service  
Change-of-Address Credit Card Authentication  
Confirm  
International Reply Coupon Service  
International Business Reply Mail Service  
Money Orders  
Post Office Box Service  
Negotiated Service Agreements

HSBC North America Holdings Inc. Negotiated Service Agreement  
Bookspan Negotiated Service Agreement  
Bank of America Corporation Negotiated Service Agreement  
The Bradford Group Negotiated Service Agreement  
Inbound International

Canada Post—United States Postal Service Contractual Bilateral Agreement for Inbound Market Dominant Services

Market Dominant Product Descriptions  
First-Class Mail

[Reserved for Class Description]

Single-Piece Letters/Postcards

[Reserved for Product Description]

Bulk Letters/Postcards

[Reserved for Product Description]

Flats

[Reserved for Product Description]

Parcels

[Reserved for Product Description]

Outbound Single-Piece First-Class Mail  
International

[Reserved for Product Description]

Inbound Single-Piece First-Class Mail  
International

[Reserved for Product Description]

Standard Mail (Regular and Nonprofit)

[Reserved for Class Description]

High Density and Saturation Letters

[Reserved for Product Description]

High Density and Saturation Flats/Parcels

[Reserved for Product Description]

Carrier Route

[Reserved for Product Description]

Letters

[Reserved for Product Description]

Flats

[Reserved for Product Description]

Not Flat-Machinables (NFM)/Parcels

[Reserved for Product Description]

##### Periodicals

[Reserved for Class Description]

Within County Periodicals

[Reserved for Product Description]

Outside County Periodicals

[Reserved for Product Description]

##### Package Services

[Reserved for Class Description]

Single-Piece Parcel Post

[Reserved for Product Description]

Inbound Surface Parcel Post (at UPU rates)

[Reserved for Product Description]

Bound Printed Matter Flats

[Reserved for Product Description]

Bound Printed Matter Parcels

[Reserved for Product Description]

Media Mail/Library Mail

[Reserved for Product Description]

##### Special Services

[Reserved for Class Description]

Ancillary Services

[Reserved for Product Description]

Address Correction Service

[Reserved for Product Description]

Applications and Mailing Permits

[Reserved for Product Description]

Business Reply Mail

[Reserved for Product Description]

Bulk Parcel Return Service

[Reserved for Product Description]

<sup>14</sup> See Docket No. CP2009-50, Order Granting Clarification and Adding Global Expedited Package Services 2 to the Competitive Product List, August 28, 2009.

Certified Mail	Part B—Competitive Products	Express Mail & Priority Mail Contract 7 (MC2009–32 and CP2009–43)
[Reserved for Product Description]	2000 Competitive Product List	Express Mail & Priority Mail Contract 8 (MC2009–33 and CP2009–44)
Certificate of Mailing	Express Mail	Parcel Select & Parcel Return Service Contract 1 (MC2009–11 and CP2009–13)
[Reserved for Product Description]	Express Mail	Parcel Select & Parcel Return Service Contract 2 (MC2009–40 and CP2009–61)
Collect on Delivery	Outbound International Expedited Services	Parcel Return Service Contract 1 (MC2009–1 and CP2009–2)
[Reserved for Product Description]	Inbound International Expedited Services	Priority Mail Contract 1 (MC2008–8 and CP2008–26)
Delivery Confirmation	Inbound International Expedited Services 1 (CP2008–7)	Priority Mail Contract 2 (MC2009–2 and CP2009–3)
[Reserved for Product Description]	Inbound International Expedited Services 2 (MC2009–10 and CP2009–12)	Priority Mail Contract 3 (MC2009–4 and CP2009–5)
Insurance	Inbound International Expedited Services 3 (MC2010–13 and CP2010–12)	Priority Mail Contract 4 (MC2009–5 and CP2009–6)
[Reserved for Product Description]	Priority Mail	Priority Mail Contract 5 (MC2009–21 and CP2009–26)
Merchandise Return Service	Priority Mail	Priority Mail Contract 6 (MC2009–25 and CP2009–30)
[Reserved for Product Description]	Outbound Priority Mail International	Priority Mail Contract 7 (MC2009–25 and CP2009–31)
Parcel Airlift (PAL)	Inbound Air Parcel Post (at non-UPU rates)	Priority Mail Contract 8 (MC2009–25 and CP2009–32)
[Reserved for Product Description]	Royal Mail Group Inbound Air Parcel Post Agreement	Priority Mail Contract 9 (MC2009–25 and CP2009–33)
Registered Mail	Inbound Air Parcel Post (at UPU rates)	Priority Mail Contract 10 (MC2009–25 and CP2009–34)
[Reserved for Product Description]	Parcel Select	Priority Mail Contract 11 (MC2009–27 and CP2009–37)
Return Receipt	Parcel Return Service	Priority Mail Contract 12 (MC2009–28 and CP2009–38)
[Reserved for Product Description]	International	Priority Mail Contract 13 (MC2009–29 and CP2009–39)
Return Receipt for Merchandise	International Priority Airlift (IPA)	Priority Mail Contract 14 (MC2009–30 and CP2009–40)
[Reserved for Product Description]	International Surface Airlift (ISAL)	Priority Mail Contract 15 (MC2009–35 and CP2009–54)
Restricted Delivery	International Direct Sacks—M—Bags	Priority Mail Contract 16 (MC2009–36 and CP2009–55)
[Reserved for Product Description]	Global Customized Shipping Services	Priority Mail Contract 17 (MC2009–37 and CP2009–56)
Shipper-Paid Forward	Inbound Surface Parcel Post (at non-UPU rates)	Priority Mail Contract 18 (MC2009–42 and CP2009–63)
[Reserved for Product Description]	Canada Post—United States Postal Service Contractual Bilateral Agreement for Inbound Competitive Services (MC2009–8 and CP2009–9)	Priority Mail Contract 19 (MC2010–1 and CP2010–1)
Signature Confirmation	International Money Transfer Service	Priority Mail Contract 20 (MC2010–2 and CP2010–2)
[Reserved for Product Description]	International Ancillary Services	Priority Mail Contract 21 (MC2010–3 and CP2010–3)
Special Handling	Special Services	Priority Mail Contract 22 (MC2010–4 and CP2010–4)
[Reserved for Product Description]	Premium Forwarding Service	Priority Mail Contract 23 (MC2010–9 and CP2010–9)
Stamped Envelopes	Negotiated Service Agreements	Outbound International
[Reserved for Product Description]	Domestic	Direct Entry Parcels Contracts
Stamped Cards	Express Mail Contract 1 (MC2008–5)	Direct Entry Parcels 1 (MC2009–26 and CP2009–36)
[Reserved for Product Description]	Express Mail Contract 2 (MC2009–3 and CP2009–4)	Global Direct Contracts (MC2009–9, CP2009–10, and CP2009–11)
Premium Stamped Stationery	Express Mail Contract 3 (MC2009–15 and CP2009–21)	Global Expedited Package Services (GEPS) Contracts
[Reserved for Product Description]	Express Mail Contract 4 (MC2009–34 and CP2009–45)	GEPS 1 (CP2008–5, CP2008–11, CP2008–12, CP2008–13, CP2008–18, CP2008–19, CP2008–20, CP2008–21, CP2008–22, CP2008–23, and CP2008–24)
Premium Stamped Cards	Express Mail Contract 5 (MC2010–5 and CP2010–5)	
[Reserved for Product Description]	Express Mail Contract 6 (MC2010–6 and CP2010–6)	
International Ancillary Services	Express Mail Contract 7 (MC2010–7 and CP2010–7)	
[Reserved for Product Description]	Express Mail & Priority Mail Contract 1 (MC2009–6 and CP2009–7)	
International Certificate of Mailing	Express Mail & Priority Mail Contract 2 (MC2009–12 and CP2009–14)	
[Reserved for Product Description]	Express Mail & Priority Mail Contract 3 (MC2009–13 and CP2009–17)	
International Registered Mail	Express Mail & Priority Mail Contract 4 (MC2009–17 and CP2009–24)	
[Reserved for Product Description]	Express Mail & Priority Mail Contract 5 (MC2009–18 and CP2009–25)	
International Return Receipt	Express Mail & Priority Mail Contract 6 (MC2009–31 and CP2009–42)	
[Reserved for Product Description]		
International Restricted Delivery		
[Reserved for Product Description]		
Address List Services		
[Reserved for Product Description]		
Caller Service		
[Reserved for Product Description]		
Change-of-Address Credit Card Authentication		
[Reserved for Product Description]		
Confirm		
[Reserved for Product Description]		
International Reply Coupon Service		
[Reserved for Product Description]		
International Business Reply Mail Service		
[Reserved for Product Description]		
Money Orders		
[Reserved for Product Description]		
Post Office Box Service		
[Reserved for Product Description]		
Negotiated Service Agreements		
[Reserved for Class Description]		
HSBC North America Holdings Inc. Negotiated Service Agreement		
[Reserved for Product Description]		
Bookspan Negotiated Service Agreement		
[Reserved for Product Description]		
Bank of America Corporation Negotiated Service Agreement		
The Bradford Group Negotiated Service Agreement		

Global Expedited Package Services 2 (CP2009–50)

Global Plus Contracts

Global Plus 1 (CP2008–8, CP2008–46 and CP2009–47)

Global Plus 2 (MC2008–7, CP2008–48 and CP2008–49)

Inbound International

Inbound Direct Entry Contracts with Foreign Postal Administrations

Inbound Direct Entry Contracts with Foreign Postal Administrations (MC2008–6, CP2008–14 and MC2008–15)

Inbound Direct Entry Contracts with Foreign Postal Administrations 1 (MC2008–6 and CP2009–62)

International Business Reply Service Competitive Contract 1 (MC2009–14 and CP2009–20)

Competitive Product Descriptions

Express Mail

[Reserved for Group Description]

Express Mail

[Reserved for Product Description]

Outbound International Expedited Services

[Reserved for Product Description]

Inbound International Expedited Services

[Reserved for Product Description]

Priority

[Reserved for Product Description]

Priority Mail

[Reserved for Product Description]

Outbound Priority Mail International

[Reserved for Product Description]

Inbound Air Parcel Post

[Reserved for Product Description]

Parcel Select

[Reserved for Group Description]

Parcel Return Service

[Reserved for Group Description]

International

[Reserved for Group Description]

International Priority Airlift (IPA)

[Reserved for Product Description]

International Surface Airlift (ISAL)

[Reserved for Product Description]

International Direct Sacks—M-Bags

[Reserved for Product Description]

Global Customized Shipping Services

[Reserved for Product Description]

International Money Transfer Service

[Reserved for Product Description]

Inbound Surface Parcel Post (at non-UPU rates)

[Reserved for Product Description]

International Ancillary Services

[Reserved for Product Description]

International Certificate of Mailing

[Reserved for Product Description]

International Registered Mail

[Reserved for Product Description]

International Return Receipt

[Reserved for Product Description]

International Restricted Delivery

[Reserved for Product Description]

International Insurance

[Reserved for Product Description]

Negotiated Service Agreements

[Reserved for Group Description]

Domestic

[Reserved for Product Description]

Outbound International

[Reserved for Group Description]

Part C—Glossary of Terms and Conditions [Reserved]

Part D—Country Price Lists for International Mail [Reserved]

[FR Doc. 2010–1804 Filed 1–28–10; 8:45 am]

**BILLING CODE 7710–FW–S**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R08–OAR–2009–0198; FRL–9102–7]

#### Approval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana

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

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action approving State Implementation Plan (SIP) revisions submitted by the State of Montana on January 16, 2009 and May 4, 2009. The revisions are to the Administrative Rules of Montana. Revisions include minor editorial and grammatical changes, updates to the citations and references to federal laws and regulations, and a clarification of agricultural activities exempt from control of emissions of airborne particulate matter. This action is being taken under section 110 of the Clean Air Act.

**DATES:** This rule is effective on March 30, 2010 without further notice, unless EPA receives adverse comment by March 1, 2010. If adverse comment is received, EPA will publish a timely withdrawal of the direct final rule in the **Federal Register** informing the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R08–OAR–2009–0198, by one of the following methods:

- <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *E-mail:* [dolan.kathy@epa.gov](mailto:dolan.kathy@epa.gov).
- *Fax:* (303) 312–6064 (please alert the individual listed in the **FOR FURTHER INFORMATION CONTACT** if you are faxing comments).

- *Mail:* Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129.

- *Hand Delivery:* Director, Air Program, Environmental Protection Agency (EPA), Region 8, Mailcode 8P–AR, 1595 Wynkoop Street, Denver, Colorado 80202–1129. Such deliveries are only accepted Monday through Friday, 8 a.m. to 4:30 p.m., excluding Federal holidays. Special arrangements should be made for deliveries of boxed information.

**Instructions:** Direct your comments to Docket ID No. EPA–R08–OAR–2009–0198. EPA’s policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to Section I. General Information of the **SUPPLEMENTARY INFORMATION** section of this document.

**Docket:** All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Air Program, Environmental