damage of property to the insurance company.

§ 1485.31 Anti-fraud requirements.

(a) All MAP participants.

(1) All MAP participants annually shall submit to CCC for approval a detailed fraud prevention program. The fraud prevention program shall, at a minimum, include an annual review of physical controls and weaknesses, a standard process for investigating and remediation of suspected fraud cases, and training in risk management and fraud detection for all current and future employees. The MAP participant shall not conduct or permit any MAP promotion activities to occur unless and until CCC has communicated in writing approval of the MAP participant's fraud prevention program.

(2) The MAP participant, within five business days of receiving an allegation or information giving rise to a reasonable suspicion of misrepresentation or fraud that could give rise to a claim by CCC, shall report such allegation or information in writing to such USDA personnel as specified in the participant's MAP program agreement and/or approval letter. The MAP participant shall cooperate fully in any USDA investigation of such allegation or occurrence of misrepresentation or fraud and shall comply with any directives given by CCC or USDA to the MAP participant for the prompt investigation of such allegation or occurrence.

(b) MAP participants with brand programs.

(1) The MAP participant may charge a fee to brand participants to cover the cost of the fraud prevention program.

(2) The MAP participant shall repay to CCC funds paid to a brand participant through the MAP participant on claims that the MAP participant or CCC subsequently determines are unauthorized or otherwise non-reimbursable expenses within 30 days of the MAP participant's determination or CCC's disallowance. The MAP participant shall repay CCC by submitting a check to CCC or by offsetting the participant's next reimbursement claim. The MAP participant shall make such payment in U.S. dollars, unless otherwise approved in advance by CCC. A MAP participant operating a brand program in strict accordance with an approved fraud prevention program, however, will not be liable to reimburse CCC for MAP funds paid on such claims if the claims were based on misrepresentations or fraud of the brand participant, its employees or agents, unless CCC determines that the MAP participant was grossly negligent in the operation of the brand program regarding such claims. CCC shall communicate any such determination to the MAP participant in writing.

§ 1485.32 Program income.

Any revenue or refunds generated from an activity, e.g., participation fees, proceeds of sales, refunds of value added taxes (VAT), the expenditures for which have been wholly or partially reimbursed with MAP funds, shall be used by the MAP participant in furtherance of its approved MAP activities in the program year in which the program income was received. Interest earned on funds advanced by CCC is not program income.

§ 1485.33 Amendment.

A program agreement may be amended only in writing with the consent of CCC and the MAP participant.

§ 1485.34 Noncompliance with an agreement.

If a MAP participant fails to comply with any term in its program agreement or approval letter, CCC may take one or more of the enforcement actions set forth in the applicable parts of this title and, if, appropriate, initiate a claim against the MAP participant, following the procedures set forth in this subpart. CCC may also initiate a claim against a MAP participant if program income or CCC-provided funds are lost due to an action or omission of the MAP participant.

§ 1485.35 Suspension, termination, and closeout of agreements.

A program agreement may be suspended or terminated in accordance with the applicable parts of this title. If an agreement is terminated, the applicable parts of this title will apply to the closeout of the agreement.

§ 1485.36 Paperwork reduction requirements.

The paperwork and recordkeeping requirements imposed by this subpart have been approved by OMB under the Paperwork Reduction Act of 1980. OMB has assigned control number 0551–0026 for this information collection.

Dated: August 19, 2009.

Michael V. Michener,

Administrator, Foreign Agricultural Service, and Executive Vice President, Commodity Credit Corporation.

[FR Doc. E9–21552 Filed 9–4–09; 8:45 am]

BILLING CODE 3410–10–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket No. USCG–2009–0317]

RIN 1625–AA87

Security Zone; Calcasieu River and Ship Channel, LA

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to disestablish the permanent safety zone at Trunkline LNG in Lake Charles, LA and to replace it with a security zone with new boundaries. The Coast Guard also proposes to establish two additional permanent security zones on the waters of the Calcasieu River for the mooring basins at Cameron LNG in Hackberry, LA and PPG Industries in Lake Charles, LA. The Coast Guard also proposes to disestablish the moving safety zone for Liquified Natural Gas (''LNG'') vessels in the Calcasieu ship channel and replace it with a moving security zone of the same dimensions. These security zones are needed to protect vessels, waterfront facilities, the public, and other surrounding areas from destruction, loss, or injury caused by sabotage, subversive acts, accidents, or other actions of a similar nature. Unless exempted under this rule, entry into or movement within these security zones would be prohibited without permission from the Captain of the Port or a designated representative.

DATES: Comments and related material must reach the Coast Guard on or before October 8, 2009.

ADDRESSES: You may submit comments identified by Coast Guard docket number USCG–2009–0317 using any one of the following methods:

(1) *Federal eRulemaking Portal: http://www.regulations.gov.*

(2) *Fax:* 202–493–2251.

(3) *Mail:* Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

To avoid duplication, please use only one of these four methods. *See* the ''Public Participation and Request for Comments'' portion of the **SUPPLEMENTARY INFORMATION** section

below for instructions on submitting comments.

FOR FURTHER INFORMATION CONTACT: Lieutenant Clint Smith, Marine Safety Unit Lake Charles, LA, telephone (337) 491–7800, or e-mail *clinton.p.smith@uscg.mil.* If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION:

Public Participation and Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted, without change, to *http://www.regulations.gov* and will include any personal information you have provided.

Submitting Comments

If you submit a comment, please include the docket number for this rulemaking (USCG–2009–0317), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (via *http://www.regulations.gov*) or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via *www.regulations.gov,* it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We recommend that you include your name and a mailing address, an e-mail address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to *http://www.regulations.gov,* click on the ''submit a comment'' box, which will then become highlighted in blue. In the ''Document Type'' drop down menu select ''Proposed Rule'' and insert ''USCG–2009–0317'' in the ''Keyword'' box. Click ''Search'' then click on the balloon shape in the ''Actions'' column. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit comments by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to *http://www.regulations.gov,* select the Advanced Docket Search option on the right side of the screen, insert USCG–2009–317 in the Docket ID box, press Enter, and then click on the item in the Docket ID column. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

Privacy Act

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit *http://DocketsInfo.dot.gov.*

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one using one of the four methods specified under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

Heightened awareness of potential terrorist acts requires enhanced security of our ports, harbors, and vessels. To enhance security, the Captain of the Port, Port Arthur proposes to establish permanent security zones on the waters of the Calcasieu River in Lake Charles, LA; Hackberry, LA, and moving security zones around certain vessels.

This proposed rule would establish new, distinct security zones on the waters of the Calcasieu River. These zones would protect waterfront facilities, persons, and vessels from subversive or terrorist acts. Vessels operating within the Captain of the Port Zone are potential targets of terrorist attacks, or platforms from which terrorist attacks may be launched upon from other vessels, waterfront facilities, and adjacent population centers.

This proposed rule would also delete the moving safety zone for non-gas free Liquified Natural Gas (''LNG'') vessels transiting the Calcasieu Channel and Calcasieu River and add a moving security zone that may commence at any point while certain vessels are transiting the Calcasieu Channel or Calcasieu River on U.S. territorial waters in the Captain of the Port, Port Arthur zone. These security zones would be established to protect waterfront facilities, persons, and vessels from subversive or terrorist acts. Vessels operating within the Captain of the Port zone are potential targets of terrorist attacks, or potential launch platforms for terrorist attacks on other vessels, waterfront facilities, and adjacent population centers.

Due to the potential for terrorist attacks, this proposed rule would allow the Captain of the Port to create moving security zones around certain vessels as deemed necessary, on a case-by-case basis. By limiting access to these areas, the Coast Guard is reducing potential methods of attack on these vessels, and potential use of the vessels to launch attacks on waterfront facilities and adjacent population centers located within the Captain of the Port zone. Vessels having a need to enter these security zones must obtain express permission from the Captain of the Port, Port Arthur or a designated representative prior to entry.

These zones are being proposed for an area concentrated with commercial facilities considered critical to national security. This proposed rule is not designed to restrict access to vessels engaged, or assisting in commerce with waterfront facilities within fixed security zones, vessels operated by port authorities, vessels operated by waterfront facilities within the fixed security zones, and vessels operated by federal, state, county or municipal agencies. By limiting access to these areas the Coast Guard would reduce potential methods of attack on vessels, waterfront facilities, and adjacent population centers located within the zones. All vessels not exempted under the provisions of this proposed regulation desiring to enter these zones would be required to obtain express permission from the Captain of the Port, Port Arthur or a designated representative prior to entry.

Discussion of Proposed Rule

The Captain of the Port proposes to revise 33 CFR 165.805 to establish permanent fixed security zones on the waters of the Calcasieu River for the mooring basins at Trunkline LNG in Lake Charles, LA; Cameron LNG in Hackberry, LA; and PPG Industries in Lake Charles, LA. The coordinates and locations of the fixed security zones use the North American Datum of 1983 (NAD 1983) and are as follows: (1) Trunkline LNG basin, all waters encompassed by a line connecting the following points, beginning at 30°06′36″ N, 93°17′36″ W, south to a point 30°06′33″ N, 93°17′36″ W, east to a point 30°06′30″ N, 93°17′02″ W, north to a point 30°06′33″ N, 93°17′01″ W, then following the shoreline to the beginning point. (2) Cameron LNG basin, all waters encompassed by a line connecting the following points, beginning at 30°02′33″ N, 93°19′53″ W, east to a point at 30°02′34″ N, 93°19′50″ W, south to a point at 30°02′10″ N, 93°19′52″ W and west to a point at 30°02′10″ N, 93°19′59″ W, then following the shoreline to the beginning point. (3) PPG industries basin, all waters encompassed by a line connecting the following points, beginning at 30°13′11″ N, 93°16′52″ W, east to a point at 30°13′11″ N, 93°16′51″ W, northeast to a point at 30°13′29″ N, 93°16′34″ W, then following the shoreline to the beginning point.

In addition, the Captain of the Port proposes to establish moving security zones for certain vessels, for which the Captain of the Port deems enhanced security measures are necessary, on a case-by-case basis. These moving security zones would be activated for certain vessels within the Captain of the Port, Port Arthur zone transiting U.S. territorial waters and extend channel edge to channel edge on the Calcasieu Channel and shoreline to shoreline on the Calcasieu River, 2 miles ahead and 1 mile astern of certain designated vessels while in transit. Meeting, crossing or overtaking situations are not permitted within the security zone unless specifically authorized by the Captain of the Port. These proposed security zones would be part of a comprehensive port security regime designed to safeguard human life, vessels, and waterfront facilities against sabotage or terrorist attacks.

All vessels not exempted under paragraph (b) of the proposed section 165.805 would be prohibited from entering the proposed security zones unless authorized by the Captain of the Port, Port Arthur or a designated representative. For authorization to enter the proposed security zones vessels contact Marine Safety Unit Lake Charles at (337) 491–7800 or the on-scene patrol vessel on VHF–FM channel 13.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation is unnecessary. The basis of this finding is that the fixed security zones are not part of the navigable waterway or a commercial fishing ground and do not impede commercial traffic on the Calcasieu Waterway. The proposed moving security zone is limited in nature and would not create undue delay to vessel traffic in or around the Calcasieu River and Ship Channel.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities.

This proposed rule would not have a significant economic impact on a substantial number of small entities for the following reasons: (1) The proposed rules for fixed security zones would not interfere with regular vessel traffic within the Calcasieu Ship Channel, Calcasieu River or the Intracoastal Waterway; and (2) the proposed rule for moving security zones are of limited duration and vessels may request permission to enter the security zone from the Captain of the Port or his representative.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this proposed rule would have a significant economic impact on it, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Lieutenant Clint Smith at (337) 491–7800. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule would not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation,

eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that Order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule would not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this proposed rule under Department of Homeland Security Management Directive 0023.1 and Commandant Instruction M16475.lD, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have made a preliminary determination that this action is one of a category of actions which do not individually or cumulatively have a significant effect on the human environment. A preliminary environmental analysis checklist supporting this preliminary determination is available in the docket where indicated under **ADDRESSES**. We seek any comments or information that may lead to the discovery of a significant environmental impact from this proposed rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Revise § 165.805 to read as follows:

§ 165.805 Security Zones; Calcasieu River and Ship Channel, Louisiana.

(a) *Location.*

(1) The following areas are designated as fixed security zones, (all coordinates are based upon North American Datum of 1983 [NAD 83]):

(i) Trunkline LNG basin, all waters encompassed by a line connecting the following points, beginning at 30°06′36″ N, 93°17′36″ W, south to a point 30°06′33″ N, 93°17′36″ W, east to a point 30°06′30″ N, 93°17′02″ W, north to a point 30°06′33″ N, 93°17′01″ W, then following the shoreline to the beginning point.

(ii) Cameron LNG basin, all waters encompassed by a line connecting the following points, beginning at 30°02′33″ N, 093°19′53″ W, east to a point at 30°02′34″ N, 093°19′50″ W, south to a point at 30°02′10″ N, 093°19′52″ W and west to a point at 30°02′10″ N, 93°19′59″ W, then following the shoreline to the beginning point.

(iii) PPG industries basin, all waters encompassed by a line connecting the following points, beginning at 30°13′11″ N, 93°16′52″ W, east to a point at 30°13′11″ N, 93°16′51″ W, northeast to a point at 30°13′29″ N, 93°16′34″ W, then following the shoreline to the beginning point.

(2) The following areas are moving security zones: All waters within the Captain of the Port, Port Arthur zone commencing at U.S. territorial waters and extending channel edge to channel edge on the Calcasieu Channel and shoreline to shoreline on the Calcasieu River, 2 miles ahead and 1 mile astern of certain designated vessels while in transit. Meeting, crossing or overtaking situations are not permitted within the security zone unless specifically authorized by the Captain of the Port.

(b) *Regulations:*

(1) Entry into or remaining in a fixed zone described in paragraph (a)(1) of this section is prohibited for all vessels except:

(i) Commercial vessels operating at waterfront facilities within these zones;

(ii) Commercial vessels transiting directly to or from waterfront facilities within these zones;

(iii) Vessels providing direct operational or logistical support to commercial vessels within these zones;

(iv) Vessels operated by the appropriate port authority or by facilities located within these zones; and

(v) Vessels operated by federal, state, county, or municipal agencies.

(2) Entry into or remaining in moving zones described in paragraph (a)(2) of this section is prohibited for all vessels except:

(i) Moored vessels or vessels anchored in a designated anchorage area. A moored or an anchored vessel in a security zone described in paragraph (a)(2) of this section must remain moored or anchored unless it obtains permission from the Captain of the Port to do otherwise;

(ii) Commercial vessels operating at waterfront facilities located within the zone;

(iii) Vessels providing direct operational support to commercial vessels within a moving security zone;

(iv) Vessels operated by federal, state, county, or municipal agencies.

(3) Other persons or vessels requiring entry into security zones described in this section must request permission from the Captain of the Port, Port Arthur or designated representatives.

(4) To request permission as required by these regulations, contact Marine Safety Unit Lake Charles at (337) 491–7800 or the on-scene patrol vessel.

(5) All persons and vessels within a security zone described in this section must comply with the instructions of the Captain of the Port, Port Arthur, designated on-scene U.S. Coast Guard patrol personnel or other designated representatives. On-scene U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the U.S. Coast Guard. Designated representatives include federal, state, local and municipal law enforcement agencies.

(c) *Informational broadcasts*. The Captain of the Port, Port Arthur will inform the public when moving security zones have been established around vessels via Broadcast Notice to Mariners.

Dated: June 15, 2009.

J.J. Plunkett,

Captain, U.S. Coast Guard, Captain of the Port, Port Arthur.

[FR Doc. E9–21580 Filed 9–4–09; 8:45 am]

BILLING CODE 4910–15–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3060

[Docket No. RM2009–9; Order No. 287]

Competitive Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: This document announces a proposed rulemaking in response to a recent Postal Service filing of a proposed methodology for the allocation of assets and liabilities in theoretical competitive enterprise.

DATES: Submit comments on or before October 23, 2009. Submit reply comments on or before November 23, 2009.

ADDRESSES: Submit comments electronically via the Commission's electronic Filing Online system at *http://www.prc.gov.*

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at 202–789–6820 or *stephen.sharfman@prc.gov.*

SUPPLEMENTARY INFORMATION: *Regulatory History,* 73 FR 79256 (December 24, 2008).

In PRC Order No. 151, which established financial accounting practices and tax rules for competitive products, the Commission directed the Postal Service to develop the assets and liabilities of the theoretical competitive products enterprise by identifying all asset and liability accounts within its Chart of Accounts used solely for the provision of (a) competitive products or (b) market dominant products, and for those not identified with either, to submit for Commission approval a proposed methodology detailing how each asset and liability account identified in the Chart of Accounts shall be allocated to the theoretical competitive products enterprise.[1] *See* 39 CFR 3060.12 and 3060.13; *see also* Order No. 151 at 17–18.

In satisfaction of that requirement, on July 23, 2009, the Postal Service filed a proposed methodology for the allocation of assets and liabilities to the theoretical competitive enterprise.[2] The Postal Service avers that, with ''few exceptions,'' the proposed methodology tracks that used by the Commission in PRC–LR–1 in Docket No. RM2008–5. *Id.* at 1–2. The differences concern the following entries:

1. *Asset:* Supplies, Advances, and Prepayments—the Postal Service allocation is based on total revenues; the Commission did not propose an allocation;

2. *Liability:* Payables and Accrued Expenses—the Postal Service allocation is based on total revenues; the Commission did not propose an allocation;

3. *Liability:* Customer Deposit Accounts—the Postal Service allocation is based on total revenues; the Commission allocation is limited to a specific account, Expedited Mail Advance Deposit;

4. *Liability:* Outstanding Postal Money Orders—the Postal Service allocation is based on actual Outstanding International Money Orders; the Commission did not propose an allocation; and

5. *Liability:* Deferred Gains on Sales of Property—the Postal Service did not propose an allocation; the Commission allocation is based on Building Depreciation Expenses.

The Notice, which is available on the Commission's Web site, *http://www.prc.gov*, includes a spreadsheet showing the Commission's and the Postal Service's proposed allocation procedures. The Notice also provides rationales for the Postal Service's proposals.

Interested persons are invited to comment on the Postal Service's proposed methodology and may propose alternative methodologies. Comments are due no later than 45 days after publication of this order in the **Federal Register**. Reply comments are due no later than 75 days after publication of this order in the **Federal Register**.

The Commission designates Patricia A. Gallagher to represent the interests of the general public in this proceeding.

It is ordered:

1. The Commission establishes Docket No. RM2009–9 to consider the matters related to the allocation of assets and liabilities to the theoretical competitive products enterprise.

2. Interested persons may submit initial comments within 45 days of publication of this order in the **Federal Register**.

3. Interested persons may submit reply comments within 75 days of publication of this Order in the **Federal Register**.

4. Pursuant to 39 U.S.C. 505, Patricia A. Gallagher is designated to serve as the Public Representative representing the interests of the general public in this proceeding.

5. The Secretary shall arrange for publication of this Notice in the **Federal Register**.

Authority: 39 U.S.C. 503, 2011, 3633, 3634.

Issued: August 24, 2009.

By the Commission.

Judith M. Grady,

Acting Secretary.

[FR Doc. E9–21476 Filed 9–4–09; 8:45 am]

BILLING CODE 7710–FW–P

[1] *See* Docket No. RM2008–5, PRC Order No. 151, Order Establishing Tax Rules and Accounting Practices for Competitive Products, December 18, 2009 (Order No. 151).

[2] Notice of United States Postal Service Regarding Proposed Methodology for the Allocation of Assets and Liabilities to Competitive Products, July 23, 2009 (Notice).

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2009–0573; FRL–8953–6]

Disapproval of State Implementation Plan Revisions, South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to disapprove a revision to the South Coast Air Quality Management District (SCAQMD) portion of the California State Implementation Plan (SIP) concerning volatile organic compound (VOC) emissions from polymeric foam manufacturing operations. We are proposing action on a local rule that regulates these emission sources under the Clean Air Act as amended in 1990 (CAA or the Act). We are taking