Refund Policy and Waiver of Signature
Express Mail Domestic Postage

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is revising Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM®) throughout various sections to modify the policy for filing claims for domestic Express Mail® postage refunds from 90 days to 30 days after the date of mailing, and to change the Express Mail “waiver of signature” standard for domestic items. The Postal Service received several comments in response to this proposed rule that are summarized later in this notice.

The Postal Service is reviewing the DMM to align the refund policy for domestic Express Mail with the industry standard for overnight products by requiring all claims for postage refunds to be filed within 30 days of the date of mailing instead of the current filing timeline of 90 days.

Additionally, in conjunction with the implementation of the January 2012 redesign of Express Mail Label 11–B and Label 11–F, Express Mail Post Office to Addressee, the Postal Service is modifying both labels, by eliminating the “waiver of signature” check box. A customer sending an Express Mail item, and requiring an addressee’s signature, must select the new “signature required” box on the new Express Mail label. If the box is not selected, the Postal Service will not obtain a signature from the addressee upon delivery of Express Mail Next Day Delivery and Express Mail Second Day Delivery items. Instead, the carrier will scan the barcode and leave the item in the customer’s mail receptacle or other secure location to document delivery.

Express Mail Hold For Pickup service always requires the signature of the addressee or addressee’s agent.

Therefore, the Express Mail Label 11–HFPU, Express Mail Hold For Pickup, will not be modified to reflect the new “signature required” option.

Comments

Five comments were received regarding the proposed rule, addressing multiple issues.

Three commenters expressed concern over the change to modify the policy for filing claims for domestic Express Mail postage from 90 days to 30 days. Two of the commenters voiced concern that 30 days is too short for commercial mailers and mailing agents. A 30-day limit on the sender’s request for a refund is longer than the current industry standard. Data shows refund requests received outside of the 30-day limit are currently the exception. The change to a 30-day submission limit encompasses only the mailer request for refunds due to a failure to deliver Express Mail shipments on time. The current process for validating account charges and identifying corrections or adjustments that may be necessary will not change.

One commenter provided an interpretation of how the new Express Mail Label 11–B and 11–F, dated January 22, 2012, and the labels printed prior to January 2012 will be used. The interpretation was correct. Effective January 22, 2012, when a customer uses a new Label 11–B or Label 11–F, a signature will only be obtained if the

For losses listed in paragraphs (f)(1) through (19) of this section, multiple losses resulting from a single traumatic event may be combined for purposes of a single payment (except where noted otherwise); however, the total payment amount may not exceed $100,000 for losses resulting from a single traumatic event.

Payments for losses listed in paragraphs (f)(20) through (21) of this section may not be made in addition to payments for losses under paragraphs (f)(1) through (19)—only the higher amount will be paid. The total payment amount may not exceed $100,000 for losses resulting from a single traumatic event.

If the loss is—

(19) Genitourinary Losses

<table>
<thead>
<tr>
<th>Loss Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anatomical loss of the penis</td>
<td>$50,000</td>
</tr>
<tr>
<td>Permanent loss of use of the penis</td>
<td>50,000</td>
</tr>
<tr>
<td>Anatomical loss of one testicle</td>
<td>25,000</td>
</tr>
<tr>
<td>Anatomical loss of both testicles</td>
<td>50,000</td>
</tr>
<tr>
<td>Permanent loss of use of both testicles</td>
<td>50,000</td>
</tr>
<tr>
<td>Anatomical loss of the vulva, uterus, or vaginal canal</td>
<td>50,000</td>
</tr>
<tr>
<td>Permanent loss of use of the vulva or vaginal canal</td>
<td>25,000</td>
</tr>
<tr>
<td>Anatomical loss of one ovary</td>
<td>50,000</td>
</tr>
<tr>
<td>Anatomical loss of both ovaries</td>
<td>50,000</td>
</tr>
<tr>
<td>Permanent loss of use of both ovaries</td>
<td>50,000</td>
</tr>
<tr>
<td>Total and permanent loss of urinary system function</td>
<td>50,000</td>
</tr>
</tbody>
</table>

Note 1: Losses due to genitourinary injuries may be combined with each other, but the maximum benefit for genitourinary losses may not exceed $50,000.

Note 2: Any genitourinary loss may be combined with other injuries listed in § 9.20(f)(1) through (18) and treated as one loss, provided that all losses are the result of a single traumatic event. However, the total payment may not exceed $100,000.
§ 2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. If the signature required box is selected, an image of the signature will be provided to mailers when accessing delivery information. A mailer must select signature service for Express Mail Custom Designed Service, Express Mail COD, or Express Mail with additional insurance.

§ 200 Commercial Letters and Cards

§ 210 Express Mail

§ 213 Prices and Eligibility

§ 4.0 Service Features of Express Mail

§ 4.1 General

Customers may access delivery information at www.usps.com or by calling 1–(800) 222–1811 toll-free and providing the article number. A delivery record, including the addressee’s signature, will be faxed or mailed upon request. See 115.2.2 for more information regarding the addressee’s signature.

§ 115 Mail Preparation

§ 2.0 Express Mail Next Day and Second Day

§ 2.2 Waiver of Signature

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Address, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Revise the text of current item 2.2 as follows:]

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Address, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Revise current item 2.3 as 2.4 and add new 2.3 as follows:]

§ 2.3 Signature Required
2.2 Waiver of Signature

[Revise the first sentence of 2.2 as follows:]

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Addressee, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Renumber 2.3 as 2.4 and add new 2.3 as follows:]

2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, and requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. If the signature required box is selected, an image of the signature will be provided when accessing delivery information. * * *

3.0 Express Mail Custom Designed

[Revise the title and text of 3.2 as follows:]

3.2 Signature Required

The addressee’s (or agent’s) signature is required for all Express Mail Custom Designed service. * * *

300 Commercial Flats

* * *

310 Express Mail

* * *

313 Prices and Eligibility

* * *

4.0 Service Features of Express Mail

4.1 General

[Revise the current text of 4.1 by combining the introductory text and the text of item a, and deleting item b in its entirety as follows:]

Customers may access delivery information at www.usps.com or by calling 1–(800) 222–1811 toll-free and providing the article number. A delivery record, including the addressee’s signature, will be faxed or mailed upon request. See 415.2.2 for more information regarding the addressee’s signature.

* * *

315 Mail Preparation

* * *

2.0 Express Mail Next Day and Second Day

* * *

2.2 Waiver of Signature

[Revise the first sentence of 2.2 as follows:]

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Addressee, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Renumber current item 2.3 as 2.4 and add new 2.3 as follows:]

2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, and requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. If the signature required box is selected, an image of the signature will be provided when accessing delivery information. * * *

3.0 Express Mail Custom Designed

* * *

315 Mail Preparation

* * *

2.0 Express Mail Next Day and Second Day

* * *

2.2 Waiver of Signature

[Revise the first sentence of 2.2 as follows:]

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Addressee, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Renumber 2.3 as 2.4 and add new 2.3 as follows:]

2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, and requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. If the signature required box is selected, an image of the signature will be provided when accessing delivery information. * * *

3.0 Express Mail Custom Designed

* * *

315 Mail Preparation

* * *

2.0 Express Mail Next Day and Second Day

* * *

2.2 Waiver of Signature

[Revise the first sentence of 2.2 as follows:]

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Addressee, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Renumber current item 2.3 as 2.4 and add new 2.3 as follows:]

2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, and requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. * * *

[Renumber 2.3 as 2.4 and add new 2.3 as follows:]

2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, and requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. If the signature required box is selected, an image of the signature will be provided when accessing delivery information. * * *

3.0 Express Mail Custom Designed

* * *

315 Mail Preparation

* * *

2.0 Express Mail Next Day and Second Day

* * *

2.2 Waiver of Signature

[Revise the first sentence of 2.2 as follows:]

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Addressee, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Renumber current item 2.3 as 2.4 and add new 2.3 as follows:]

2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, and requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. If the signature required box is selected, an image of the signature will be provided when accessing delivery information. * * *

3.0 Express Mail Custom Designed

* * *

315 Mail Preparation

* * *

2.0 Express Mail Next Day and Second Day

* * *

2.2 Waiver of Signature

[Revise the first sentence of 2.2 as follows:]

For editions of Express Mail Label 11–B or Label 11–F, Express Mail Post Office to Addressee, printed before January 2012, a mailer sending an Express Mail item may instruct the USPS to deliver an Express Mail Next Day Delivery or Express Mail Second Day Delivery item without obtaining the signature of the addressee or the addressee’s agent by checking and signing the waiver of signature on Label 11–B or Label 11–F, or indicating waiver of signature is requested on single-ply commercial label. * * *

[Renumber current item 2.3 as 2.4 and add new 2.3 as follows:]

2.3 Signature Required

For editions of Express Mail Label 11–B or Label 11–F printed on or after January 2012, a mailer sending an Express Mail item, and requiring the addressee’s signature, must instruct USPS to obtain a signature from the addressee upon delivery of the item by checking the “signature required” box on Label 11–B or Label 11–F or indicating signature is requested on single-ply commercial label. If the signature required box is selected, an image of the signature will be provided when accessing delivery information. * * *

3.0 Express Mail Custom Designed

* * *
3.2 Signature Required
The addressee’s (or agent’s) signature is required for all Express Mail Custom Designed service.

500 Additional Mailing Services
503 Extra Services

1.0 Extra Services for Express Mail
1.1 Available Services

1.1.6 COD
[Revise 1.1.6 by adding a new last sentence as follows:]
* * * A signature is required for COD service.

1.1.7 Insurance and Indemnity
Express Mail is insured against loss, damage, or missing contents, subject to these standards:

1.1.8 Additional Insurance
[Revise the last sentence of 1.1.8 as follows:]
* * * When “signature required” service is not requested, or when “waiver of signature” is requested additional insurance is not available.

12.0 Collect on Delivery (COD)

12.2 Basic Information

12.2.5 Express Mail COD
[Revise the first sentence of 12.2.5 as follows:] Any article sent COD also may be sent by Express Mail Next Day and Express Mail Second Day service when a signature is requested. * * *

11.5 Exception for Business/Regulatory Purposes

11.5.2 Mailing
* * * * * All mailings under the business/regulatory purposes exception must:

11.6 Exception for Certain Individuals

11.6.2 Mailing
No customer may send or cause to be sent more than 10 mailings under this exception in any 30-day period. Each mailing under the certain individuals exception must:

11.7 Consumer Testing Exception

11.7.2 Mailing
* * * * * Mailings must be tendered under the following conditions:

11.7.3 Consumer Testing Exception

11.7.4 Consumer Testing Exception

11.8 Collect on Delivery

11.9 Collect on Delivery

11.10 Collect on Delivery

2.0 Overseas Military Mail

2.6 Express Mail Military Service (EMMS)

2.6.10 Signature Required
A signature is required for Express Mail Military Service.

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 52

Approval and Promulgation of Air Quality Implementation Plans; West Virginia and Ohio; Determinations of Attainment of the 1997 Annual Fine Particle Standard for the Parkersburg-Marietta and Wheeling Nonattainment Areas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is making determinations that the Parkersburg-Marietta, West Virginia-Ohio (WV-OH) fine particle (PM$_{2.5}$) nonattainment area and the Wheeling, WV-OH PM$_{2.5}$ nonattainment area...