By direction of the Commission, Commissioner Ohlhausen dissenting.

Donald S. Clark,

Secretary.

Note: The following dissent will not appear in the Code of Federal Regulations.

Dissenting Statement of Commissioner Maureen K. Ohlhausen

I voted against the Commission's Final Revised Interpretations of the Magnuson-Moss Warranty Act (MMWA) Rule because it retains Rule 703.5(j)'s prohibition on pre-dispute mandatory binding arbitration.[1]

Since the last Rule review in 1997, two federal appellate courts have held that the MMWA does not prohibit binding arbitration.[2] Noting the federal policy favoring arbitration expressed in the Federal Arbitration Act (FAA),[3] these courts concluded that the MMWA's statutory language and legislative history did not overcome the presumption in favor of arbitration and that the purposes of the MMWA and the FAA were not in inherent conflict. The courts also declined to give the Commission's contrary interpretation *Chevron* deference.[4] Although some lower courts have reached a different conclusion, there is no circuit court precedent upholding the Commission's interpretation of the MMWA in Rule 703.5(j). Additionally, in several recent cases, the Supreme Court has indicated a strong preference for arbitration.[5]

The courts have sent a clear signal that the Commission's position that MMWA prohibits binding arbitration is no longer supportable.[6] When faced with such a signal, the Commission should not reaffirm the rule in question. I therefore respectfully dissent.

[FR Doc. 2015–14065 Filed 7–17–15; 8:45 am]

BILLING CODE 6750–01–P

[1] I do not object to the other final actions taken in this review.

[2] *See Walton* v. *Rose Mobile Homes, LLC,* 298 F.3d 470 (5th Cir. 2002); *Davis* v. *Southern Energy Homes, Inc.,* 305 F.3d 1268 (11th Cir. 2002).

[3] 9 U.S.C. 1. *See Shearson/Am. Express Inc.* v. *McMahon,* 482 U.S. 220 (1987) (noting that the presumption of the FAA is that arbitration is preferable and Congress must clearly override that presumption if it is to be disregarded).

[4] *Chevron U.S.A., Inc.* v. *Natural Resources Defense Council, Inc.,* 467 U.S. 837 (1984) (holding that courts defer to an agency's interpretation of a statute if ''(1) Congress has not spoken directly to the issue; and (2) the agency's interpretation 'is based on a permissible construction of the statute' '').

[5] *See, e.g,. Am. Express Co.* v. *Italian Colors Rest.,* 133 S. Ct. 2304 (2013), *AT&T Mobility LLC* v. *Concepcion,* 131 S. Ct. 1740 (2011).

[6] *See Davis,* 305 F.3d at 1280 (''[T]he FTC's interpretation of the MMWA is unreasonable, and we decline to defer to the FTC regulations of the MMWA regarding binding arbitration in written warranties.'').

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 16

[Docket No. FDA–2015–N–0011]

Regulatory Hearing Before the Food and Drug Administration; Technical Amendment

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA) is updating an authority citation for the Code of Federal Regulations. This action is technical in nature and is intended to provide accuracy of the Agency's regulations.

DATES: This rule is effective July 20, 2015.

FOR FURTHER INFORMATION CONTACT: Mary E. Kennelly, Office of Regulatory Affairs, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 32, Rm. 4338, Silver Spring, MD 20993–0002, 240–402–9577, *FDASIAImplementationORA@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION: In a previous rulemaking, the authority citation for 21 CFR part 16 was inadvertently altered to omit 28 U.S.C. 2112 and changed 21 U.S.C. 467f to 21 U.S.C. 467F. FDA is reversing those changes such that 28 U.S.C. 2112 and 21 U.S.C. 467f are included in the list of authority citations for 21 CFR part 16.

List of Subjects in 21 CFR Part16

Administrative practice and procedure.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 16 is amended as follows:

PART 16—REGULATORY HEARING BEFORE THE FOOD AND DRUG ADMINISTRATION

■ 1. The authority citation for 21 CFR part 16 is revised to read as follows:

Authority: 15 U.S.C. 1451–1461; 21 U.S.C. 141–149, 321–394, 467f, 679, 821, 1034; 28 U.S.C. 2112; 42 U.S.C. 201–262, 263b, 364.

Dated: July 15, 2015.

Leslie Kux,

Associate Commissioner for Policy.

[FR Doc. 2015–17714 Filed 7–17–15; 8:45 am]

BILLING CODE 4164–01–P

POSTAL REGULATORY COMMISSION

39 CFR Part 3020

[Docket Nos. MC2010–21 and CP2010–36]

Update to Product Lists

AGENCY: Postal Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Commission is updating the product lists. This action reflects a publication policy adopted by Commission order. The referenced policy assumes periodic updates. The updates are identified in the body of this document. The product lists, which is re-published in its entirety, includes these updates.

DATES: *Effective date:* July 20, 2015.

Applicability dates: March 31, 2015, Parcel Return Service Contract 6 (MC2015–41 and CP2015–53); April 8, 2015, Priority Mail Contract 121 (MC2015–43 and CP2015–54); April 8, 2015, Parcel Select Contract 9 (MC2015–44 and CP2015–55); April 8, 2015, Priority Mail & First-Class Package Service Contract 3 (MC2015–45 and CP2015–56); April 21, 2015, Priority Mail Express & Priority Mail Contract 17 (MC2015–47 and CP2015–58); April 21, 2015, Priority Mail Contract 122 (MC2015–46 and CP2015–57); May 1, 2015, Priority Mail & First-Class Package Service Contract 4 (MC2015–48 and CP2015–60); May 12, 2015, Priority Mail Express & Priority Mail Contract 18 (MC2015–49 and CP2015–61); May 27, 2015, Global Expedited Package Services Contracts Non-Published Rates 6 (MC2015–23 and CP2015–65); May 28, 2015, Parcel Return Service Contract 7 (MC2015–50 and CP2015–72); May 28, 2015, Parcel Return Service Contract 8 (MC2015–51 and CP2015–73); June 9, 2015, Priority Mail Contract 124 (MC2015–53 and CP2015–81); June 9, 2015, Priority Mail Contract 123 (MC2015–52 and CP2015–80); June 16, 2015, Priority Mail Contract 125 (MC2015–54 and CP2015–82).

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6800.

SUPPLEMENTARY INFORMATION: This document identifies updates to the product lists, which appear as 39 CFR Appendix A to Subpart A of Part 3020—Mail Classification Schedule. Publication of the updated product lists in the **Federal Register** is addressed in the Postal Accountability and Enhancement Act (PAEA) of 2006.

Authorization. The Commission process for periodic publication of updates was established in Docket Nos. MC2010–21 and CP2010–36, Order No. 445, April 22, 2010, at 8.

Changes. The product lists are being updated by publishing a replacement in its entirety of 39 CFR Appendix A to Subpart A of Part 3020—Mail Classification Schedule. The following products are being added, removed, or moved within the product lists:

1. Parcel Return Service Contract 6 (MC2015–41 and CP2015–53) (Order No. 2421), added March 31, 2015.
2. Priority Mail Contract 121 (MC2015–43 and CP2015–54) (Order No. 2428), added April 8, 2015.
3. Parcel Select Contract 9 (MC2015–44 and CP2015–55) (Order No. 2429), added April 8, 2015.
4. Priority Mail & First-Class Package Service Contract 3 (MC2015–45 and CP2015–56) (Order No. 2430), added April 8, 2015.
5. Priority Mail Express & Priority Mail Contract 17 (MC2015–47 and CP2015–58) (Order No. 2447), added April 21, 2015.
6. Priority Mail Contract 122 (MC2015–46 and CP2015–57) (Order No. 2451), added April 21, 2015.
7. Priority Mail & First-Class Package Service Contract 4 (MC2015–48 and CP2015–60) (Order No. 2464), added May 1, 2015.
8. Priority Mail Express & Priority Mail Contract 18 (MC2015–49 and CP2015–61) (Order No. 2480), added May 12, 2015.
9. Global Expedited Package Services Contracts Non-Published Rates 6 (MC2015–23 and CP2015–65) (Order No. 2513), added May 27, 2015.
10. Parcel Return Service Contract 7 (MC2015–50 and CP2015–72) (Order No. 2515), added May 28, 2015.
11. Parcel Return Service Contract 8 (MC2015–51 and CP2015–73) (Order No. 2518), added May 28, 2015.
12. Priority Mail Contract 124 (MC2015–53 and CP2015–81) (Order No. 2534), added June 9, 2015.
13. Priority Mail Contract 123 (MC2015–52 and CP2015–80) (Order No. 2535), added June 9, 2015.
14. Priority Mail Contract 125 (MC2015–54 and CP2015–82) (Order No. 2542), added June 16, 2015.

The following negotiated service agreements have expired and are being deleted from the Mail Classification Schedule:

1. Discover Financial Services 1 (MC2011–19 and R2011–3) (Order No. 694).
2. Priority Mail Express Contract 10 (MC2011–12 and CP2011–48) (Order No. 640).
3. Parcel Return Service Contract 3 (MC2013–39 and CP2013–51) (Order No. 1672).
4. Parcel Return Service Contract 4 (MC2013–46 and CP2013–60) (Order No. 1711).
5. Priority Mail Contract 31 (MC2011–10 and CP2011–46) (Order No. 637).
6. Priority Mail Contract 32 (MC2011–11 and CP2011–47) (Order No. 639).
7. Priority Mail Contract 34 (MC2011–17 and CP2011–56) (Order No. 655).
8. Priority Mail Contract 35 (MC2011–18 and CP2011–57) (Order No. 656).
9. Priority Mail Contract 36 (MC2012–2 and CP2012–6) (Order No. 1170).
10. Priority Mail Contract 38 (MC2012–7 and CP2012–15) (Order No. 1197).
11. Priority Mail Contract 49 (MC2013–25 and CP2013–33) (Order No. 1607).
12. Priority Mail Contract 50 (MC2013–26 and CP2013–34) (Order No. 1608).
13. Priority Mail Contract 68 (MC2014–6 and CP2014–7) (Order No. 1893).
14. Priority Mail Contract 69 (MC2014–7 and CP2014–8) (Order No. 1895).
15. Priority Mail Express & Priority Mail Contract 15 (MC2014–3 and CP2014–3) (Order No. 1872).
16. Parcel Select Contract 1 (MC2011–16 and CP2011–53) (Order No. 686).
17. First-Class Package Service Contract 1 (MC2012–11 and CP2012–19) (Order No. 1339).
18. First-Class Package Service Contract 3 (MC2012–19 and CP2012–25) (Order No. 1355).
19. First-Class Package Service Contract 4 (MC2012–20 and CP2012–26) (Order No. 1356).
20. First-Class Package Service Contract 5 (MC2012–21 and CP2012–27) (Order No. 1357).
21. First-Class Package Service Contract 6 (MC2012–22 and CP2012–28) (Order No. 1358).
22. First-Class Package Service Contract 7 (MC2012–23 and CP2012–29) (Order No. 1359).

Updated product lists. The referenced changes to the product lists are incorporated into 39 CFR Appendix A to Subpart A of Part 3020—Mail Classification Schedule.

List of Subjects in 39 CFR Part 3020

Administrative practice and procedure, Postal Service.

For the reasons discussed in the preamble, the Postal Regulatory Commission amends part 3020 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: 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise Appendix A of Subpart A of Part 3020 to read as follows:

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

(An asterisk (*) indicates an organizational class or group, not a Postal Service product.)

Part A—Market Dominant Products

1000 Market Dominant Product List

First-Class Mail *
- Single-Piece Letters/Postcards
- Presorted Letters/Postcards
- Flats
- Parcels
- Outbound Single-Piece First-Class Mail International
- Inbound Letter Post

Standard Mail (Commercial and Nonprofit)*
- High Density and Saturation Letters
- High Density and Saturation Flats/Parcels
- Carrier Route
- Letters
- Flats
- Parcels
- Every Door Direct Mail—Retail

Periodicals *
- In-County Periodicals
- Outside County Periodicals

Package Services *
- Alaska Bypass Service
- Bound Printed Matter Flats
- Bound Printed Matter Parcels
- Media Mail/Library Mail

Special Services *
- Ancillary Services
- International Ancillary Services
- Address Management Services
- Caller Service
- Credit Card Authentication
- International Reply Coupon Service
- International Business Reply Mail Service
- Money Orders
- Post Office Box Service
- Customized Postage
- Stamp Fulfillment Services

Negotiated Service Agreements *
- Domestic *
  - Valassis Direct Mail, Inc. Negotiated Service Agreement
  - PHI Acquisitions, Inc. Negotiated Service Agreement
- International*
  - Inbound Market Dominant Multi-Service Agreements with Foreign Postal Operators
  - Inbound Market Dominant Exprés Service Agreement 1

Nonpostal Services *
- Alliances with the Private Sector to Defray Cost of Key Postal Functions Philatelic Sales

Market Tests *

Part B—Competitive Products

2000 Competitive Product List

Domestic Products *
- Priority Mail Express
- Priority Mail
- Parcel Select
- Parcel Return Service
- First-Class Package Service
- Standard Post

International Products *
- Outbound International Expedited Services

Inbound Parcel Post (at UPU rates)
Outbound Priority Mail International
International Priority Airmail (IPA)
International Surface Air List (ISAL)
International Direct Sacks—M-Bags
Outbound Single-Piece First-Class Package International Service
Negotiated Service Agreements *
Domestic *
Priority Mail Express Contract 8
Priority Mail Express Contract 11
Priority Mail Express Contract 12
Priority Mail Express Contract 13
Priority Mail Express Contract 14
Priority Mail Express Contract 15
Priority Mail Express Contract 16
Priority Mail Express Contract 17
Priority Mail Express Contract 18
Priority Mail Express Contract 19
Priority Mail Express Contract 20
Priority Mail Express Contract 21
Priority Mail Express Contract 22
Priority Mail Express Contract 23
Priority Mail Express Contract 24
Priority Mail Express Contract 25
Parcel Return Service Contract 5
Parcel Return Service Contract 6
Parcel Return Service Contract 7
Parcel Return Service Contract 8
Priority Mail Contract 24
Priority Mail Contract 29
Priority Mail Contract 33
Priority Mail Contract 39
Priority Mail Contract 40
Priority Mail Contract 41
Priority Mail Contract 42
Priority Mail Contract 43
Priority Mail Contract 44
Priority Mail Contract 45
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Priority Mail Contract 116
Priority Mail Contract 117
Priority Mail Contract 118
Priority Mail Contract 119
Priority Mail Contract 120
Priority Mail Contract 121
Priority Mail Contract 122
Priority Mail Contract 123
Priority Mail Contract 124
Priority Mail Contract 125
Priority Mail Express & Priority Mail Contract 9
Priority Mail Express & Priority Mail Contract 10
Priority Mail Express & Priority Mail Contract 11
Priority Mail Express & Priority Mail Contract 12
Priority Mail Express & Priority Mail Contract 13
Priority Mail Express & Priority Mail Contract 14
Priority Mail Express & Priority Mail Contract 16
Priority Mail Express & Priority Mail Contract 17
Priority Mail Express & Priority Mail Contract 18
Parcel Select & Parcel Return Service Contract 3
Parcel Select & Parcel Return Service Contract 5
Parcel Select Contract 2
Parcel Select Contract 3
Parcel Select Contract 4
Parcel Select Contract 5
Parcel Select Contract 6
Parcel Select Contract 7
Parcel Select Contract 8
Parcel Select Contract 9
Priority Mail—Non-Published Rates
Priority Mail—Non-Published Rates 1
First-Class Package Service Contract 8
First-Class Package Service Contract 9
First-Class Package Service Contract 10
First-Class Package Service Contract 11
First-Class Package Service Contract 12
First-Class Package Service Contract 13
First-Class Package Service Contract 14
First-Class Package Service Contract 15
First-Class Package Service Contract 16
First-Class Package Service Contract 17
First-Class Package Service Contract 18
First-Class Package Service Contract 19
First-Class Package Service Contract 20
First-Class Package Service Contract 21
First-Class Package Service Contract 22
First-Class Package Service Contract 23
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First-Class Package Service Contract 31
First-Class Package Service Contract 32
First-Class Package Service Contract 33
First-Class Package Service Contract 34
First-Class Package Service Contract 35
First-Class Package Service Contract 36
First-Class Package Service Contract 37
Priority Mail Express, Priority Mail & First-Class Package Service Contract 1
Priority Mail Express, Priority Mail & First-Class Package Service Contract 2
Priority Mail Express, Priority Mail & First-Class Package Service Contract 3
Priority Mail Express, Priority Mail & First-Class Package Service Contract 4
Priority Mail & First-Class Package Service Contract 1
Priority Mail & First-Class Package Service Contract 2
Priority Mail & First-Class Package Service Contract 3
Priority Mail & First-Class Package Service Contract 4
Outbound International *
Global Expedited Package Services (GEPS) Contracts
GEPS 3
Global Direct Contracts
Global Direct Contracts 1
Global Bulk Economy (GBE) Contracts
Global Plus Contracts
Global Plus 1C
Global Plus 2C
Global Reseller Expedited Package Contracts
Global Reseller Expedited Package Services 1
Global Reseller Expedited Package Services 2
Global Reseller Expedited Package Services 3
Global Reseller Expedited Package Services 4
Global Expedited Package Services (GEPS)—Non-Published Rates
Global Expedited Package Services (GEPS)—Non-Published Rates 2
Global Expedited Package Services (GEPS)—Non-Published Rates 3
Global Expedited Package Services (GEPS)—Non-Published Rates 4
Global Expedited Package Services (GEPS)—Non-Published Rates 5
Global Expedited Package Services (GEPS)—Non-Published Rates 6
Priority Mail International Regional Rate Boxes—Non-Published Rates
Outbound Competitive International Merchandise Return Service

Agreement with Royal Mail Group, Ltd.
Priority Mail International Regional Rate Boxes Contract 1
Inbound International*
International Business Reply Service (IBRS) Competitive Contracts
International Business Reply Service Competitive Contract 1
International Business Reply Service Competitive Contract 3
Inbound Direct Entry Contracts with Customers
Inbound Direct Entry Contracts with Foreign Postal Administrations
Inbound Direct Entry Contracts with Foreign Postal Administrations
Inbound Direct Entry Contracts with Foreign Postal Administrations 1
Inbound EMS
Inbound EMS 2
Inbound Air Parcel Post (at non-UPU rates)
Royal Mail Group Inbound Air Parcel Post Agreement
Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1
Special Services *
Address Enhancement Services
Greeting Cards, Gift Cards, and Stationery
International Ancillary Services
International Money Transfer Service—Outbound
International Money Transfer Service—Inbound
Premium Forwarding Service
Shipping and Mailing Supplies
Post Office Box Service
Competitive Ancillary Services
Nonpostal Services *
Advertising
Licensing of Intellectual Property other than Officially Licensed Retail Products (OLRP)
Mail Service Promotion
Officially Licensed Retail Products (OLRP)
Passport Photo Service
Photocopying Service
Rental, Leasing, Licensing or other Non-Sale Disposition of Tangible Property
Training Facilities and Related Services
USPS Electronic Postmark (EPM) Program
Market Tests *
Metro Post
International Merchandise Return Service (IMRS)—Non-Published Rates
Customized Delivery

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2015–17685 Filed 7–17–15; 8:45 am]

BILLING CODE 7710–FW–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2013–0436; EPA–R05–OAR–2014–0663; FRL–9929–71–Region 5]

Approval and Promulgation of Air Quality Implementation Plans; Illinois; Midwest Generation Variances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is approving into the Illinois regional haze State Implementation Plan (SIP) variances affecting the following Midwest Generation, LLC facilities: Crawford Generating Station (Cook County), Joliet Generating Station (Will County), Powerton Generating Station (Tazewell County), Waukegan Generating Station (Lake County), and Will County Generating Station (Will County). The Illinois Environmental Protection Agency (IEPA) submitted these variances to EPA for approval on May 16, 2013, and August 18, 2014.

DATES: This final rule is effective on August 19, 2015.

ADDRESSES: EPA has established dockets for this action under Docket ID Nos. EPA–R05–OAR–2013–0436 and EPA–R05–OAR–2014–0663. All documents in the docket are listed on the *www.regulations.gov* Web site. Although listed in the index, some information is not publicly available, *i.e.,* Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through *www.regulations.gov* or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Kathleen D'Agostino, Environmental Engineer, at (312) 886–1767 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Kathleen D'Agostino, Environmental Engineer, Attainment Planning and Maintenance Section, Air Programs Branch (AR–18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–1767, *dagostino.kathleen@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This supplementary information section is arranged as follows:

I. What is the background for this action?
II. What action is EPA taking?
III. Incorporation by reference
IV. Statutory and Executive Order Reviews.

I. What is the background for this action?

On June 24, 2011, Illinois submitted a plan to address the requirements of the Regional Haze Rule, as codified at 40 CFR 51.308. EPA approved Illinois' regional haze SIP on July 6, 2012 (77 FR 39943). Among the rules approved in this action to meet the best available retrofit technology (BART) requirements of the Regional Haze Rule are Illinois Administrative Code rules: 35 Ill. Adm. Code 225.292: ''Applicability of the Combined Pollutant Standard;'' 35 Ill. Adm. Code 225.295 ''Combined Pollutant Standard: Emissions Standards for NO_X and SO_2;'' 35 Ill. Adm. Code 225.296 ''Combined Pollutant Standard: Control Technology Requirements for NO_X, SO_2, and PM Emissions'' (except for paragraph 225.296(d)); and 35 Ill. Adm. Code 225 Appendix A, which identifies the Midwest Generation Electric Generating Units (EGUs) specified for purposes of the combined pollutant standard (CPS).

The Illinois Pollution Control Board (IPCB) granted Midwest Generation variances to Section 225.296(a)(1) and 225.296(c)(1) on August 23, 2012, and to Section 225.295(b) and Section 225.296(a)(2) on April 4, 2013. IEPA submitted these variances as revisions to the Illinois regional haze SIP on May 16, 2013, and August 18, 2014. EPA proposed to approve these variances on April 23, 2015 (80 FR 22662). EPA received no comments on the proposed action.

II. What action is EPA taking?

EPA is finalizing approval of the Midwest Generation variances submitted by IEPA on May 16, 2013, and August 18, 2014, as revisions to the Illinois regional haze SIP.

III. Incorporation by Reference

In this rule, EPA is finalizing regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, EPA is finalizing the incorporation by reference of the Illinois Regulations described in the amendments to 40 CFR part 52 set forth below. EPA has made, and will continue to make, these