

8½ by 11 inches, suitable for copying and electronic filing. If you submit them 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>, click on the "read comments" box, which will then become highlighted in blue. In the "Keyword" box insert "USCG-2009-0754" and click "Search." Click the "Open Docket Folder" in the "Actions" 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 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 a Privacy Act notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

#### 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**. Please explain 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

On behalf of the Cities of Chesapeake and Norfolk, Virginia, the Virginia Department of Transportation (VDOT) who owns and operates the lift-type Berkley Bridge has requested a temporary deviation to the existing bridge regulations. The normal operating schedule allows the Berkley Bridge, mile 0.4, with a vertical clearance of 48 feet at mean high tide in Norfolk, Virginia, to remain closed one hour prior to the published start of a scheduled marine event regulated under 33 CFR 100.501, and remain closed

until one hour following the completion of the event unless the Patrol Commander designated under § 100.501 allows the bridge to open for commercial vessel traffic. In addition, the bridge shall open on signal any time except from 5 a.m. to 9 a.m. and from 3 p.m. to 7 p.m., Monday through Friday, except Federal holidays, and shall open at any time for vessels with a draft of 18 feet or more, provided that at least 6 hours advance notice has been given to the Berkley Bridge Traffic Control Room at (757) 494-2490 as required by 33 CFR 117.1007(b) and (c).

Vessel traffic on this waterway consists of pleasure craft, tug and barge traffic, and ships with assist tugs seeking repair yards. There is no alternate waterway route around the bridge.

Due to the temporary closure of two area bridges, this bridge and its approaches has experienced vehicular traffic back-ups, delays, and congestion. By adjusting the scheduled bridge openings, we anticipate a decrease in vehicular traffic congestion during the daytime hours. During this test deviation, VDOT will gather data from the scheduled openings, along with vessel counts, to compare, evaluate, and monitor both old and new traffic patterns in hope of reducing roadway congestion on the bridge and local commuting area by adjusting bridge openings to ensure any future regulation will not have a significant impact on navigation.

The Berkley Bridge is the principle arterial route in and out of the City of Norfolk and serves as the major evacuation highway in the event of emergencies. According to vehicular traffic counts submitted by VDOT for the last quarter of calendar year 2008 the average daily traffic volumes at the Berkley Bridge are as shown below:

|              |      |         |           |
|--------------|------|---------|-----------|
| October .... | 2008 | 83,296  | vehicles. |
| November     | 2008 | 99,643  | vehicles. |
| December     | 2008 | 106,856 | vehicles. |

The traffic counts reveal that from October 2008 to December 2008, the Berkley Bridge has experienced a seven percent (or 23,560-car) increase in traffic flow during the morning and evening rush hours. The Coast Guard anticipates a continued increase in vehicular traffic over the bridge due to the previously referenced temporary closure of two area bridges and anticipates that traffic will subside when those bridges return to service.

A Notice of Proposed Rulemaking, USCG-2009-0754, is being issued in conjunction with this Temporary Deviation to obtain additional public comments.

The Coast Guard will evaluate public comments from this Temporary Test Deviation and the above-referenced Notice of Proposed Rulemaking to determine if a proposed temporary change to the drawbridge operating regulation is warranted for the duration of the project.

#### The Test Schedule

From 9 a.m. on October 9, 2009 through 2:30 p.m. on March 9, 2010, the draw shall open on signal at 9 a.m., 11 a.m., 1 p.m. and 2:30 p.m., Monday through Friday, except Federal holidays. At all other times, the drawbridge will operate in accordance with the current operating regulations outlined in 33 CFR 117.1007(b) and (c).

During this test deviation, VDOT will gather data from the scheduled openings, along with vessel counts, to compare, evaluate, and monitor both old and new traffic patterns in hope of reducing roadway congestion on the bridge and local commuting area by adjusting bridge openings to ensure a future regulation will not have a significant impact on navigation.

#### Additional Information

This deviation has been coordinated with the main commercial waterway user group that has vessels transiting in this area and there is no expectation of any significant impacts on navigation. Vessels with a mast height of less than 48 feet can pass underneath the bridge in the closed position. There are no alternate waterway routes.

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: August 20, 2009.

**Wayne E. Justice,**

*Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*

[FR Doc. E9-24486 Filed 10-7-09; 11:15 am]

**BILLING CODE 4910-15-P**

#### POSTAL SERVICE

##### 39 CFR Part 20

#### Customer Deposit of International Mailpieces

**AGENCY:** Postal Service™.

**ACTION:** Final rule.

**SUMMARY:** The Postal Service is revising the *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM®) to require all mailpieces weighing more than 13 ounces and

bearing only postage stamps be presented to an employee at a retail service counter in a Post Office™.

**DATES:** *Effective Date:* January 4, 2010.

**FOR FURTHER INFORMATION CONTACT:** Rick Klutts at 813-877-0372 or Evans King at 202-268-4982.

**SUPPLEMENTARY INFORMATION:**

These changes require that all international outbound mailpieces weighing more than 13 ounces bearing only postage stamps be presented to an employee at a retail service counter in a Post Office™.

The Postal Service hereby adopts the following changes to *Mailing Standards of the United States Postal Service, International Mail Manual (IMM)*, which is incorporated by reference in the *Code of Federal Regulations*. See 39 CFR 20.1.

**List of Subjects in 39 CFR Part 20**

Foreign relations, International postal services.

■ Accordingly, 39 CFR Part 20 continues to read as follows:

**PART 20—[AMENDED]**

■ 1. The authority citation for 39 CFR Part 20 is revised to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 407, 408, 3622, 3632, and 3633.

■ 2. Revise the following sections of *Mailing Standards of the United States Postal Service, International Mail Manual (IMM)*, as follows:

**Mailing Standards of the United States Postal Service, International Mail Manual (IMM)**

**1 International Mail Services**

\* \* \* \* \*

**120 Preparation for Mailing**

\* \* \* \* \*

**123 Customs Forms and Online Shipping Labels**

\* \* \* \* \*

**123.5 Place of Mailing**

*[Revise 123.5 as follows:]*

Mailpieces bearing customs declarations have specific deposit requirements based on mail category, shape and weight; see IMM part below for determination:

Global Express Guaranteed mailpieces—*see* 215

Express Mail International mailpieces—*see* 225

Priority Mail International mailpieces—*see* 235

First-Class Mail International mailpieces—*see* 245

\* \* \* \* \*

**123.7 Completing Customs Forms**

**123.71 PS Form 2976, Customs Declaration CN 22—Sender's Declaration (green label)**

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**123.712 Postal Service Employee's Acceptance of PS Form 2976**

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*[Delete the **Note** at end of 123.712]*

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**2 Conditions for Mailing**

**210 Global Express Guaranteed**

\* \* \* \* \*

**215 Mail Entry and Deposit**

\* \* \* \* \*

*[Revise 215.2 as follows:]*

**215.2 Place of Mailing**

**215.21 Payment Methods Other Than Postage Stamps**

Global Express Guaranteed shipments paid with online postage, postage meters or information-based indicia (IBI) may be deposited by one of the following methods:

a. At a retail counter of any participating Global Express Guaranteed Post Office facility.

b. Through Pickup on Demand Service (*see* 215.3).

c. Through Carrier Pickup (*see* 215.4).

d. In a collection box served by a participating Global Express Guaranteed Post Office facility.

**215.22 Items Weighing 13 Ounces or Less—Paid With Postage Stamps**

Global Express Guaranteed shipments weighing 13 ounces or less bearing only postage stamps may be deposited by one of the following methods:

a. At a retail counter of any participating Global Express Guaranteed Post Office facility.

b. Through Pickup on Demand Service (*see* 215.3).

c. Through Carrier Pickup (*see* 215.4).

d. In a collection box served by a participating Global Express Guaranteed Post Office facility.

**215.23 Items Weighing More Than 13 Ounces—Paid With Postage Stamps**

A customer may not deposit a Global Express Guaranteed item weighing more than 13 ounces and bearing only postage stamps into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended location. In addition, these mailpieces

are precluded from Pickup on Demand service under 215.3 and Carrier Pickup in 215.4. Customers must present such items to an employee at a Post Office retail service counter. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

**215.24 Acceptance of Shipments**

For purposes of computing the delivery guarantee, Postal Service acceptance of a Global Express Guaranteed shipment occurs when it is received and scanned at a participating Global Express Guaranteed Post Office facility. Collection box deposit and Carrier Pickup do not constitute Postal Service acceptance of a Global Express Guaranteed shipment. Acceptance occurs when the shipment is brought back to the Post Office facility and the acceptance office performs a retail system scan and verifies the weight, dimensions and postage of the shipment. For items paid with Click-N-Ship the customer will receive an e-mail verification of the acceptance date, time, and weight, as well as a verification of the amount of postage applicable for the shipment.

**Note:** Customers paying postage online must enter their shipment via any of the authorized methods outlined in 215.21 within 24 hours of the time when the label is printed or the transaction will be void.

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**220 Express Mail International**

\* \* \* \* \*

**225 Mail Entry and Deposit**

*[Revise 225.1 as follows:]*

**225.1 Place of Mailing**

**225.11 Items Requiring a Completed Customs Declaration**

Except as provided in 225.12, a mailer may not deposit an Express Mail International item that requires a completed customs form into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended location. In addition, these mailpieces are precluded from Pickup on Demand service under 225.2 and Carrier Pickup in 225.3. Customers must present such items to an employee at a Post Office retail service counter. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

### 225.12 Exceptional Items Requiring a Completed Customs Declaration

Express Mail International items paid through an Express Mail Corporate Account (EMCA), or items that have the mailing label, customs form (including an electronic round stamp), and postage prepared and paid online through Click-N-Ship service on usps.com, the eBay integrated shipping solution, or an authorized PC Postage vendor Web site may be deposited by one of the following methods:

- At a Postal Service retail counter.
- Through Pickup on Demand service (see 225.2).
- Through Carrier Pickup (see 225.3).
- Into a Postal Service lobby drop.
- Into an Automated Postal Center (APC) drop.
- In a collection box.
- In a customer mailbox.

### 225.13 Items Not Requiring a Customs Declaration

#### 225.131 Items Weighing 13 Ounces or Less—Paid With Postage Stamps

An Express Mail International item bearing only postage stamps, weighing 13 ounces or less and not requiring a customs declaration (see Individual Country Listing) may be deposited by one of the following methods:

- At a Postal Service retail counter.
- Through Pickup on Demand service (see 225.2).
- Through Carrier Pickup (see 225.3).
- Into a Postal Service lobby drop.
- Into an Automated Postal Center (APC) drop.
- In a collection box.
- In a customer mailbox.

#### 225.132 Items Weighing More Than 13 Ounces—Paid With Postage Stamps

A customer may *not* deposit an Express Mail International item weighing more than 13 ounces bearing only postage stamps and not requiring a customs declaration (see Individual Country Listing) into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended location. In addition, these mailpieces are precluded from Pickup on Demand service under 225.2 and Carrier Pickup in 225.3. Customers must present such items to an employee at a at a Post Office retail service counter. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

#### 225.133 Payment Methods Other Than Postage Stamps

An Express Mail International item paid with online postage, postage

meters or information-based indicia (IBI) and not requiring a customs declaration (See Individual Country Listing) may be deposited by one of the following methods:

- At a Postal Service retail counter.
- Through Pickup on Demand service (see 225.2).
- Through Carrier Pickup (see 225.3).
- Into a Postal Service lobby drop.
- Into an Automated Postal Center (APC) drop.
- In a collection box.
- In a customer mailbox.

### 230 Priority Mail International

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### 235 Mail Entry and Deposit

[Revise 235.1 as follows:]

#### 235.1 Place of Mailing

#### 235.11 Items Requiring a Completed Customs Declaration

Except as provided in 235.12, a mailer may not deposit a Priority Mail International item that requires a completed customs form into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended location. In addition, these mailpieces are precluded from Pickup on Demand service under 235.2 and Carrier Pickup in 235.3. Customers must present such items to an employee at a at a Post Office retail service counter. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

#### 235.12 Items Bearing a Completed Customs Declaration With an Electronic Round Date

Priority Mail International items that have the mailing label, customs form (including an electronic round stamp), and postage prepared and paid online through Click-N-Ship service on usps.com, the eBay integrated shipping solution, or an authorized PC Postage vendor Web site may be deposited by one of the following methods:

- At a Postal Service retail counter.
- Through Pickup on Demand service (see 235.2).
- Through Carrier Pickup (see 235.3).
- Into a Postal Service lobby drop.
- Into an Automated Postal Center (APC) drop.
- In a collection box.
- In a customer mailbox.

#### 235.13 Flat-Rate Envelopes Not Requiring a Customs Declaration

The Priority Mail International flat-rate envelope meeting the conditions in

123.6 is the only Priority Mail International item that can be mailed without a customs labels. See 235.131 through 235.133 for specific conditions.

#### 235.131 Flat-Rate Envelopes Weighing 13 Ounces or Less—Paid With Postage Stamps

A Priority Mail International flat-rate envelope bearing only postage stamps, weighing 13 ounces or less and not requiring a customs declaration (see 123.6) may be deposited by one of the following methods:

- At a Postal Service retail counter.
- Through Pickup on Demand service (see 235.2).
- Through Carrier Pickup (see 235.3).
- Into a Postal Service lobby drop.
- Into an Automated Postal Center (APC) drop.
- In a collection box.
- In a customer mailbox.

#### 235.132 Flat-Rate Envelopes Weighing More Than 13 Ounces—Paid With Postage Stamps

A customer may *not* deposit a Priority Mail International flat-rate envelope weighing more than 13 ounces bearing only postage stamps and not requiring a customs declaration (see 123.6) into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended location. In addition, these mailpieces are precluded from Pickup on Demand service under 235.2 and Carrier Pickup in 235.3. Customers must present such items to an employee at a at a Post Office retail service counter. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

#### 235.133 Priority Mail Flat-Rate Envelopes—Payment Methods Other Than Postage Stamps

A Priority Mail flat-rate envelope paid with online postage, postage meters or information-based indicia (IBI) weighing under 16 ounces and not requiring a customs declaration (see 123.6) may be deposited by one of the following methods:

- At a Postal Service retail counter.
- Through Pickup on Demand service (see 235.2).
- Through carrier pickup (see 235.3).
- Into a Postal Service lobby drop.
- Into an Automated Postal Center (APC) drop.
- In a collection box.
- In a customer mailbox.

\* \* \* \* \*

### 240 First-Class Mail International

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**245 Mail Entry and Deposit**

[Revise 245.1 as follows:]

**245.1 Place of Mailing****245.11 Items Requiring a Completed Customs Declaration**

Except as provided in 245.12, a mailer may not deposit a First-Class Mail International item that requires a completed customs declaration form into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended location. Customers must present such items to an employee at a Post Office retail service counter. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

**245.12 Items Bearing a Completed Customs Declaration With an Electronic Round Date**

First-Class Mail International items that have the mailing label, customs form (including an electronic round stamp), and postage prepared and paid online through the eBay integrated shipping solution, or an authorized PC Postage vendor Web site may be deposited by one of the following methods:

- a. At a Postal Service retail counter.
- b. Into a Postal Service lobby drop.
- c. Into an Automated Postal Center (APC) drop.
- d. In a collection box.
- e. In a customer mailbox.

**245.13 Items Not Requiring a Customs Declaration****245.131 Items Weighing 13 Ounces or Less—Paid With Postage Stamps**

A First-Class Mail International letter-size or flat-size item bearing only postage stamps, weighing 13 ounces or less and not requiring a customs declaration (see 123.6) may be deposited by one of the following methods:

- a. At a Postal Service retail counter.
- b. Into a Postal Service lobby drop.
- c. Into an Automated Postal Center (APC) drop.
- d. In a collection box.
- e. In a customer mailbox.

**245.132 Items Weighing More Than 13 Ounces—Paid With Postage Stamps**

A customer may *not* deposit a First-Class Mail International letter-size or flat-size items weighing more than 13 ounces bearing only postage stamps and not requiring a customs declaration (see 123.6) into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended

location. Customers must present such items to an employee at a Post Office retail service counter. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

**245.14 Payment Methods Other Than Postage Stamps**

First-Class Mail International letter-size or flat-size items paid with online postage, postage meters or information-based indicia (IBI) weighing under 16 ounces and not requiring a customs declaration (see 123.6) may be deposited by one of the following methods:

- a. At a Postal Service retail counter.
- b. Into a Postal Service lobby drop
- c. Into an Automated Postal Center (APC) drop.
- d. In a collection box.
- e. In a customer mailbox.

\* \* \* \* \*

Neva R. Watson,

Attorney, Legislative.

[FR Doc. E9-24331 Filed 10-8-09; 8:45 am]

BILLING CODE 7710-12-P

**POSTAL SERVICE****39 CFR Part 111****Stamped Mail Over 13 Ounces Must Be Presented at a Retail Service Counter**

AGENCY: Postal Service™.

ACTION: Final Rule.

**SUMMARY:** The Postal Service is revising the *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM®) to require all mailpieces weighing more than 13 ounces bearing only postage stamps be presented to a Postal Service employee at a retail service counter in a Post Office™.

**DATES:** *Effective Date:* January 4, 2010.

**FOR FURTHER INFORMATION CONTACT:** Bert Olsen 202-268-7276 or Evans King 202-268-4982.

**SUPPLEMENTARY INFORMATION:**

These revisions ensure compliance with safety and security directives as required by the Postal Inspection Service.

The Postal Service hereby adopts the following changes to *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM), which is incorporated by reference in the *Code of Federal Regulations*. See 39 CFR 111.1.

**List of Subjects in 39 CFR Part 111**

Administrative practice and procedure, Postal Service.

■ Accordingly, 39 CFR Part 111 is amended as follows:

**PART 111—[AMENDED]**

■ 1. The authority citation for 39 CFR Part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 416, 3001-3011, 3201-3219, 3403-3406, 3621, 3622, 3626, 3632, 3633, and 5001.

■ 2. Revise the following sections of *Mailing Standards of the United States Postal Service*, Domestic Mail Manual (DMM) as follows:

**100 Retail Mail, Letters, Cards, Flats, and Parcels**

\* \* \* \* \*

**110 Express Mail**

\* \* \* \* \*

**116 Deposit****1.0 Express Mail Next Day and Second Day Delivery****1.1 Deposit of Next Day and Second Day Delivery**

Express Mail Next Day and Second Day Delivery items:

[Revise the first sentence in 1.1a, delete item b in its entirety, and rename current item c as item b as follows]

a. Weighing more than 13 ounces and paid only with postage stamps, must present such items to an employee at a retail service counter at a Postal Service facility.\* \* \*

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**120 Priority Mail**

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**126 Deposit****1.0 Deposit**

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**1.2 Pieces Weighing More Than 13 Ounces**

[Revise the text of 1.2, as follows:]

Priority Mail weighing more than 13 ounces bearing only postage stamps as postage may not be deposited into a collection box, Postal Service lobby drop, Automated Postal Center (APC) drop, Postal Service dock, customer mailbox, or other unattended location. These mailpieces are also precluded from pickup service. The sender must present such items to an employee at a retail service counter in a Postal Service facility. The Postal Service will return improperly presented items to the sender for proper entry and acceptance.

\* \* \* \* \*

**150 Parcel Post**

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