

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request. OSHA must receive the written request for an extension by the due date for comments. OSHA will limit any extension to 30 days unless the requester justifies a longer period. OSHA may deny a request for an extension if it is not adequately justified. To obtain or review copies of the publicly available information in BACL's application and other pertinent documents (including exhibits), as well as all submitted comments, contact the Docket Office, Room N-3653, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address; these materials also are available online at <http://www.regulations.gov> under Docket No. OSHA-2016-0022.

OSHA staff will review all comments to the docket submitted in a timely manner and, after addressing the issues raised by these comments, will make a recommendation to the Assistant Secretary on whether to grant BACL's application for renewal. The Assistant Secretary will make the final decision on granting the application and, in making this decision, may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of this final decision in the **Federal Register**.

### III. Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, 200 Constitution Avenue NW, Washington, DC 20210, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8-2020 (85 FR 58393, September 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on March 15, 2022.

**James S. Frederick,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2022-06134 Filed 3-22-22; 8:45 am]

**BILLING CODE 4510-26-P**

## POSTAL REGULATORY COMMISSION

[Docket No. MC2022-46; Order No. 6122]

### Mail Classification Schedule

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is recognizing a recent Postal Service filing

requesting the transfer of Post Office Box service at a small number of selected locations from the market dominant to the competitive product list. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* April 29, 2022. *Reply comments are due:* May 13, 2022.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <https://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

**SUPPLEMENTARY INFORMATION:** On March 16, 2022, the Postal Service filed a request under 39 U.S.C. 3642 and 39 CFR 3040.130, *et seq.* to transfer Post Office Box service at a small number of selected locations from the market dominant to the competitive product list.<sup>1</sup>

*Background.* The Commission has previously approved two Postal Service requests to transfer Post Office Box service from the market dominant product list to the competitive product list. By Order No. 473<sup>2</sup> and Order No. 780,<sup>3</sup> the Commission approved the transfer of approximately 6,800 locations to the competitive product list. Request at 1. The Postal Service states that the requests were based upon whether the Post Office Box customers had sufficient access to private mailbox service providers. *Id.* The Postal Service further states that at the time of its requests, "it was conducting further evaluations of all Post Office Box locations and might in the future seek the transfer of additional locations, if warranted, as it develops its understanding of the mailbox service market." *Id.* at 1-2 (footnote omitted). It further states that based on Commission approved criteria, it expanded the competitive service to one additional

location in 2013, to 1,625 locations in 2014 and to 227 locations in 2021. *Id.* at 2.

Having recently completed further evaluation of the criteria that indicate competitive status, the Postal Service requests the Commission to transfer an additional 297 locations from the market dominant to the competitive Post Office Box fee group. *Id.* The Postal Service requests the Commission to update the criteria applied to competitor locations to build upon the existing five-mile criterion and extend it by three miles to a range of eight miles. *Id.* The Request claims recent market research "shows customers are willing to travel longer distances for P.O. Box service than the current five-mile criterion recognizes." *Id.* It notes that the request for 297 locations represent a very small proportion of the 32,788 locations offering Post Office Box service. *Id.*

*Supporting materials.* To support its Request, the Postal Service filed the following attachments:

- Attachment A—Resolution of the Governors of the United States Postal Service, Transfer of Selected Post Office Box Service Locations to the Competitive Product List, May 6, 2021 (Resolution No. 21-12);
- Attachment B—Statement of Supporting Justification; and
- Attachment C—Proposed Mail Classification Schedule Changes.

*Notice of filings.* The Commission establishes Docket No. MC2022-46 to consider the Postal Service's proposals described in its Request.

Interested persons may submit comments on whether the Request is consistent with the policies of 39 U.S.C. 3642, 39 CFR 3040.130 *et seq.*, and the general provisions of title 39. Comments are due by April 29, 2022. Reply comments are due by May 13, 2022. The Request and related filings are available on the Commission's website (<https://www.prc.gov>). The Commission encourages interested persons to review the Request for further details.

The Commission appoints Eric D. Hughes to serve as Public Representative in this proceeding.

*It is ordered:*

1. The Commission establishes Docket No. MC2022-46 to consider the matters raised by the Postal Service's Request.
2. Pursuant to 39 U.S.C. 505, Eric D. Hughes is appointed to serve as an officer of the Commission (Public Representative) to represent the interests of the general public in this proceeding.
3. Comments by interested persons are due by April 29, 2022.
4. Reply comments are due by May 13, 2022.

<sup>1</sup> Request of the United States Postal Service to Transfer Post Office Box Service in Selected Locations to the Competitive Product List, March 16, 2022 (Request).

<sup>2</sup> Docket No. MC2010-20, Order Approving Request to Transfer Selected Post Office Box Service Locations to the Competitive Product List, June 17, 2010 (Order No. 473).

<sup>3</sup> Docket No. MC2011-25, Order Approving Request to Transfer Additional Post Office Box Service Locations to the Competitive Product List, July 29, 2011 (Order No. 780). The Request erroneously cites to Order No. 870 which relates to a different proceeding.

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

By the Commission.

**Erica A. Barker,**  
Secretary.

[FR Doc. 2022-06145 Filed 3-22-22; 8:45 am]

BILLING CODE 7710-FW-P

## POSTAL SERVICE

### Product Change—Priority Mail Negotiated Service Agreement

**AGENCY:** Postal Service™.

**ACTION:** Notice.

**SUMMARY:** The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add a domestic shipping services contract to the list of Negotiated Service Agreements in the Mail Classification Schedule's Competitive Products List.

**DATES:** *Date of required notice:* March 23, 2022.

**FOR FURTHER INFORMATION CONTACT:** Sean Robinson, 202-268-8405.

**SUPPLEMENTARY INFORMATION:** The United States Postal Service® hereby gives notice that, pursuant to 39 U.S.C. 3642 and 3632(b)(3), on March 8, 2022, it filed with the Postal Regulatory Commission a *USPS Request to Add Priority Mail Contract 737 to Competitive Product List*. Documents are available at [www.prc.gov](http://www.prc.gov), Docket Nos. MC2022-45, CP2022-51.

**Sean Robinson,**

*Attorney, Corporate and Postal Business Law.*

[FR Doc. 2022-06165 Filed 3-22-22; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-94447; File No. SR-NASDAQ-2022-023]

### Self-Regulatory Organizations; The Nasdaq Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Harmonize Various Processes Under Options 3, Section 20 Across the Affiliated Nasdaq Options Exchanges

March 17, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on March 8, 2022, The Nasdaq Stock Market LLC

("Nasdaq" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to harmonize its processes and procedures under Options 3, Section 20 with those of its affiliated options exchange.

The text of the proposed rule change is available on the Exchange's website at <https://listingcenter.nasdaq.com/rulebook/nasdaq/rules>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Exchange proposes to harmonize its existing processes for the review of decisions on appeal under Options 3, Section 20 with those of its affiliate Nasdaq Phlx LLC ("Phlx"). The Exchange also proposes several non-substantive, conforming changes in Options 3, Section 1.

###### Appeal

Today, Options 3, Section 20(k) governs the appeal process for determinations by Exchange staff made under this Rule, including obvious error determinations. Specifically, a party to a transaction affected by a decision made under this section may appeal that decision to the Exchange Review Council. An appeal must be made in writing, and must be received by the Exchange within thirty (30) minutes after the person making the appeal is

given the notification of the determination being appealed.

The Exchange proposes generally to maintain its current appeal process with certain additions to harmonize its process with that of its affiliate, Phlx. First, while Phlx similarly requires the parties to submit a request for review within thirty (30) minutes of being notified of the determination being appealed, Phlx also provides parties with additional time to submit their request if the notification occurs later in the trading day. In particular, if the notification is made after 3:30 p.m. Eastern Time, either party has until 9:30 a.m. Eastern Time on the next trading day to submit a request for review.<sup>3</sup> Similar to Phlx, the Exchange believes that this flexibility will be helpful for Participants in submitting their appeal requests in a timely manner, particularly where notification of the Official's decision was received later in the trading day, and therefore proposes to adopt this provision in Options 3, Section 20(k).

Second, the Exchange proposes to add a provision for when the Exchange Review Council panel must render a decision on requests for appeal to harmonize to Phlx's process. Specifically, the Exchange proposes in Options 3, Section 20(k) that the Exchange Review Council panel shall review the facts and render a decision on the day of the transaction, or the next trade day in the case where a request is properly made after 3:30 p.m. on the day of the transaction or where the request is properly made the next trade day.<sup>4</sup>

###### Options 3, Section 1

The Exchange proposes non-substantive, conforming amendments to Options 3, Section 1 (Days and Hours of Business). The Exchange first proposes to amend the title from "Days and Hours of Business" to "Hours of Business." The Exchange recently filed to establish General 3, Section 1030, which governs the days the Exchange will be open for business.<sup>5</sup> At this time, the Exchange also proposes to amend Options 3, Section 1(c) which provides, "NOM shall not be open for business on any

<sup>3</sup> See Phlx Options 3, Section 20(l).

<sup>4</sup> See Phlx Options 3, Section 20(l) for analogous language.

<sup>5</sup> See Securities Exchange Act Release No. 93675 (November 29, 2021), 86 FR 68714 (December 3, 2021) (SR-NASDAQ-2021-69) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Include Juneteenth National Independence Day as a Holiday). Rule 1030 of General 3 memorialized all current Exchange holidays and added a provision to permit the Exchange the authority to halt or suspend trading or close Exchange facilities for certain unanticipated closures.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.