

### Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., EST, on March 13, 2013. If you are disabled and need reasonable accommodations to attend a public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT**. We will arrange the location and time of the hearing with those persons requesting the hearing. If no one requests an opportunity to speak, we will not hold a hearing.

To assist the transcriber and ensure an accurate record, we request, if possible, that each person who speaks at the public hearing provide us with a written copy of his or her comments. The public hearing will continue on the specified date until everyone scheduled to speak has been given an opportunity to be heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after everyone scheduled to speak and others present in the audience who wish to speak, have been heard.

### Public Meeting

If only one person requests an opportunity to speak, we may hold a public meeting rather than a public hearing. If you wish to meet with us to discuss the amendment, please request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public; if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We will make a written summary of each meeting a part of the administrative record.

## IV. Procedural Determinations

### Executive Order 12866—Regulatory Planning and Review

This rule is exempted from review by the Office of Management and Budget (“OMB”) under Executive Order 12866.

### Other Laws and Executive Orders Affecting Rulemaking

When a State submits a program amendment to OSM for review, our regulations at 30 CFR 732.17(h) require us to publish a notice in the **Federal Register** indicating receipt of the proposed amendment, its text or a summary of its terms, and an opportunity for public comment. We conclude our review of the proposed amendment after the close of the public comment period and determine whether the amendment should be approved, approved in part, or not approved. At

that time, we will also make the determinations and certifications required by the various laws and executive orders governing the rulemaking process and include them in the final rule.

### List of Subjects in 30 CFR Part 938

Intergovernmental relations, Surface mining, Underground mining.

Dated: January 29, 2013.

**Thomas Shope,**

*Regional Director, Appalachian Region.*

[FR Doc. 2013–04373 Filed 2–25–13; 8:45 am]

**BILLING CODE 4310–05–P**

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Part 950

**[SATS No. WY–045–FOR; Docket ID OSM–2013–0002]**

### Wyoming Regulatory Program

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Proposed rule; public comment period and opportunity for public hearing on proposed amendment.

**SUMMARY:** We are announcing receipt of a proposed amendment to the Wyoming regulatory program (hereinafter, the “Wyoming program”) under the Surface Mining Control and Reclamation Act of 1977 (“SMCRA” or “the Act”). Wyoming proposes both revisions of and additions to its coal rules and regulations concerning ownership and control, adds a provision concerning variable topsoil depths during reclamation, and addresses four deficiencies that were identified by OSM during the review of a previous program amendment (WY–038–FOR; Docket ID No. OSM–2009–0012). Wyoming intends to revise its program to be consistent with the corresponding Federal regulations and SMCRA, clarify ambiguities, and improve operational efficiency.

This document gives the times and locations that the Wyoming program and proposed amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we will follow for the public hearing, if one is requested.

**DATES:** We will accept written comments on this amendment until 4:00 p.m., m.d.t. March 28, 2013. If requested, we will hold a public hearing

on the amendment on March 25, 2013. We will accept requests to speak until 4:00 p.m., m.d.t. on March 13, 2013.

**ADDRESSES:** You may submit comments by either of the following two methods:

- **Federal eRulemaking Portal:** [www.regulations.gov](http://www.regulations.gov). This proposed rule has been assigned Docket ID: OSM–2013–0002. If you would like to submit comments through the Federal eRulemaking Portal, go to [www.regulations.gov](http://www.regulations.gov) and follow the instructions.

- **Mail/Hand Delivery/Courier:** Jeffrey Fleischman, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, Dick Cheney Federal Building, POB 11018, 150 East B Street, Casper, Wyoming 82601–1018.

For detailed instructions on submitting comments and additional information on the rulemaking process, see the “III. Public Comment Procedures” in the **SUPPLEMENTARY INFORMATION** section of this document.

In addition to viewing the docket and obtaining copies of documents at [www.regulations.gov](http://www.regulations.gov), you may review copies of the Wyoming program, this amendment, a listing of any scheduled public hearings, and all written comments received in response to this document, may be obtained at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. You may also receive one free copy of the amendment by contacting OSM’s Casper Field Office.

Jeffrey Fleischman, Director, Casper Field Office, Office of Surface Mining Reclamation and Enforcement, Dick Cheney Federal Building, POB 11018, 150 East B Street, Casper, Wyoming 82601–1018, (307) 261–6547, [jfleischman@osmre.gov](mailto:jfleischman@osmre.gov).

Todd Parfitt, Director, Wyoming Department of Environmental Quality, Herschler Building, 122 West 25th Street, Cheyenne, Wyoming 82002, (307) 777–7555, [todd.parfitt@wyo.gov](mailto:todd.parfitt@wyo.gov).

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Fleischman, Telephone: (307) 261–6547. Internet: [jfleischman@osmre.gov](mailto:jfleischman@osmre.gov).

### SUPPLEMENTARY INFORMATION:

- Background on the Wyoming Program
- Description of the Proposed Amendment
- Public Comment Procedures
- Procedural Determinations

### I. Background on the Wyoming Program

Section 503(a) of the Act permits a State to assume primacy for the regulation of surface coal mining and reclamation operations on non-Federal

and non-Indian lands within its borders by demonstrating that its State program includes, among other things, “a State law which provides for the regulation of surface coal mining and reclamation operations in accordance with the requirements of this Act \* \* \*, and rules and regulations consistent with regulations issued by the Secretary pursuant to this Act.” See 30 U.S.C. 1253(a) (1) and (7). On the basis of these criteria, the Secretary of the Interior conditionally approved the Wyoming program on November 26, 1980. You can find background information on the Wyoming program, including the Secretary’s findings, the disposition of comments, and the conditions of approval of the Wyoming program in the November 26, 1980, **Federal Register** (45 FR 78637). You can also find later actions concerning Wyoming’s program and program amendments at 30 CFR 950.12, 950.15, 950.16, and 950.20.

## II. Description of the Proposed Amendment

By letter dated January 8, 2013, Wyoming sent us a proposed amendment to its approved regulatory program (Administrative Record Docket ID No. OSM–2013–0002) under SMCRA (30 U.S.C. 1201 *et seq.*). Wyoming submitted the amendment to address required rule changes OSM identified in a letter to Wyoming dated October 2, 2009, under 30 CFR 732.17(c). These included changes to Wyoming’s rules for ownership and control. The amendment also adds a provision concerning variable topsoil depths during reclamation and addresses four deficiencies that OSM identified in response to Wyoming’s formally submitted revegetation rule package (WY–038–FOR; Docket ID No. OSM–2009–0012).

Specifically, Wyoming proposes to amend the Land Quality Division Coal Rules and Regulations at Chapter 1, Section 2 (definitions related to ownership and control including “Applicant violator system or AVS,” “Control or controller,” “Notice of violation,” and “Own, owner or ownership”); Chapter 2, Section 2(a)(i) and (ii) (ownership and control permit application information including identification of interests and a complete statement of compliance); Chapter 12, Section 1(a)(viii)–(xiv) (the review process, procedures, and requirements for making permit eligibility determinations including: Review of applicant and operator information, review of permit history, review of compliance history, and related AVS entry requirements); and Chapter 16, Section 2(h) and (j)

(notification requirements related to Wyoming’s enforcement regulations and AVS entry requirements). Wyoming also proposes to add a provision which allows for variable replacement depths for topsoil during reclamation at Chapter 4, Section 2(c)(v). Lastly, Wyoming addresses four deficiencies that OSM identified in response to Wyoming’s formally submitted revegetation rule package (WY–038–FOR; Docket ID No. OSM–2009–0012)) including: Adding the term “surface” back into Wyoming’s rules where it had been deleted and reinstating the definition of “Surface coal mining and reclamation operations” at Chapter 1, Section 2(ez) that had been removed from Wyoming’s rules; adding the 1:24,000 scale requirement for maps that are submitted with permit applications back into Wyoming’s rules at Chapter 2, Section 1(c); adding language to clarify that wildlife enhancement is not limited to revegetation efforts at Chapter 2, Section 5(a)(viii); and correcting numerous inaccurate citations to other sections of Wyoming’s rules and regulations. The full text of the program amendment is available for you to read at the locations listed above under **ADDRESSES**.

## III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are seeking your comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the Wyoming program.

### Electronic or Written Comments

If you submit written comments, they should be specific, confined to issues pertinent to the proposed regulations, and explain the reason for any recommended change(s). We appreciate any and all comments, but those most useful and likely to influence decisions on the final regulations will be those that either involve personal experience or include citations to and analyses of SMCRA, its legislative history, its implementing regulations, case law, other pertinent State or Federal laws or regulations, technical literature, or other relevant publications.

We cannot ensure that comments received after the close of the comment period (see **DATES**) or sent to an address other than those listed above (see **ADDRESSES**) will be included in the docket for this rulemaking and considered.

### Public Availability of Comments

Before including your address, phone number, email address, or other

personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available in the electronic docket for this rulemaking at [www.regulations.gov](http://www.regulations.gov). While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

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#### **List of Subjects in 30 CFR Part 950**

Intergovernmental relations, Surface mining, Underground mining.

Dated: January 18, 2013.

**Allen D. Klein,**

*Director, Western Region.*

[FR Doc. 2013-04376 Filed 2-25-13; 8:45 am]

**BILLING CODE 4310-05-P**

## **POSTAL SERVICE**

### **39 CFR Part 111**

#### **New Intelligent Mail Package Barcode Standards To Enhance Package Visibility; Opportunity for Comments in Advance of Rulemaking**

**AGENCY:** Postal Service™.

**ACTION:** Request for comments.

**SUMMARY:** The Postal Service is exploring the advisability of requiring the use of Intelligent Mail® package barcodes (IMpb) or unique tracking Intelligent Mail barcodes (IMb™) on all commercial parcels, and providing support to mailers to assure their ability to apply unique tracking barcodes to all commercial parcels.

**DATES:** Comments are due on March 28, 2013.

**ADDRESSES:** Mail or deliver written comments to the manager, Product Classification, U.S. Postal Service, 475 L'Enfant Plaza SW., Room 4446, Washington, DC 20260-5015. You may inspect and photocopy all written comments at USPS® Headquarters Library, 475 L'Enfant Plaza SW., 11th Floor North, Washington, DC, by appointment only between the hours of 9 a.m. and 4 p.m., Monday through Friday. Call 1-202-268-2906 in advance for an appointment. Email

comments, containing the name and address of the commenter, may be sent to: [Mail Standards@usps.gov](mailto:Mail Standards@usps.gov), with a subject line of "Package Visibility." Faxed comments are not accepted.

#### **FOR FURTHER INFORMATION CONTACT:**

Jeffrey L. Freeman at 202-268-2922 or Kevin Gunther at 202-268-7208.

**SUPPLEMENTARY INFORMATION:** The Postal Service continues to enhance its operational capability to provide scanning data of IMpb and other tracking barcodes through the use of automated processing equipment and Intelligent Mail scanning devices. The tracking data provided by IMpb, including acceptance, enroute, and delivery status data, will provide value to the Postal Service, to mailers and to their shared customer base.

IMpb can offer a number of additional benefits by providing mailers with access to piece-level visibility throughout the Postal Service's processing and delivery operations. The basic structure of IMpb includes:

- A routing code to facilitate the processing of parcels on automated sorting equipment.
- A channel-specific Application Identifier (AI) that associates the barcode to the payment method, supporting revenue assurance.
- A 3-digit service type code, which identifies the exact mail class and service combination, eliminating the need for multiple barcodes on a parcel.
- An option to use a 6-digit or 9-digit numeric Mailer ID (MID), to accommodate all mailers.
- A serial number that enables uniqueness and supports piece-level visibility.

These features contribute to the data-stream efficiency within USPS® mail processing, delivery, payment, and reporting. Intelligent Mail package barcodes also include specific "mail class only" service type codes that may be used for parcels without extra services.

The mailing industry was first provided notice of the intent of the Postal Service to require the mandatory use of IMpb on all domestic packages via an advanced notice of proposed rulemaking, **Federal Register** notice (75 FR 56922-56923) on September 17, 2010. In response to input from the mailing community, this broad requirement was narrowed to generally apply only to commercial parcels mailed at presort or destination-entry prices. On January 28, 2013, the Postal Service implemented this initial phase of its IMpb standards by requiring IMpb use, including use of version 1.6 of the electronic shipping services manifest,

for all commercial parcels (except Standard Mail parcels) claiming presort or destination-entry pricing.

The Postal Service is now considering the addition, at a future date, of a new requirement for all remaining commercial parcels to bear an IMpb. Mailers of these parcels will also be required to transmit electronic documentation to the Postal Service using version 1.6 (or a newer version) of the Shipping Services Manifest File. If this requirement is adopted, it would apply to all commercial parcels, without regard to presort or entry level, and would generally include commercial parcels of all classes with the exception of Express Mail entered through Express Mail Corporate Account. The Postal Service would expect to implement these new standards on or about July 28, 2013.

Additionally, the Postal Service is investigating alternative processes that would permit some categories of Standard Mail to bear a unique IMb instead of an IMpb. If the Postal Service determines that the use of an IMb is a viable option in these limited circumstances, those mailers using this option will be required to transmit piece-level data to the Postal Service in a Mail.dat or Mail.XML format. Mailers who use the IMb format will not receive delivery scans on their pieces unless they comply with Postal Service requirements for additional identifying marks indicating that confirmation services are requested. The Postal Service is also exploring options to accommodate a modified tracking process for some categories of Standard mail parcels, such as Simple Samples™ and parcels bearing simplified addresses.

Mailers will benefit from the tracking services provided with IMpb, both from improved service performance and from more efficient postal operations. The Postal Service anticipates that the enhancements to parcel visibility following these changes in standards will produce the following benefits:

- Enable customer-level service reporting;
- Support accurate customer volume reporting;
- Provide data for identifying, diagnosing, and correcting service issues;
- Enable the use of scanning technology to reduce distribution costs in delivery units by allowing non-scheme-trained employees to perform parcel distribution to carrier routes, resulting in greater flexibility in staffing and savings on training expenses;