

Priority Mail Contract 26 (MC2010–31 and CP2010–76)  
 Priority Mail Contract 27 (MC2010–32 and CP2010–77)  
 Priority Mail Contract 28 (MC2011–2 and CP2011–3)  
 Priority Mail Contract 29 (MC2011–3 and CP2011–4)  
 Priority Mail Contract 30 (MC2011–9 and CP2011–44)  
 Priority Mail Contract 31 (MC2011–10 and CP2011–46)  
 Priority Mail Contract 32 (MC2011–11 and CP2011–47)  
 Priority Mail Contract 33 (MC2011–13 and CP2011–49)  
 Priority Mail Contract 34 (MC2011–17 and CP2011–56)  
 Priority Mail Contract 35 (MC2011–18 and CP2011–57)  
 Priority Mail–Non-Published Rates  
 Priority Mail–Non-Published Rates 1 (MC2011–15 and CP2011–51)  
 Outbound International  
 Direct Entry Parcels Contracts  
 Direct Entry Parcels 1 (MC2009–26 and CP2009–36)  
 Global Direct Contracts (MC2009–9, CP2009–10, and CP2009–11)  
 Global Expedited Package Services (GEPS) Contracts  
 GEPS 1 (CP2008–5, CP2008–11, CP2008–12, CP2008–13, CP2008–18, CP2008–19, CP2008–20, CP2008–21, CP2008–22, CP2008–23 and CP2008–24)  
 Global Expedited Package Services 2 (CP2009–50)  
 Global Expedited Package Services 3 (MC2010–28 and CP2010–71)  
 Global Expedited Package Services—Non-published Rates 2 (MC2010–29 and CP2011–45)  
 Global Plus Contracts  
 Global Plus 1 (CP2008–8, CP2008–46 and CP2009–47)  
 Global Plus 1A (MC2010–26, CP2010–67 and CP2010–68)  
 Global Plus 1B (MC2011–7, CP2011–39 and CP2011–40)  
 Global Plus 2 (MC2008–7, CP2008–48 and CP2008–49)  
 Global Plus 2A (MC2010–27, CP2010–69 and CP2010–70)  
 Global Plus 2B (MC2011–8, CP2011–41 and CP2011–42)  
 Inbound International  
 Inbound Competitive Multi-Service Agreements with Foreign Postal Operators 1 (MC2010–34 and CP2010–95)  
 Inbound Direct Entry Contracts with Foreign Postal Administrations  
 Inbound Direct Entry Contracts with Foreign Postal Administrations (MC2008–6, CP2008–14 and MC2008–15)  
 Inbound Direct Entry Contracts with Foreign Postal Administrations 1 (MC2008–6 and CP2009–62)  
 International Business Reply Service Competitive Contract 1 (MC2009–14 and CP2009–20)  
 International Business Reply Service Competitive Contract 2 (MC2010–18, CP2010–21 and CP2010–22)  
 Competitive Product Descriptions

Express Mail  
 Express Mail  
 Outbound International Expedited Services  
 Inbound International Expedited Services  
 Priority  
 Priority Mail  
 Outbound Priority Mail International  
 Inbound Air Parcel Post  
 Parcel Select  
 Parcel Return Service  
 International  
 International Priority Airlift (IPA)  
 International Surface Airlift (ISAL)  
 International Direct Sacks—M—Bags  
 Global Customized Shipping Services  
 International Money Transfer Service  
 Inbound Surface Parcel Post (at non-UPU rates)  
 International Ancillary Services  
 International Certificate of Mailing  
 International Registered Mail  
 International Return Receipt  
 International Restricted Delivery  
 International Insurance  
 Negotiated Service Agreements  
 Domestic  
 Outbound International  
 Part C—Glossary of Terms and Conditions [Reserved]  
 Part D—Country Price Lists for International Mail [Reserved]

[FR Doc. 2011–3805 Filed 2–18–11; 8:45 am]

**BILLING CODE 7710-FW-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA–R03–OAR–2011–0011; FRL–9268–2]

### Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendment to the Definition of Fuel-Burning Equipment

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Direct final rule.

**SUMMARY:** EPA is taking direct final action to approve revisions to the Maryland State Implementation Plan (SIP) amending the definition of “fuel-burning equipment.” The revision removes the word “furnace” from the definition of “fuel-burning equipment” in one of Maryland’s regulations and also removes the redundant definition of “fuel-burning equipment” from another section. EPA is approving these revisions to the definition of “fuel-burning equipment” in accordance with the requirements of the Clean Air Act (CAA).

**DATES:** This rule is effective on April 25, 2011 without further notice, unless EPA receives adverse written comment by March 24, 2011. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the

**Federal Register** and inform the public that the rule will not take effect.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA–R03–OAR–2011–0011 by one of the following methods:

A. <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

B. *E-mail:*

[fernandez.cristina@epa.gov](mailto:fernandez.cristina@epa.gov).

C. *Mail:* EPA–R03–OAR–2011–0011, Cristina Fernandez, Associate Director, Office of Air Program Planning, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket’s normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA–R03–OAR–2011–0011. EPA’s policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Website is an “anonymous access” system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although

listed in the index, some information is not publicly available, i.e., 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 in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

**FOR FURTHER INFORMATION CONTACT:** Irene Shandruk, (215) 814-2166, or by e-mail at [shandruk.irene@epa.gov](mailto:shandruk.irene@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The term “fuel-burning equipment” was originally defined in order to differentiate between a boiler that involves the indirect heating of air or water and fuel-burning installations that involve direct heat exchange. Fuel-burning installations, such as a kiln, are subject to the general requirements for sulfur dioxide (SO<sub>2</sub>) and particulate matter, whereas fuel-burning equipment is subject to different standards in the form of pounds of SO<sub>2</sub> per million (British thermal unit) Btu per hour heat input or the sulfur content of the fuel.

Since a “furnace” is usually direct heat exchange, the State of Maryland concludes that it should not be included in the definition of “fuel-burning equipment”. There is no Federal definition of the term “fuel-burning equipment,” however, the term “fuel-burning equipment” is consistent with the Federal definition of the term “boiler.”

**II. Summary of SIP Revision**

On December 15, 2010, the State of Maryland submitted a formal revision (#10-10) to its State Implementation Plan (SIP). The SIP revision consists of amendments to Regulation .01 under COMAR 26.11.01, General Administrative Provisions and Regulation .01 under COMAR 26.11.09, Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations. The revision removes the word “furnace” from the definition of “fuel-burning equipment” in COMAR 26.11.01.01 and also removes the redundant definition of “fuel-burning equipment” from COMAR 26.11.09.01.

**III. Final Action**

EPA is approving Maryland’s revision which removes the word “furnace” from the definition of “fuel-burning equipment” in COMAR 26.11.01.01 and also removes the redundant definition of “fuel-burning equipment” from COMAR 26.11.09.01. EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comment. However, in the “Proposed Rules” section of today’s **Federal Register**, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments are filed. This rule will be effective on April 25, 2011 without further notice unless EPA receives adverse comment by March 24, 2011. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

**IV. Statutory and Executive Order Reviews**

*A. General Requirements*

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA’s role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a “significant regulatory action” subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities

under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

*B. Submission to Congress and the Comptroller General*

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

*C. Petitions for Judicial Review*

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate

circuit by April 25, 2011. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. Parties with objections to this direct final rule are encouraged to file a comment in response to the parallel notice of proposed rulemaking for this action published in the proposed rules section of today's **Federal Register**, rather than file an immediate petition for judicial review of this direct final rule, so that EPA can withdraw this direct final rule

and address the comment in the proposed rulemaking. This action which pertains to Maryland's amendment to the definition of "fuel-burning equipment" may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Particulate matter, Sulfur oxides.

Dated: February 1, 2011.  
**W.C. Early**,  
*Acting Regional Administrator, Region III.*

40 CFR part 52 is amended as follows:

**PART 52—[AMENDED]**

■ 1. The authority citation for part 52 continues to read as follows:

*Authority:* 42 U.S.C. 7401 *et seq.*

**Subpart V—Maryland**

■ 2. In § 52.1070, the table in paragraph (c) is amended by revising the entries for COMAR 26.11.01.01 and COMAR 26.11.09.01 to read as follows:

**§ 52.1070 Identification of plan.**

\* \* \* \* \*  
 (c) \* \* \*

**EPA-APPROVED REGULATIONS IN THE MARYLAND SIP**

Code of Maryland administrative regulations (COMAR) citation	Title/subject	State effective date	EPA approval date	Additional explanation/citation at 40 CFR 52.1100
<b>26.11.01 General Administrative Provisions</b>				
26.11.01.01 .....	Definitions .....	9/20/10	2/22/11, [Insert page number where the document begins].	Revision to paragraph .01B(17).
*	*	*	*	*
<b>26.11.09 Control of Fuel Burning Equipment and Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations</b>				
26.11.09.01 .....	Definitions .....	9/20/10	2/22/11, [Insert page number where the document begins].	Revision removes definition of "fuel-burning equipment".
*	*	*	*	*

\* \* \* \* \*  
 [FR Doc. 2011-3722 Filed 2-18-11; 8:45 am]  
**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[DC103-2051; FRL-9267-6]

**Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Update to Materials Incorporated by Reference**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; administrative change.

**SUMMARY:** EPA is updating the materials submitted by the District of Columbia that are incorporated by reference (IBR) into the State implementation plan (SIP). The regulations affected by this update have been previously submitted by the State agency and approved by

EPA. This update affects the SIP materials that are available for public inspection at the National Archives and Records Administration (NARA), the Air and Radiation Docket and Information Center located at EPA Headquarters in Washington, DC and the EPA Regional Office.

**DATES:** *Effective Date:* This action is effective February 22, 2011.

**ADDRESSES:** SIP materials which are incorporated by reference into 40 CFR part 52 are available for inspection at the following locations: Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 1301 Constitution Avenue NW., Room Number 3334, EPA West Building, Washington, DC 20460; or the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/>

*federal register/ code\_of\_federal\_regulations/ ibr\_locations.html.*

**FOR FURTHER INFORMATION CONTACT:** Harold A. Frankford, (215) 814-2108 or by e-mail at [frankford.harold@epa.gov](mailto:frankford.harold@epa.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The SIP is a living document which the State revises as necessary to address its unique air pollution problems. Therefore, EPA from time to time must take action on SIP revisions containing new and/or revised regulations as being part of the SIP. On May 22, 1997 (62 FR 27968), EPA revised the procedures for incorporating by reference Federally-approved SIPs, as a result of consultations between EPA and Office of the Federal Register (OFR). The description of the revised SIP document, IBR procedures and ("Identification") of plan format are discussed in further detail in the May 22, 1997 **Federal Register** document. On December 7, 1998, (63 FR 67407) EPA