bundles containing fewer than six pieces (low-volume bundles) must be claimed at the basic rate. Low-volume bundles are permitted only when they are sacked or prepared on pallets under these conditions:

a. Place 5-digit and 3-digit bundles in only 5-digit scheme, 5-digit, 3-digit, and SCF sacks, as appropriate, that contain at least 24 pieces, or in merged 3-digit sacks that contain at least one six-piece carrier route bundle, or in origin/entry SCF sacks.

b. Place 5-digit and 3-digit bundles on only merged 5-digit scheme, 5-digit scheme, merged 5-digit, 5-digit, 5-digit metro, 3-digit, and SCF pallets, as appropriate.

c. Place 5-digit scheme and 3-digit scheme bundles in only 5-digit scheme, 3-digit, and SCF sacks, as appropriate, that contain at least 24 pieces, or in merged 3-digit sacks that contain at least one six-piece carrier route bundle, or in origin/entry SCF sacks.

d. Place 5-digit scheme and 3-digit scheme bundles on only 3-digit and SCF pallets, as appropriate.

* * * * *

25.3 Sacking and Labeling

* * * * *

[Revise items a through d and item f by amending sack minimum requirements to read as follows:]

a. 5-digit scheme; required at 24 pieces, fewer pieces not permitted; may contain 5-digit scheme bundles only; labeling: * * *

b. 5-digit; required at 24 pieces, fewer pieces not permitted; labeling: * * *

c. 3-digit; required at 24 pieces, fewer pieces not permitted; labeling: * * *

d. SCF: required at 24 pieces, fewer pieces not permitted; labeling: * * *

* * * * *

f. ADC: required at 24 pieces, fewer pieces not permitted; labeling: * * *

* * * * *

708 Technical Specifications

* * * * *

6.1.4 3–Digit Content Identifier Numbers

[Revise Exhibit 6.1.4 by adding new content identifier numbers to read as follows:]

* * * * *

PER Flats—Carrier Route

* * * * *

5-digit carrier routes sacks 386 PER FLTS 5D CR–RTS

* * * * *

3-digit carrier routes sacks 386 PER FLTS 3D CR–RTS

* * * * *

PER Flats—Merged Carrier Route, Automation, and Presorted

* * * * *

merged 3-digit sacks 322 PER FLTS CR/5D/3D

* * * * *

PER Irregular Parcels—Merged Carrier Route and Presorted

* * * * *

merged 3-digit sacks 390 PER IRREG CR/5D/3D

* * * * *

PER Irregular Parcels—Carrier Route

* * * * *

5-digit carrier routes sacks 396 PER IRREG 5D CR–RTS

* * * * *

3-digit carrier routes sacks 390 PER IRREG 3D CR–RTS

* * * * *

NEWS Flats—Carrier Route

* * * * *

5-digit carrier routes sacks 486 NEWS FLTS 5D CR–RTS

* * * * *

3-digit carrier routes sacks 486 NEWS FLTS 3D CR–RTS

* * * * *

NEWS Flats—Merged Carrier Route, Automation, and Presorted

* * * * *

merged 3-digit sacks 422 NEWS FLTS CR/5D/3D

* * * * *

NEWS Irregular Parcels—Merged Carrier Route and Presorted

* * * * *

merged 3-digit sacks 490 NEWS IRREG CR/5D/3D

* * * * *

NEWS Irregular Parcels—Carrier Route

* * * * *

5-digit carrier routes sacks 496 NEWS IRREG 5D CR–RTS

* * * * *

3-digit carrier routes sacks 490 NEWS IRREG 3D CR–RTS

* * * * *

We will publish an appropriate amendment to 39 CFR part 111 to reflect these changes if the proposal is adopted.

Neva R. Watson,

Attorney, Legislative.

[FR Doc. 05–16200 Filed 8–12–05; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R03–OAR–2005–MD–0011; FRL–7952–5]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of VOC Emissions From AIM Coatings

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Maryland. This revision pertains to the amendments of controlling volatile organic compound (VOC) emissions from architectural and industrial maintenance (AIM) coatings in Maryland. This action is being taken under the Clean Air Act (CAA or the Act).

DATES: Written comments must be received on or before September 14, 2005.

ADDRESSES: Submit your comments, identified by Regional Material in EDocket (RME) ID Number R03–OAR–2005–MD–0011 by one of the following methods:

A. Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. Agency Web site: *http://www.docket.epa.gov/rmepub/* RME, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

C. E-mail: *campbell.dave@epa.gov.*

D. Mail: R03–OAR–2005–MD–0011, David Campbell, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

E. 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 RME ID No. R03–OAR–2005–MD–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.docket.epa.gov/rmepub/*, 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 RME, regulations.gov or e-mail. The EPA RME and the Federal regulations.gov Web sites are 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 RME or 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 RME index at *http://www.docket.epa.gov/rmepub/*. 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 RME 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: Rose Quinto, (215) 814–2182, or by e-mail at *quinto.rose@epa.gov*.

SUPPLEMENTARY INFORMATION: On March 15, 2005, the Maryland Department of the Environment (MDE) submitted a revision to its SIP. The SIP revision consists of amendments to Regulations .06, .10, and .12; repeal of existing Regulation .13; and adoption of new Regulation .13 under COMAR 26.11.33 Architectural Coatings.

I. Background

On March 19, 2004, MDE submitted a regulation establishing standards to reduce VOC emissions from AIM coatings in Maryland. These standards were based on a regional model rule developed by an Ozone Transport Commission (OTC) workgroup consisting of several states, including Maryland. EPA published a proposed rulemaking of the Maryland AIM coatings rule on May 25, 2004 (69 FR 29674), and the final rulemaking on May 12, 2005 (70 FR 24979) with an effective date of June 13, 2005.

II. Summary of SIP Revision

To provide consistency with similar regulations adopted by the other states in the Ozone Transport Region (OTR), MDE submitted amendments to COMAR 26.11.33 Architectural Coatings. The amendments are:

1. Addition of four industrial coatings to the list of specific coatings that are excluded from applying the most restrictive VOC limit in Regulation .06B: calcimine recoaters, impacted immersion coatings, nuclear coatings, and thermoplastic rubber coating and mastic. Regulation .06A requires the application of the most restrictive VOC limit to a coating that satisfies the definition for more than one coating or for different applications.

2. Remove the requirement to include on the label that conversion varnishes are to be used only by professionals. Conversion varnish is a specially formulated coating made available to professionals that are involved with the coating or recoating of hardwood floors.

3. The requirement for coating manufacturers to submit annual reports on the volume of coating sold in Maryland has been changed to require the information to be maintained for five years and made available to MDE upon request.

III. Proposed Action

EPA's review of this material indicates that the MDE amendments to its AIM coatings rule are administrative changes that will not affect VOC reductions achieved though compliance with the coating standards. EPA is proposing to approve a revision to the Maryland SIP for the amendments of COMAR 26.11.33 submitted on March 15, 2005. EPA is soliciting public comments on the issues discussed in this document. These comments will be considered before taking final action.

IV. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this proposed action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355 (May 22, 2001)). This action merely proposes to approve state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule proposes to approve pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). This proposed rule also does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely proposes to approve a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This proposed rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the

requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this proposed rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings'' issued under the executive order. This proposed rule pertaining to the amendments to the Maryland's AIM coatings rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

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

Dated: August 5, 2005.

Donald S. Welsh,

Regional Administrator, Region III.

[FR Doc. 05–16111 Filed 8–12–05; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 483

[CMS–3198–P]

RIN 0938–AN95

Medicare and Medicaid Programs; Condition of Participation: Immunization Standard for Long Term Care Facilities

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Proposed rule.

SUMMARY: The goal of this proposed rule is to increase immunization rates in Medicare and Medicaid participating long term care (LTC) facilities by requiring LTC facilities to offer each resident immunization against influenza annually, as well as lifetime immunization against pneumococcal disease. LTC facilities would be required to ensure that each resident receives an annual immunization against influenza and receives the pneumococcal immunization once, unless medically contraindicated or the resident or the resident's legal representative refuses immunization. Increasing the use of Medicare-funded preventive services is a goal of both CMS and the Centers for Disease Control and Prevention (CDC). This proposed rule is intended to increase the number of elderly receiving influenza and pneumococcal immunization and decrease the morbidity and mortality rate from influenza and pneumococcal diseases.

DATES: To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on August 30, 2005.

ADDRESSES: In commenting, please refer to file code CMS–3198–P. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission.

You may submit comments in one of three ways (no duplicates, please):

1. *Electronically.* You may submit electronic comments on specific issues in this regulation to *http://www.cms.hhs.gov/regulations/ecomments.* (Attachments should be in Microsoft Word, WordPerfect, or Excel; however, we prefer Microsoft Word.)

2. *By regular mail.* You may mail written comments (one original and two copies) to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS–3198–P, P.O. Box 8010, Baltimore, MD 21244–8010.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By express or overnight mail.* You may send written comments (one original and two copies) to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS–3198–P, Mail Stop C4–26–05, 7500 Security Boulevard, Baltimore, MD 21244–1850.

4. *By hand or courier.* If you prefer, you may deliver (by hand or courier) your written comments (one original and two copies) before the close of the comment period to one of the following addresses. If you intend to deliver your comments to the Baltimore address, please call telephone number (410) 786–9994 in advance to schedule your arrival with one of our staff members. Room 445–G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201; or 7500 Security Boulevard, Baltimore, MD 21244–1850.

(Because access to the interior of the HHH Building is not readily available to persons without Federal Government identification, commenters are encouraged to leave their comments in the CMS drop slots located in the main lobby of the building. A stamp-in clock is available for persons wishing to retain a proof of filing by stamping in and retaining an extra copy of the comments being filed.)

Comments mailed to the addresses indicated as appropriate for hand or courier delivery may be delayed and received after the comment period.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Anita Panicker, (410) 786–5646. Jeannie Miller, (410) 786–3164. Rachael Weinstein, (410) 786–6775.

SUPPLEMENTARY INFORMATION:

Submitting Comments: We welcome comments from the public on all issues set forth in this rule to assist us in fully considering issues and developing policies. You can assist us by referencing the file code CMS–3198–P and the specific ''issue identifier'' that precedes the section on which you choose to comment.

Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. CMS posts all electronic comments received before the close of the comment period on its public Web site as soon as possible after they have been received. Hard copy comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, at the headquarters of the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, Maryland 21244, Monday through Friday of each week from 8:30 a.m. to 4 p.m. To schedule an appointment to view public comments, phone 1–800–743–3951.

I. Background

(If you choose to comment on issues in this section, please include the caption ''BACKGROUND'' at the beginning of your comments.)

A. General

The CDC's Advisory Committee on Immunization Practices (ACIP) reported on May 28, 2004 (*http://www.cdc.gov/mmwr/preview/mmwrhtml/*