

792 Definition of Terms**792.1 Resident**

A resident of the United States includes any firm that has a place of business in the United States or is incorporated or otherwise organized in the United States, its territories, or its possessions.

792.2 By or on Behalf

A mailing is made by or on behalf of a person or firm that is a resident of the United States if such a resident seeks or expects to derive economic benefit or advantage from that mailing.

792.3 Place of Business

A place of business in the United States is any location in the United States, its territories, or its possessions where a firm's employees or agents regularly have personal contact with other individuals for conducting the firm's business. For the purposes of this section, a firm whose employees or agents have personal contact with others for conducting the firm's business in different places in the United States for short periods (for example, at hotels in different cities for 1 or 2 days at a time) is considered to have a place of business in the United States if the aggregate amount of time spent in the United States is 180 days or more within 12 consecutive months.

792.4 Agent

The use of a nonexclusive agent in the United States for the sole purpose of accepting orders and remissions for transmission to a firm in another country or for the sole purpose of distributing merchandise manufactured in another country and shipped to the United States in bulk does not by itself establish a place of business in the United States.

793 Advance Payment Required**793.1 Sample Mailpiece**

A sender affected by the provisions in 791 must submit a sample mailpiece (envelope and contents) from the proposed mailing; a statement about the number of items to be mailed, the date of mailing, and the place of mailing; and a check, made payable to the U.S. Postal Service, to cover the amount of the applicable U.S. postage. The sample mailpiece, statement, and check must be sent to: Manager, International Pricing, U.S. Postal Service, 475 L'Enfant Plz. SW., Washington, DC 20260-6500.

793.2 Headquarters Notification

Headquarters provides notification of postage acceptance and approval of the mailing to the sender and to the

receiving U.S. exchange office. This notification permits the items in the mailing to go forward to the addressees without delay when the items reach the United States.

794 Advance Payment Not Made**794.1 Return or Disposal of Items**

Items may be returned to origin or disposed of in accordance with postal regulations if U.S. postage is not paid.

794.2 Mailings Without Advance Payment

A mailing subject to the provisions in 791 received without advance payment of U.S. domestic postage is held at the receiving U.S. exchange office. The exchange office reports the mailing to the manager of International Pricing, USPS Headquarters. (The exchange office is advised to release the mail when the applicable postage is paid.) The report must contain the following information:

- Title and/or nature of the items.
- Identity of the sender.
- Number of items detained.
- Weight of a single item.
- Foreign postage paid per item.
- Country of mailing.

795 Report of Mailings

The receiving U.S. exchange office must report any mail appearing to be subject to the provisions of this subchapter to the manager of International Pricing, USPS Headquarters.

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[FR Doc. 95-30668 Filed 12-18-95; 8:45 am]

BILLING CODE 7710-12-P

ENVIRONMENTAL PROTECTION AGENCY
40 CFR Part 52

[MA44-1-7167a; A-1-FRL-5314-6]

Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Best Available Controls for Consumer and Commercial Products (Including Architectural and Industrial Maintenance Coatings)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the Commonwealth of Massachusetts. This revision establishes and requires VOC emission standards

for architectural and industrial maintenance coatings and 10 categories of consumer products. The intended effect of this action is to approve a revision to Massachusetts SIP which reduces VOC emissions from architectural and industrial maintenance coatings and 10 categories of consumer products. This action is being taken in accordance with Section 183(e) of the Clean Air Act.

DATES: This action is effective February 20, 1996, unless notice is received by January 18, 1996, that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Comments may be mailed to Susan Studlien, Acting Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Boston, MA 02203. Copies of the documents relevant to this action are available for public inspection during normal business hours, by appointment at the Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, One Congress Street, 10th floor, Boston, MA; Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, S.W., (LE-131), Washington, D.C. 20460; and the Division of Air Quality Control, Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

FOR FURTHER INFORMATION CONTACT: Jeanne Cosgrove, (617) 565-3246.

SUPPLEMENTARY INFORMATION: Under the Clean Air Act, EPA is required to (1) study emissions of VOCs from consumer and commercial products; (2) list those categories of products that account for at least 80 percent of the total VOC emissions from consumer and commercial products in areas of the country that fail to meet the national air quality standards set for ground-level ozone; and (3) divide the list into four groups, and regulate one group every two years using best available controls, as defined by the Clean Air Act.

In March 1995, EPA issued a report to Congress, *Study of Volatile Organic Compound Emissions from Consumer and Commercial Products*, which evaluated the contribution of VOC emissions from consumer and commercial products on ground-level ozone levels, and established criteria and a schedule for regulating these products under the Clean Air Act. Architectural coatings and consumer and commercial products (24 categories of household products) are in the first