

jurisdiction until the appeal has been concluded or the court has issued an order permitting, or directing, the Board to proceed with the motion.

(Authority: 38 U.S.C. 501(a))

**§ 20.1411 Rule 1411. Relationship to other statutes.**

(a) The "benefit of the doubt" rule of 38 U.S.C. 5107(b) does not apply to the Board's decision, on a motion under this subpart, as to whether there was clear and unmistakable error in a prior Board decision.

(b) A motion under this subpart is not a claim subject to reopening under 38 U.S.C. 5108 (relating to reopening claims on the grounds of new and material evidence).

(c) A motion under this subpart is not an application for benefits subject to any duty associated with 38 U.S.C. 5103(a) (relating to applications for benefits).

(d) A motion under this subpart is not a claim for benefits subject to the requirements and duties associated with 38 U.S.C. 5107(a) (requiring "well-grounded" claims and imposing a duty to assist).

(Authority: 38 U.S.C. 501(a))

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**POSTAL SERVICE**

**39 CFR Part 111**

**Addressing Requirements for Shared Mail Receptacles on Rural and Highway Contract Delivery Routes**

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Domestic Mail Manual to clarify addressing requirements for customers of rural or highway contract delivery routes who share mail receptacles.

**DATES:** This final rule is effective February 11, 1999.

**FOR FURTHER INFORMATION CONTACT:** Jackie Estes, Operations Specialist, Delivery Policies and Programs, (202) 268-3543.

**SUPPLEMENTARY INFORMATION:** This rule change clarifies postal addressing requirements for certain customers of rural and highway contract delivery routes, when local governments implement street name and number systems. Normally this occurs in conjunction with Emergency 9-1-1 service activation.

Historically, customers of up to five (5) separate households on rural and highway contract delivery routes have been able to share a mail receptacle for purposes of receiving carrier delivery

service, with the owner's written permission. In areas without street names and numbers, a postal route and box number addressing system (e.g., RR 1 BOX 250) is used. The box address reflects the receptacle location and sequence on the delivery route.

Therefore, customers sharing the receptacle use its particular address. If a customer subsequently decides to erect an individual receptacle, that receptacle is assigned its own route-and-box-number address, reflecting its particular location and sequence.

When localities convert to street name and number systems, customers may continue to share a mail receptacle, but they still must use the address that reflects the particular box, e.g., the street name and number of the receptacle's owner, rather than the various street names and numbers now assigned to their individual properties. This addressing requirement is familiar to customers as the "in care of" address format, e.g.:

JOHN DOE  
C/O R SMITH 123 MAIN ST  
ANYTOWN USA 00000-0000

Customers who are entitled to individual carrier delivery but instead share a box, have always been able to erect individual receptacles. There is no change in this customer option. However, if a street name and number system is in place, the correct address for the individual receptacle will be the street name and number assigned to its owner's particular property.

These amendments are being published without a notice and comment provision in accordance with 5 U.S.C. 553(b)(B), since no customers are burdened by the rule change.

The Postal Service hereby adopts the following amendments to the Domestic Mail Manual which is incorporated by reference in the Code of Federal Regulations, 39 CFR 111.1.

**List of Subjects in 39 CFR Part 111**

Postal Service.

**PART 111—[AMENDED]**

1. The authority citation for 39 CFR part 111 continues to read as follows:

**Authority:** 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 3001-3011, 3201-3219, 3403-3406, 3621, 3626, 5001.

2. Revise part D041 of the Domestic Mail Manual to read as follows:

D041 Customer Mail Receptacles

\* \* \* \* \*

D041.2.0 CURBSIDE MAILBOXES

\* \* \* \* \*

**D041.2.8 More Than One Family**

If more than one family wishes to share a mail receptacle, the following standards apply:

a. Route and Box Number Addressing. On rural and highway contract routes authorized to use a route and box numbering system (e.g., RR 1 BOX 155), up to five families may share a single mail receptacle and use a common route and box designation. A written notice of agreement, signed by the heads of the families or the individuals who want to join in the use of such box, must be filed with the postmaster at the delivery office.

b. Conversion to Street Name and Number Addressing. When street name and numbering systems are adopted, those addresses reflect distinct customer locations and sequences. Rural and highway contract route customers who are assigned different primary addresses (e.g., 123 APPLE WAY vs. 136 APPLE WAY) should erect individual mail receptacles in locations recommended by their postmasters and begin using their new addresses. Customers having different primary addresses, who wish to continue sharing a common receptacle, must use the address of the receptacle's owner and the "care of" address format:

JOHN DOE  
C/O ROBERT SMITH 123 APPLE WAY

Customers having a common primary address (e.g., 800 MAIN ST, but different secondary addresses (e.g., APT 101, APT 102, etc.), may continue to share a common receptacle if single-point delivery is authorized for the primary address. Secondary addresses should still be included in all correspondence.

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**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[CA 211-0116a; FRL-6214-1]

**Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, Antelope Valley Air Pollution Control District**

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