

administrative costs incurred in awarding the competitive grants.

(c) *Indirect cost provisions for research, extension, and education activities conducted at the Centers and Subcenter.* Subject to § 3430.54, indirect costs are allowable for the funds provided by NIFA to the Centers and the Subcenter for the research, extension, and education programs under § 3430.1004(a)(2).

(d) *Required allocations.* Each Center and Subcenter must fund subgrants in a proportion that is a minimum 30 percent for conducting multi-institutional and multistate research, extension, and education programs on technology development; and a minimum 30 percent for conducting integrated multi-institutional and multistate research, extension, and education programs on technology implementation. Each Sun Grant Center must clearly demonstrate a common procedure for ensuring the required allocations are met, and for maintaining documentation of these required percentages for audit purposes.

§ 3430.1006 Matching requirements.

(a) *Matching provisions for the Centers and Subcenter.* The Centers and the Subcenter are not required to match Federal funds.

(b) *Matching provisions for subawards.* For subawards made by the Centers or Subcenter through the competitive grants process, not less than 20 percent of the cost of an activity must be matched with funds, including in-kind contributions, from a non-Federal source, by the subawardee.

(1) *Exception for fundamental research.* This matching requirement does not apply to fundamental research (as defined in § 3430.2).

(2) *Special matching provisions for applied research.* With prior approval by the NIFA authorized departmental officer (ADO), the Center or Subcenter may reduce or eliminate the matching requirement for applied research (as defined in § 3430.2) if the Center or Subcenter determines that the reduction is necessary and appropriate pursuant to guidance issued by NIFA.

§ 3430.1007 Planning activities.

(a) *Required plan.* The Centers and Subcenter shall jointly develop and submit to NIFA for approval a plan for addressing the bioenergy, biomass, and gasification research priorities of the Department and the Department of Energy at the State and regional levels. To comply with this requirement, NIFA requires that the proposals from each of the five Centers be of similar format and subject matter and complementary to

comprise a national program for purposes of serving as the actual “plan.” Each proposal will present a plan that includes a description of what will be done in common and collectively by the Centers and Subcenter, what each will do as a Center and Subcenter, and how each Center and Subcenter will implement its regional competitive grants program. Proposals submitted to the Sun Grant Program must be sufficiently detailed and of high enough quality and demonstrate adequate evidence of collaboration to meet this requirement. Funds available for administrative costs (see § 3430.1005(b)) may be used to meet this requirement.

(b) *Gasification.* With respect to gasification research activities, the Centers and Subcenter shall coordinate planning with land-grant colleges and universities in their respective regions that have ongoing research activities in that area.

§ 3430.1008 Sun Grant Information Analysis Center.

The Centers and Subcenter shall maintain, at the North-Central Center, a Sun Grant Information Analysis Center to provide the Centers and Subcenter with analysis and data management support. Each Center and Subcenter shall allocate a portion of the funds available for administrative or indirect costs under § 3430.1005 to maintain the Sun Grant Information Analysis Center.

§ 3430.1009 Administrative duties.

In addition to other reporting requirements agreed to in the terms and conditions of each award, not later than 90 days after the end of each Federal fiscal year, each Center and Subcenter shall submit to NIFA a report that describes the policies, priorities, and operations of the program carried out by the Center or Subcenter during the fiscal year, including the results of all peer and merit review procedures conducted as part of administering the regional competitive research, extension, and educational grant programs; and a description of progress made in facilitating the plan described in § 3430.1007.

§ 3430.1010 Review criteria.

Panel reviewers conducting merit reviews on proposals submitted by the Centers will be instructed to ensure that proposals adequately address the plan developed in accordance with § 3430.1007 for consideration of the relevance and merit of proposals.

§ 3430.1011 Duration of awards.

The term of a Federal assistance award made under the Sun Grant Program shall not exceed 5 years. No-

cost extensions of time beyond the maximum award terms will not be considered or granted.

Signed at Washington, DC, August 26, 2010.

Roger Beachy,

Director, National Institute of Food and Agriculture.

[FR Doc. 2010-29103 Filed 11-17-10; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Part 905

[Docket No. FR-4843-C-03]

RIN 2577-AC49

Use of Public Housing Capital Funds for Financing Activities

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Final rule; correction.

SUMMARY: This publication makes a technical correction to the preamble of the final rule on Capital Fund Financing, published on October 21, 2010. That preamble erroneously included a paragraph in the “Findings and Certifications” section” headed “Congressional Review of Final Rules.” That paragraph is only relevant where a rule is deemed economically significant, which this rule is not. Therefore, this paragraph should not have been included in the “Findings and Certifications” section of the preamble. Removing this paragraph makes no substantive change to the rule.

DATES: *Effective Date:* December 20, 2010.

FOR FURTHER INFORMATION CONTACT:

Jeffrey Riddel, Director, Office of Capital Improvements, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Washington, DC 20410-8000; telephone number 202-708-1640, extension 4999 (this is not a toll-free number). Hearing- or speech-impaired individuals may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION: On October 21, 2010 (75 FR 65198), HUD published a final rule that implements the Capital Fund Finance Program (CFFP) to allow public housing agencies (PHAs) to use a portion of their Capital Funds for financing activities, including modernization and development activities along with the payment of

debt service on the financing. This final rule followed a proposed rule published on July 18, 2007 (72 FR 39546), that included financing options under both the Capital Fund and the Operating Fund, and that provided a 60-day period for public comment. Ultimately, only the Capital Fund portion became a final rule.

During the period when HUD was responding to public comments and producing the final rule, the Department held discussions internally on the issue of whether this rule would have an annual effect on the economy of \$1 million or more, and therefore was an economically significant rule under Executive Order 12866 (Regulatory Planning and Review), and a major rule under the Congressional Review Act (5 U.S.C. 801 *et seq.* See, specifically, the 5 U.S.C. 804 definition of "major rule"). The Department concluded that this rule would not have an annual effect on the economy of \$1 million or more, and the Office of Management and Budget (OMB) agreed with HUD's final assessment while the rule was under OMB review in accordance with Executive Order 12866. The economic impact of this rule is addressed in Section IV (Findings and Certifications) of the preamble to the final rule at 75 FR 65206 through 65208.

Following HUD's final assessment that the rule was not economically significant, HUD failed to remove the "Congressional Review of Final Rules," paragraph from the preamble (see 75 FR 65208), which is used by HUD in the case of major, economically significant rules under the Congressional Review Act and the Executive Order. This paragraph and its heading should not have been included in this preamble. This document corrects this error. This correction does not substantively change the rule.

Accordingly, FR Doc. 2010-26404, Use of Public Housing Capital Funds for Financing Activities (FR-4843-F-02), published in the **Federal Register** on October 21, 2010 (75 FR 65198), is corrected as follows:

On page 65208, in the second column, the paragraph entitled "Congressional Review of Final Rules" is removed.

Dated: November 15, 2010.

Aaron Santa Anna,

Assistant General Counsel for Regulations.

[FR Doc. 2010-29134 Filed 11-17-10; 8:45 am]

BILLING CODE 4210-67-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 9 and 721

[EPA-HQ-OPPT-2009-0922; FRL-8853-2]

RIN 2070-AB27

Cobalt Lithium Manganese Nickel Oxide; Withdrawal of Significant New Use Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is withdrawing a significant new use rule (SNUR) promulgated under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for the chemical substance identified as cobalt lithium manganese nickel oxide (CAS No. 182442-95-1), which was the subject of premanufacture notice (PMN) P-04-269. EPA published the SNUR using direct final rulemaking procedures. EPA received a notice of intent to submit adverse comments on the rule. Therefore, the Agency is withdrawing the SNUR, as required under the expedited SNUR rulemaking process. Elsewhere in today's **Federal Register**, EPA is publishing (under separate notice and comment rulemaking procedures), a proposed SNUR for this substance.

DATES: This final rule is effective November 19, 2010.

FOR FURTHER INFORMATION CONTACT: *For technical information contact:* Kenneth Moss, Chemical Control Division (7405M), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (202) 564-9232; e-mail address: moss.kenneth@epa.gov.

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; e-mail address: TSCA-Hotline@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this action apply to me?

A list of potentially affected entities is provided in the **Federal Register** of September 20, 2010 (75 FR 57169) (FRL-8839-7). If you have questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

II. What rule is being withdrawn?

In the **Federal Register** of September 20, 2010 (75 FR 57169), EPA issued several direct final SNURs, including a

SNUR for the chemical substance that is the subject of this withdrawal. These direct final rules were issued pursuant to the procedures in 40 CFR part 721, subpart D. In accordance with 40 CFR 721.160(c)(3)(ii), EPA is withdrawing the rule issued for cobalt lithium manganese nickel oxide (PMN P-04-269; CAS No. 182442-95-1) at 40 CFR 721.10201 because the Agency received a notice of intent to submit adverse comments. Elsewhere in today's **Federal Register**, EPA is proposing a SNUR for this chemical substance via notice and comment rulemaking.

For further information regarding EPA's expedited process for issuing SNURs, interested parties are directed to 40 CFR part 721, subpart D, and the **Federal Register** of July 27, 1989 (54 FR 31314). The record for the direct final SNUR for the chemical substance being withdrawn was established at EPA-HQ-OPPT-2009-0922. That record includes information considered by the Agency in developing the rule and the notice of intent to submit adverse comments.

III. How do I access the docket?

To access the electronic docket, please go to <http://www.regulations.gov> and follow the online instructions to access docket ID no. EPA-HQ-OPPT-2009-0922. Additional information about the Docket Facility is provided under **ADDRESSES** in the **Federal Register** document of September 20, 2010 (75 FR 57169). If you have questions, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

IV. What statutory and executive order reviews apply to this action?

This final rule revokes or eliminates an existing regulatory requirement and does not contain any new or amended requirements. As such, the Agency has determined that this withdrawal will not have any adverse impacts, economic or otherwise. The statutory and executive order review requirements applicable to the direct final rule were discussed in the **Federal Register** document of September 20, 2010 (75 FR 57169). Those review requirements do not apply to this action because it is a withdrawal and does not contain any new or amended requirements.

V. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to each House of the Congress and the Comptroller General of the United States. EPA will submit a report containing this rule and