

collection may begin. Generally, creditor agencies will collect such monies through the Treasury Offset Program as described in § 4903.10(c) of this part.

(3) *Notice to the debtor.* PBGC will provide to the debtor a copy of any notices sent to the creditor agency under paragraph (c)(2) of this section.

(d) *When the debtor transfers to another Federal agency—(1) Notice to the creditor agency.* If the debtor transfers to another Federal agency before the debt is paid in full, PBGC will notify the creditor agency and will certify the total amount of its collection on the debt. PBGC will provide a copy of the certification to the creditor agency. The creditor agency is responsible for submitting a certified claim to the debtor's new employing agency before collection may begin.

(2) *Notice to the debtor.* PBGC will provide to the debtor a copy of any notices and certifications sent to the creditor agency under paragraph (d)(1) of this section.

(e) *Request for hearing official.* PBGC will provide a hearing official upon the creditor agency's request with respect to a PBGC employee. See 5 CFR 550.1107(a).

Issued in Washington, DC, this 1st day of November 2010.

**Joshua Gotbaum,**

*Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 2010-28020 Filed 11-4-10; 8:45 am]

**BILLING CODE 7709-01-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 706

#### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy (DoN) is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (DAJAG) (Admiralty and Maritime Law) has determined that USS OSCAR AUSTIN (DDG 79) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** This rule is effective November 5, 2010 and is applicable beginning October 13, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Lieutenant Commander Ted Cook, JAGC, U.S. Navy, Admiralty Attorney, (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374-5066, telephone number: 202-685-5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the DoN amends 32 Code of Federal Regulations (CFR) Part 706.

This amendment provides notice that the DAJAG (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS OSCAR AUSTIN (DDG 79) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 3(c), pertaining to the placement of task lights not less than two meters from the fore and aft centerline of the ship in the athwartship direction. The DAJAG (Admiralty and

Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

■ For the reasons set forth in the preamble, amend part 706 of title 32 of the CFR as follows:

#### PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

■ 1. The authority citation for part 706 continues to read as follows:

**Authority:** 33 U.S.C. 1605.

■ 2. Section 706.2 is amended in Table Four, Paragraph 15 by adding the following entry for USS OSCAR AUSTIN (DDG 79) in alphanumerical order by DDG number:

#### § 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.

*	*	*	*	*
Table Four				
*	*	*	*	*
15. * * *				

	Vessel	Number	Horizontal distance from the fore and aft centerline of the vessel in the athwartship direction
	USS OSCAR AUSTIN	DDG 79	1.89 meters.

\* \* \* \* \*

Approved: October 13, 2010.  
**M. Robb Hyde,**  
*Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate, General (Admiralty and Maritime Law).*  
Dated: October 28, 2010.  
**D.J. Werner,**  
*Lieutenant Commander, Office of the Judge Advocate General, U.S. Navy, Federal Register Liaison Officer.*  
[FR Doc. 2010-27927 Filed 11-4-10; 8:45 am]  
**BILLING CODE 3810-FF-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 180**  
[EPA-HQ-OPP-2007-0099; FRL-8849-2]

**Flubendiamide; Pesticide Tolerances; Technical Correction**

**AGENCY:** Environmental Protection Agency (EPA).  
**ACTION:** Final rule; technical correction.  
**SUMMARY:** EPA issued a final rule in the **Federal Register** of August 18, 2010, concerning the establishment, reassessment, modification and revoking of tolerances for residues of flubendiamide, in or on multiple food and livestock commodities. This document is being issued to correct typographical errors in the referenced rule, specifically, to revise incorrect tolerance values for the established tolerances for corn, field, grain; corn, field, stover; corn, sweet, stover; and cotton gin byproducts.  
**DATES:** This final rule is effective November 5, 2010.

**ADDRESSES:** EPA has established a docket for this action under docket identification (ID) number EPA-HQ-OPP-2007-0099. All documents in the docket are listed in the docket index available in <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (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 in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday,

excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.  
**FOR FURTHER INFORMATION CONTACT:** Carmen Rodia, Registration Division (7504P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460-0001; telephone number: (703) 306-0327; fax number: (703) 308-0029; e-mail address: [rodia.carmen@epa.gov](mailto:rodia.carmen@epa.gov).

**SUPPLEMENTARY INFORMATION:**  
**I. Does this action apply to me?**

The Agency included in the final rule a list of those who may be potentially affected by this action. If you have questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

**II. What does this technical correction do?**

Currently, 40 CFR 180.639(a)(1) provides an incorrect tolerance value for the established tolerances for corn, field, grain (0.02 ppm); corn, field, stover (0.15 ppm); corn, sweet, stover (0.25 ppm); and cotton gin byproducts (0.60 ppm). As supported by submitted field trial and processing data, these tolerance values should be revised to 0.03 ppm; 15 ppm; 25 ppm; and 60 ppm, respectively. Therefore, EPA is correcting the entries for corn, field, grain; corn, field, stover; corn, sweet, stover; and cotton gin byproducts in the table in § 180.369(a)(1).

**III. Why is this correction issued as a final rule?**

Section 553 of the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(3)(B), provides that, when an Agency for good cause finds that notice and public procedure are impracticable, unnecessary or contrary to the public interest, the Agency may issue a final rule without providing notice and an opportunity for public comment. EPA has determined that there is good cause for making this technical correction final without prior proposal and opportunity for comment, because this final rule corrects a number of typographical errors and does not otherwise change the original requirements of the final rule. EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(3)(B).

**IV. Do any of the statutory and Executive Order reviews apply to this action?**

This final rule corrects a number of typographical errors and does not

otherwise change the original requirements of the final rule. As a typographical correction, this action is not subject to the statutory and Executive Order review requirements. For information about the statutory and Executive Order review requirements as they related to the final rule, see Unit VI. in the **Federal Register** of August 18, 2010 (75 FR 50914) (FRL-8836-2).

**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 to the Comptroller General of the United States. EPA will submit a report containing this rule 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 this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 28, 2010.

**Lois Rossi,**  
*Director, Registration Division, Office of Pesticide Programs.*

■ Therefore, 40 CFR part 180 is corrected as follows:

**PART 180—[AMENDED]**

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.639, in the table to paragraph (a)(1), revise the entries for corn, field, grain; corn, field, stover; corn, sweet, stover; and cotton gin byproducts, to read as follows:

**§ 180.639 Flubendiamide; tolerances for residues.**

(a) \* \* \* (1) \* \* \*

Commodity	Parts per million
* * *	*
Corn, field, grain .....	0.03
Corn, field, stover .....	15
Corn, sweet, stover .....	25
* * *	*
Cotton gin byproducts .....	60