

**PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE-EMPLOYER PLANS**

■ 1. The authority citation for part 4022 continues to read as follows:

Authority: 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

■ 2. In appendix B to part 4022, Rate Set 159, as set forth below, is added to the table.

**Appendix B to Part 4022—Lump Sum Interest Rates for PBGC Payments**

\* \* \* \* \*

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		$i_1$	$i_2$	$i_3$	$n_1$	$n_2$
* 159	* 1-1-07	* 2-1-07	* 2.75	* 4.00	* 4.00	* 4.00	* 7	* 8

■ 3. In appendix C to part 4022, Rate Set 159, as set forth below, is added to the table.

**Appendix C to Part 4022—Lump Sum Interest Rates for Private-Sector Payments**

\* \* \* \* \*

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		$i_1$	$i_2$	$i_3$	$n_1$	$n_2$
* 159	* 1-1-07	* 2-1-07	* 2.75	* 4.00	* 4.00	* 4.00	* 7	* 8

**PART 4044—ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS**

■ 4. The authority citation for part 4044 continues to read as follows:

Authority: 29 U.S.C. 1301(a), 1302(b)(3), 1341, 1344, 1362.

■ 5. In appendix B to part 4044, a new entry for January 2007, as set forth below, is added to the table.

**Appendix B to Part 4044—Interest Rates Used to Value Benefits**

\* \* \* \* \*

For valuation dates occurring in the month—			The values of $i_t$ are:					
			$i_t$	for $t =$	$i_t$	for $t =$	$i_t$	for $t =$
* January 2007	* .....	* .....	* .0488	* 1-20	* .0455	* >20	* N/A	* N/A

Issued in Washington, DC, on this 12th day of December 2006.

Vincent K. Snowbarger,

Interim Director, Pension Benefit Guaranty Corporation.

[FR Doc. E6-21444 Filed 12-14-06; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Parts 151 and 158****46 CFR Parts 30, 98, 151, and 153**

[USCG-2006-26341]

**Revised MARPOL Annex II and IBC Code Implementation: Publication of Guidelines**

AGENCY: Coast Guard, DHS.

ACTION: Notice of availability.

**SUMMARY:** The Coast Guard announces the availability of Navigation and Vessel Inspection Circular (NVIC) No. 03-06, titled "Guidance on Implementation of Revisions to MARPOL Annex II and the IBC Code." This NVIC provides

guidelines on how the revisions to Annex II of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL), and the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code) will be implemented in the U.S. These revisions come into force internationally on January 1, 2007.

**DATES:** The Coast Guard issued NVIC 03-06 on November 28, 2006.

**ADDRESSES:** You may request a copy of NVIC 03-06 from U.S. Coast Guard Headquarters (CG-3PSO-3), Room 1214, 2100 2nd Street, SW., Washington, DC 20593. The NVIC is available on the Internet at: <http://www.uscg.mil/hq/g-m/nvic/index.htm>. It is also available in the public docket (USCG-2006-26341) and is available for inspection or

copying at the Docket Management Facility, U.S. Department of Transportation, room PL-402, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this public docket on the Internet at <http://www.dms.dot.gov/>.

**FOR FURTHER INFORMATION CONTACT:** For questions on this notice, contact LT Jennifer Stockwell, Hazardous Materials Standards Division, U.S. Coast Guard, telephone 202-372-1419, e-mail: [Hazmat@comdt.uscg.mil](mailto:Hazmat@comdt.uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-493-0402.

**SUPPLEMENTARY INFORMATION:** In a letter to the International Maritime Organization (IMO) dated October 10, 2006, the Coast Guard sought to explain the effect of the revised Annex II and amended IBC Code for foreign ships trading at U.S. ports and U.S.-flag ships trading at foreign ports. That letter also advised the IMO that a relevant NVIC would be forthcoming and available online. On November 28, 2006, the Coast Guard issued NVIC 03-06. NVIC 03-06 provides guidance to foreign and U.S. vessels operating in U.S. waters that carry Noxious Liquid Substances (NLSs) in bulk, reception facilities that handle these products, and Coast Guard personnel conducting inspections and examinations. This NVIC addresses numerous implementation issues for owners and operators of vessels and reception facilities, and Coast Guard personnel with respect to the revised MARPOL Annex II, IBC Code, and current U.S. regulations. The Coast Guard encourages all affected parties to review NVIC 03-06 to ensure compliance with the revisions to MARPOL Annex II, IBC Code, and all applicable U.S. regulations. NVIC 03-06 encourages voluntary compliance, but is not intended to and does not impose legally binding requirements on any party outside the Coast Guard.

Dated: November 29, 2006.

**J. G. Lantz,**

*Director of National and International Standards, Office of the Assistant Commandant for Prevention.*

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**BILLING CODE 4910-15-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 70 and 71

[EPA-HQ-OAR-2003-0179; FRL-8257-3]

RIN 2060-AN74

### Final Rule Interpreting the Scope of Certain Monitoring Requirements for State and Federal Operating Permits Programs

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

**ACTION:** Final rule; notice of final action on interpretation.

**SUMMARY:** The purpose of this action is to finalize interpretation of certain existing federal air program operating permits regulations. We proposed an interpretation of these rules on June 2, 2006, and requested comment. This final interpretation responds to the comments we received. The final interpretation is that the plain language and structure of certain sections of the operating permits regulations do not provide an independent basis for requiring or authorizing review and enhancement of existing monitoring in title V permits. We believe that other rules establish a basis for such review and enhancement. Such other rules include the monitoring requirements in certain other sections of the federal operating permits regulations (i.e., periodic monitoring), existing federal air pollution control standards, and regulations implementing State requirements to meet the ambient air quality standards.

This final interpretation clarifies the permit content requirements relative to the operating permits regulations and facilitates permit issuance ensuring that air pollution sources can operate and comply with requirements.

**DATES:** *Effective Date:* The final rule interpretation is effective on January 16, 2007.

**ADDRESSES:** The Electronic Docket ID No. EPA-HQ-OAR-2003-0179 contains the comments received and regulatory background materials including the Responses to Comments document. All documents in the docket are listed in the Federal Docket Management System (FDMS) index at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available (e.g., 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 at <http://www.regulations.gov> or in hard copy at the EPA Docket Center, Public Reading Room, EPA West, Room B102, 1301 Constitution Avenue, NW., Washington, DC 20004. The normal business hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. The telephone number is (202) 566-1742.

**Note:** The EPA Docket Center suffered damage due to flooding during the last week of June 2006. The Docket Center is continuing to operate; however, during the cleanup, there will be temporary changes to Docket Center telephone numbers, addresses, and hours of operation for people who wish to visit the Public Reading Room to view documents. Consult EPA's **Federal Register** notice at 71 FR 38147 (July 5, 2006) or the EPA Web site at <http://www.epa.gov/epahome/dockets.htm> for current information on docket operations, locations and telephone numbers. The Docket Center's mailing address for U.S. mail and the procedure for submitting comments to [www.regulations.gov](http://www.regulations.gov) are not affected by the flooding and will remain the same.

**FOR FURTHER INFORMATION CONTACT:** Peter Westlin, Environmental Protection Agency, Office of Air Quality Planning and Standards, Mail code: D243-05, 109 TW Alexander Drive, Research Triangle Park, NC 27711; telephone: (919) 541-1058; facsimile number (919) 541-1039; e-mail address: [westlin.peter@epa.gov](mailto:westlin.peter@epa.gov).

**SUPPLEMENTARY INFORMATION:** The information presented in this preamble is organized as follows:

- I. General Information
  - A. Does This Action Affect Me?
  - B. How Can I Get Copies of This Document and Other Related Information?
  - C. What Is the Procedure for Judicial Review?
- II. Background
- III. What revisions did we make as a result of comments received on the proposed interpretation?
- IV. What are our responses to significant comments?
  - A. The proposed interpretation is correct in principle and consistent with the plain language of the rule and the Clean Air Act.
  - B. The proposed interpretation is incorrect in principle and inconsistent with the plain language of the rule and the Clean Air Act.
  - C. The effect of rule on previous permit decisions is not minimal and resultant conditions should be removed from permits.
  - D. The authority for the permitting authorities to fill periodic monitoring gaps should be reinstated.
  - E. Existing monitoring requirements in current rules are inadequate and case-by-case review and revision are necessary.
  - F. The Agency should provide further clarification or regulatory action on the