AMOUNT IN CONTROVERSY—Continued

$10,000–29,999. (18 CFR 381.303(b))	600
$30,000 or more. (18 CFR 381.303(a))	35,580

3. Review of a Department of Energy denial of adjustment:

AMOUNT IN CONTROVERSY

$0–9,999. (18 CFR 381.304(b))	$100
$10,000–29,999. (18 CFR 381.304(b))	600
$30,000 or more. (18 CFR 381.304(a))	18,650

4. Written legal interpretations by the Office of General Counsel. (18 CFR 381.305(a)) $6,990

Fees Applicable to Natural Gas Pipelines

1. Pipeline certificate applications pursuant to 18 CFR 284.224. (18 CFR 381.207(b)) * $1,000

Fees Applicable to Cogenerators and Small Power Producers

1. Certification of qualifying status as a small power production facility. (18 CFR 381.505(a)) $20,960
2. Certification of qualifying status as a cogeneration facility. (18 CFR 381.505(a)) $23,720

List of Subjects in 18 CFR Part 381

Electric power plants,Electric utilities, Natural gas, Reporting and recordkeeping requirements.

Anton Porter,

Executive Director.

In consideration of the foregoing, the Commission amends Part 381, Chapter I, Title 18, Code of Federal Regulations, as set forth below.

PART 381—FEES

■ 1. The authority citation for Part 381 continues to read as follows:

Authority: 15 U.S.C. 717–717w; 16 U.S.C. 791–828c, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352; 49 U.S.C. 60502; 49 App. U.S.C. 1–85.

§ 381.302 [Amended]

■ 2. In 381.302, paragraph (a) is amended by removing ''$24,860'' and adding ''$24,370'' in its place.

§ 381.303 [Amended]

■ 3. In 381.303, paragraph (a) is amended by removing ''$36,290'' and adding ''$35,580'' in its place.

* This fee has not been changed.

§ 381.304 [Amended]

■ 4. In 381.304, paragraph (a) is amended by removing ''$19,030'' and adding ''$18,650'' in its place.

§ 381.305 [Amended]

■ 5. In 381.305, paragraph (a) is amended by removing ''$7,130'' and adding ''$6,990'' in its place.

§ 381.403 [Amended]

■ 6. Section 381.403 is amended by removing ''$12,370'' and adding ''$12,130'' in its place.

§ 381.505 [Amended]

■ 7. In 381.505, paragraph (a) is amended by removing ''$21,380'' and adding ''$20,960'' in its place and by removing ''$24,200'' and adding ''$23,720'' in its place.

[FR Doc. 2013–00590 Filed 1–14–13; 8:45 am]

BILLING CODE 6717–01–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4022

Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This final rule amends the Pension Benefit Guaranty Corporation's regulation on Benefits Payable in Terminated Single-Employer Plans to prescribe interest assumptions under the regulation for valuation dates in February 2013. The interest assumptions are used for paying benefits under terminating single-employer plans covered by the pension insurance system administered by PBGC.

DATES: Effective February 1, 2013.

FOR FURTHER INFORMATION CONTACT: Catherine B. Klion (*Klion.Catherine@pbgc.gov*), Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005, 202–326–4024. (TTY/TDD users may call the Federal relay service toll-free at 1–800–877–8339 and ask to be connected to 202–326–4024.)

SUPPLEMENTARY INFORMATION: PBGC's regulation on Benefits Payable in Terminated Single-Employer Plans (29 CFR part 4022) prescribes actuarial assumptions—including interest assumptions—for paying plan benefits under terminating single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974. The interest assumptions in the regulation are also published on PBGC's Web site (*http://www.pbgc.gov*).

PBGC uses the interest assumptions in Appendix B to Part 4022 to determine whether a benefit is payable as a lump sum and to determine the amount to pay. Appendix C to Part 4022 contains interest assumptions for private-sector pension practitioners to refer to if they wish to use lump-sum interest rates determined using PBGC's historical methodology. Currently, the rates in Appendices B and C of the benefit payment regulation are the same.

The interest assumptions are intended to reflect current conditions in the financial and annuity markets. Assumptions under the benefit payments regulation are updated monthly. This final rule updates the benefit payments interest assumptions for February 2013.[1]

The February 2013, interest assumptions under the benefit payments regulation will be 0.75 percent for the period during which a benefit is in pay status and 4.00 percent during any years preceding the benefit's placement in pay status. In comparison with the interest assumptions in effect for January 2013, these interest assumptions are unchanged.

PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This finding is based on the need to determine and issue new interest assumptions promptly so that the assumptions can reflect current market conditions as accurately as possible.

Because of the need to provide immediate guidance for the payment of benefits under plans with valuation dates during February 2013, PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication.

PBGC has determined that this action is not a ''significant regulatory action'' under the criteria set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

[1] Appendix B to PBGC's regulation on Allocation of Assets in Single-Employer Plans (29 CFR part 4044) prescribes interest assumptions for valuing benefits under terminating covered single-employer plans for purposes of allocation of assets under ERISA section 4044. Those assumptions are updated quarterly.

List of Subjects in 29 CFR Part 4022

Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements.

In consideration of the foregoing, 29 CFR part 4022 is amended as follows:

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 232 is added to the table to read as follows:

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
*	*	*	*	*	*	*	*	*
232	2–1–13	3–1–13	0.75	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, Rate Set 232 is added to the table to read as follows:

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
*	*	*	*	*	*	*	*	*
232	2–1–12	3–1–13	0.75	4.00	4.00	4.00	7	8

Issued in Washington, DC, on this 8th day of January 2013.

Laricke Blanchard,

Deputy Director for Policy, Pension Benefit Guaranty Corporation.

[FR Doc. 2013–00632 Filed 1–14–13; 8:45 am]

BILLING CODE 7709–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–HQ–OAR–2012–0943, FRL–9769–4]

RIN 2060

Findings of Failure To Submit a Complete State Implementation Plan for Section 110(a) Pertaining to the 2008 Ozone National Ambient Air Quality Standard

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is finding that 28 states, the District of Columbia and the Commonwealth of Puerto Rico have not made complete state implementation plan (SIP) submissions to address certain SIP elements, as required by the Clean Air Act (CAA). Specifically, the EPA is determining that these states have not submitted complete SIPs that provide the basic CAA program elements as necessary to implement the 2008 8-hour ozone national ambient air quality standards (NAAQS). The EPA refers to these SIP submissions as ''infrastructure'' SIPs. By this action, the EPA is identifying states that either have not made any submission to address the applicable elements or have made a complete submission to address some applicable elements but did not make a complete submission for other applicable elements. The EPA recognizes that its efforts to reconsider the 2008 8-hour ozone NAAQS delayed and complicated the efforts of some states to develop and submit these infrastructure SIPs, but at this time the EPA is nevertheless required by court order to make these findings. These findings of failure to submit establish a 24-month deadline for the EPA to promulgate federal implementation plans (FIPs) to address the outstanding SIP elements unless, prior to that time, the affected states submit and the EPA approves, a SIP that corrects the deficiency.

DATES: The effective date of this rule is February 14, 2013.

FOR FURTHER INFORMATION CONTACT: General questions concerning this notice should be addressed to Dr. Karl Pepple: telephone (919) 541–2683, email *pepple.karl@epa.gov;* or Mr. Lynn Dail: telephone (919) 541–2363, email *dail.lynn@epa.gov,* Office of Air Quality Planning and Standards, Air Quality Policy Division, Mail Code C539–02, 109 TW Alexander Drive, Research Triangle Park, NC 27709.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Notice and Comment Under the Administrative Procedure Act (APA)

Section 553 of the APA, 5 U.S.C. 553(b)(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 rule without providing notice and an opportunity for public comment. The EPA has determined that there is good cause for making this rule final without prior proposal and opportunity for comment because no significant EPA judgment is involved in making a finding of failure to submit SIPs, or elements of SIPs, required by the CAA, where states have made no submissions, or incomplete submissions, to meet the requirement. Thus, notice and public procedure are unnecessary. The EPA finds that this constitutes good cause under 5 U.S.C. 553(b)(B).