

	Actual Total Costs			3-year average actual costs	3-year % of volume	volume adjusted costs	FY 2012 Assessed Fee
	FY 2009	FY 2010	FY 2011				
CBOE Futures	\$ 519	\$ -	\$ 98,556	\$ 33,025	0.16%	\$ 17,611	\$ 17,611
Chicago Board of Trade	142,446	87,953	5,260	\$ 78,553	27.40%	222,868	\$ 78,553
Chicago Climate Exchange	2,129	-	-	\$ 710	0.02%	497	\$ 497
Chicago Mercantile Exchange ...	341,186	882,542	422,837	\$ 548,855	52.55%	626,531	\$ 548,855
ICE Futures U.S.	286,289	94,043	17,624	\$ 132,652	3.26%	88,143	\$ 88,143
Kansas City Board of Trade	2,888	227,296	30,976	\$ 87,053	0.17%	44,642	\$ 44,642
Minneapolis Grain Exchange	123,566	-	88,790	\$ 70,786	0.05%	35,730	\$ 35,730
New York Mercantile Exchange ..	15,948	596,767	136,565	\$ 249,760	15.34%	227,640	\$ 227,640
New York LIFFE	-	-	416,069	\$ 138,690	0.26%	71,111	\$ 71,111
SUBTOTAL	914,972	1,888,601	1,216,678	1,340,083	100%	1,334,772	1,112,781
National Futures Association	109,639	1,206,393	416,615	577,549			577,549
TOTAL	1,024,611	3,094,994	1,633,293	1,917,632			1,690,330

An example of how the fee is calculated for one exchange, the Chicago Board of Trade, is set forth here:

a. Actual three-year average costs equal \$78,553.

b. The alternative computation is: (.5) (\$78,553) + (.5) (.274) (\$1,340,083) = \$222,868.

c. The fee is the lesser of a or b; in this case \$78,553.

As noted above, the alternative calculation based on contracts traded is not applicable to NFA because it is not a DCM and has no contracts traded. The Commission's average annual cost for conducting oversight review of the NFA rule enforcement program during fiscal years 2009 through 2011 was \$577,549

(one-third of \$1,732,647). The fee to be paid by the NFA for the current fiscal year is \$577,549.

II. Schedule of Fees

Therefore, fees for the Commission's review of the rule enforcement programs at the registered futures associations and DCMs regulated by the Commission are as follows:

	2012 fee lesser of actual or calculated fee
CBOE Futures	\$17,611
Chicago Board of Trade	78,553
Chicago Climate Exchange	497
Chicago Mercantile Exchange	548,855
ICE Futures U.S.	88,143
Kansas City Board of Trade	44,642
Minneapolis Grain Exchange	35,730
New York Mercantile Exchange	227,640
New York LIFFE	71,111
Subtotal	1,112,781
National Futures Association	577,549
Total	1,690,330

III. Payment Method

The Debt Collection Improvement Act (DCIA) requires deposits of fees owed to the government by electronic transfer of funds (See 31 U.S.C. 3720). For information about electronic payments, please contact Jennifer Fleming at (202) 418-5034 or jffleming@cftc.gov, or see the CFTC Web site at www.cftc.gov, specifically, www.cftc.gov/cftc/cftcelectronicpayments.htm.

Issued in Washington, DC on this 11th day of December 2012, by the Commission.

Sauntia S. Warfield,
Assistant Secretary of the Commission.
 [FR Doc. 2012-30224 Filed 12-13-12; 8:45 am]
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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 January 2013. The interest assumptions are used for paying benefits under terminating single-employer plans covered by the pension insurance system administered by PBGC. As discussed below, PBGC will publish a separate final rule document dealing with interest assumptions under its regulation on Allocation of Assets in Single-Employer Plans for the first quarter of 2013.

DATES: Effective January 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 January 2013.

PBGC normally updates the assumptions under the benefit payments regulation for January at the same time as PBGC updates assumptions for the first quarter of the year under its regulation on Allocation of Assets in Single-Employer Plans (29 CFR part 4044) in a single rulemaking document. Because of delays in obtaining data used in setting assumptions under Part 4044 for the first quarter of 2013, PBGC is publishing two separate rulemaking documents to update the benefit payments regulation for January 2013 and the allocation regulation for the first quarter of 2013.

The January 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 December 2012, 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 January 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).

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 231 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
*	*	*	*	*	*	*	*	*
231	1-1-13	2-1-13	0.75	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, Rate Set 231 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
*	*	*	*	*	*	*	*	
231	1–1–13	2–1–13	0.75	4.00	4.00	4.00	7	8

Issued in Washington, DC, on this 11th day of December 2012.

Laricke Blanchard,
Deputy Director for Policy, Pension Benefit Guaranty Corporation.

[FR Doc. 2012–30202 Filed 12–13–12; 8:45 am]

BILLING CODE 7709–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R09–OAR–2011–0589; FRL–9726–4]

Approval of Air Quality Implementation Plans; California; San Joaquin Valley; Attainment Plan for the 1997 8-Hour Ozone Standards; Technical Amendments

AGENCY: U.S. Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendments.

SUMMARY: EPA is making a technical amendment to the Code of Federal Regulations (CFR) to reflect the Agency’s March 1, 2012 final approval of the California State Implementation Plan for attainment of the 1997 8-hour ozone National Ambient Air Quality Standards in the San Joaquin Valley. This technical amendment corrects the CFR to properly codify the California Air Resources Board’s commitment to update the air quality modeling in the San Joaquin Valley 8-Hour Ozone SIP by December 31, 2014.

DATES: This technical amendment is effective on December 14, 2012.

FOR FURTHER INFORMATION CONTACT: Frances Wicher, Air Planning Office (AIR–2), U.S. Environmental Protection Agency, Region 9, (415) 972–3957, wicher.frances@epa.gov.

SUPPLEMENTARY INFORMATION: Throughout this document, “we”, “us” and “our” refer to EPA.

On March 1, 2012, EPA fully approved the California State Implementation Plan (SIP) for attainment of the 1997 8-hour ozone National Ambient Air Quality Standards (NAAQS) in the San Joaquin Valley and included provisions of this SIP in the

Code of Federal Regulations (CFR) at 40 CFR 52.220(c). See 77 FR 12652 (March 1, 2012).

The regulatory text for this final action included paragraph (c)(396)(ii)(A)(2)(ii) of 40 CFR 52.220. This paragraph contains CARB’s commitment to update the air quality modeling in the San Joaquin Valley 8-Hour Ozone SIP to reflect emissions inventory improvements and any other new information by December 31, 2014 or the date by which state implementation plans are due for the expected revision to the Federal 8-hour ozone standard whichever comes first, as provided on page 3 of CARB Resolution No. 11–22 (dated July 21, 2011). CARB Resolution 11–22 documents CARB’s adoption of the 8-Hour Ozone State Implementation Plan Revisions and Technical Revisions to the PM_{2.5} State Implementation Plan Transportation Conformity Budgets for the South Coast and San Joaquin Valley Air Basins (dated June 20, 2011). However, the amendatory language at the beginning of this regulatory text (77 FR 12672) did not identify this paragraph and as a result this paragraph is not currently in the CFR. We are issuing this technical amendment to 40 CFR 52.220 to correct this oversight. This technical amendment makes no change to the substance of our March 1, 2012 approval of the SJV 8-Hour Ozone SIP.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen Dioxide, Ozone, Volatile organic compounds.

Dated: December 4, 2012.

Jared Blumenfeld,
Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52 [AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

■ 2. Section 52.220 is amended by adding paragraph (c)(396)(ii)(A)(2)(ii) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *
(396) * * *
(ii) * * *
(A) * * *
(2) * * *

(ii) Commitment to update the air quality modeling in the SJV 2007 Ozone Plan to reflect the emissions inventory improvements and any other new information by December 31, 2014 or the date by which state implementation plans are due for the expected revision to the Federal 8-hour ozone standard whichever comes first, as provided on page 3.

* * * * *

[FR Doc. 2012–30245 Filed 12–13–12; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R08–OAR–2011–0114; FRL–9751–6]

Approval, Disapproval and Promulgation of State Implementation Plans; State of Utah; Regional Haze Rule Requirements for Mandatory Class I Areas Under 40 CFR 51.309

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is partially approving and partially disapproving a State Implementation Plan (SIP) revision submitted by the State of Utah on May 26, 2011 that addresses regional haze. EPA is also approving specific sections of a State of Utah SIP revision submitted on September 9, 2008 to address regional haze. These SIP revisions were submitted to address the requirements of the Clean Air Act (CAA or Act) and our rules that require states to prevent any future and remedy any existing man-made impairment of visibility in