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

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 valuation and payment of benefits in plans with valuation dates during November 2009, 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 193, as set forth below, is added to the table.

APPENDIX B TO PART 4022—LUMP SUM INTEREST RATES FOR PBGC PAYMENTS

<table>
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<tr>
<th>Rate set</th>
<th>For plans with a valuation date</th>
<th>Immediate annuity rate (percent)</th>
<th>Deferred annuities (percent)</th>
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<td>193</td>
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<td>12–1–09</td>
<td>2.25</td>
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3. In appendix C to part 4022, Rate Set 193, as set forth below, is added to the table.

APPENDIX C TO PART 4022—LUMP SUM INTEREST RATES FOR PRIVATE-SECTOR PAYMENTS

| * | * | * | * | * |
**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2009–0348]

**RIN 1625–AA09**

**Drawbridge Operation Regulation; East River, New York City, NY**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard has temporarily changed the drawbridge operating regulations governing the operation of the Roosevelt Island Bridge, mile 6.4, across the East River at New York City, New York. This temporary final rule allows the Roosevelt Island Bridge to remain in the closed position for eleven months to facilitate a major rehabilitation project.

**DATES:** This rule is effective October 15, 2009 through August 31, 2010.

**ADDRESSES:** Comments and related materials received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG–2009–0348 and are available online by going to http://www.regulations.gov, inserting USCG–2009–0348 in the “Keyword” box, and then clicking “Search.” This material is also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on viewing the docket, call Vincent K. Snowbarger, Acting Director, Pension Benefit Guaranty Corporation. [FR Doc. E9–24732 Filed 10–14–09; 8:45 am]

**BILLING CODE 7709–01–P**

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### Rate set

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<tr>
<th>Rate set</th>
<th>For plans with a valuation date</th>
<th>Immediate annuity rate (percent)</th>
<th>Deferred annuities (percent)</th>
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</table>

Issued in Washington, DC, on this 6th day of October 2009.

Vincent K. Snowbarger,

Acting Director, Pension Benefit Guaranty Corporation.

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**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

On August 13, 2009, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulation; East River, New York City, NY, in the Federal Register (74 FR 40802). We received no comments on the proposed rule. No public meeting was requested, and none was held.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective in less than 30 days after publication in the Federal Register. A delay or cancellation of this ongoing bridge rehabilitation project is not in the public interest and would further disrupt the flow of vehicular and maritime traffic. The rehabilitation project is necessary to ensure the continued safe and reliable operation of the bridge.

**Background and Purpose**

The Roosevelt Island Bridge has a vertical clearance of 40 feet at mean high water, and 47 feet at mean low water in the closed position. The existing drawbridge operating regulations listed at 33 CFR 117.781, require the bridge to open on signal if at least a two hour advance notice is given.

The bridge owner, New York City Department of Transportation, has requested a temporary rule to facilitate electrical and mechanical rehabilitation at the Roosevelt Island Bridge.

Under this temporary final rule the Roosevelt Island Bridge will remain in the closed position from October 1, 2009 through August 31, 2010. Vessel traffic may transit the East River utilizing the alternate route around the other side of the island.

**Discussion of Comments and Changes**

The Coast Guard received no comment letters in response to the notice of proposed rulemaking. As a result, no changes have been made to this temporary final rule.

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**Regulatory Analyses**

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

**Regulatory Planning and Review**

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. This conclusion is based upon the fact that vessel traffic will still be able to transit the East River using the alternate route around the island.

**Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This conclusion is based upon the fact that vessel traffic will still be able to transit the East River using the alternate route around the island.

**Assistance for Small Entities**

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), in the NPRM we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking process.

**Collection of Information**

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).