

22, 2001) or Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under section 408(d) of FFDCA, such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply.

This final rule directly regulates growers, food processors, food handlers, and food retailers, not States or Tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of FFDCA. As such, the Agency has determined that this action will not have a substantial direct effect on States or Tribal governments, on the relationship between the national government and the States or Tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian Tribes. Thus, the Agency has determined that Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999) and Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 9, 2000) do not apply to this final rule. In addition, this final rule does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104-4).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note).

VII. 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: March 29, 2011.

G. Jeffery Herndon,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended 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. Section 180.364 is amended by:

i. Revising the introductory text in paragraph (a)(1), and in the table, revise the entry for corn, sweet, grain 0.1 ppm; to corn, sweet, kernel plus cob with husk removed at 3.5 ppm; and

ii. Revising the introductory text in paragraph (a)(2), and in the table, revise the entry for poultry, meat 4.0 ppm to 0.10 ppm. The revisions read as follows:

§ 180.364. Glyphosate; tolerances for residues.

(a) *General.* (1) Tolerances are established for residues of glyphosate, including its metabolites and degradates, in or on the commodities listed below resulting from the application of glyphosate, the isopropylamine salt of glyphosate, the ethanolamine salt of glyphosate, the dimethylamine salt of glyphosate, the ammonium salt of glyphosate, and the potassium salt of glyphosate. Compliance with the following tolerance levels is to be determined by measuring only glyphosate (*N*-(phosphonomethyl)glycine).

Commodity	Parts per million
* * * * *	*
Corn, sweet, kernel plus cob with husk removed	3.5
* * * * *	*

(2) Tolerances are established for residues of glyphosate, including its metabolites and degradates, in or on the commodities listed below resulting from the application of glyphosate, the isopropylamine salt of glyphosate, the ethanolamine salt of glyphosate, the dimethylamine salt of glyphosate, the ammonium salt of glyphosate, and the potassium salt of glyphosate. Compliance with the following tolerance levels is to be determined by measuring only glyphosate (*N*-(phosphonomethyl)glycine) and its metabolite *N*-acetyl-glyphosate (*N*-acetyl-*N*-(phosphonomethyl)glycine; calculated as the stoichiometric equivalent of glyphosate).

Commodity	Parts per million
* * * * *	*
Poultry, meat	0.10
* * * * *	*

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FEDERAL MARITIME COMMISSION

46 CFR Parts 520 and 532

[Docket No. 10-03]

RIN 3072-AC38

Non-Vessel-Operating Common Carrier Negotiated Rate Arrangements; Correction

April 5, 2011.

AGENCY: Federal Maritime Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Maritime Commission is correcting a final rule that appeared in the **Federal Register** on March 2, 2011, exempting licensed non-vessel-operating common carriers that enter into negotiated rate arrangements from the tariff rate publication requirements of the Shipping Act of 1984. This correction clarifies that the negotiated rate arrangement must be agreed to prior to receipt of the cargo and removes the requirement that non-vessel-operating common carriers indicate their intention to move cargo under negotiated rate arrangements on their Form FMC-1 on file with the Commission.

DATES: Effective April 18, 2011.

FOR FURTHER INFORMATION CONTACT: *Legal Information:* Elisa Holland, 202-523-5740, generalcounsel@fmc.gov;

Technical Information: George A. Quadrino, 202-523-5800; Gary G. Kadian, 202-523-5856, tradeanalysis@fmc.gov.

SUPPLEMENTARY INFORMATION: In FR Doc. 2011-4599 appearing in the **Federal Register** of Wednesday, March 2, 2011 (76 FR 11351), the following corrections are made:

§ 532.5 [Corrected]

■ 1. On page 11361, in the first column, in § 532.5 Requirements for NVOCC negotiated rate arrangements, the word “contain” in paragraph (b) is capitalized and, paragraph (c) is corrected to read as follows:

“(c) Be agreed to by both NRA shipper and NVOCC, prior to receipt of cargo by the common carrier or its agent (including originating carriers in the case of through transportation);”

§ 532.6 [Corrected]

■ 2. On page 11361, in the second column, in § 532.6 Notices, the paragraph designations are removed and the text of the section is correctly revised to read as follows:

“An NVOCC wishing to invoke an exemption pursuant to this part must indicate that intention to the Commission and to the public by a prominent notice in its rules tariff and bills of lading or equivalent shipping documents.”

By the Commission.

Karen V. Gregory,
Secretary.

[FR Doc. 2011-8467 Filed 4-7-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

49 CFR Part 8

[Docket No. DOT-OST-1999-6189]

RIN 9991-AA58

Classified Information: Classification/Declassification/Access; Authority To Classify Information

AGENCY: Office of the Secretary of Transportation (OST), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This final rule delegates various authorities vested in the Secretary of Transportation (Secretary) by Executive Order 13526 to originally classify information as SECRET or CONFIDENTIAL to the Administrator of

the Federal Aviation Administration, and to the Assistant Administrator for Security and Hazardous Materials.

DATES: This final rule is effective April 8, 2011.

FOR FURTHER INFORMATION CONTACT: Brett Jortland, Attorney, Office of the General Counsel, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, E-mail: brett.jortland@dot.gov, Telephone: (202) 366-9314.

SUPPLEMENTARY INFORMATION: Executive Order 13526 confers upon the Secretary the authority to originally classify information as SECRET or CONFIDENTIAL, with further authorization to designate this authority. Title 49 of the Code of Federal Regulations (CFR), Section 8.11(b)(3) delegates this authority to the Administrator of the Federal Aviation Administration (FAA), and the Assistant Administrator for Civil Aviation Security. As a result of administrative changes within the FAA, the position of the Assistant Administrator for Civil Aviation Security no longer exists. The authority exercised by that position has been transferred to the Assistant Administrator for Security and Hazardous Materials, thus necessitating a change in the language of § 8.11(b)(3) to reflect the proper office for designation of this authority.

In addition, following the creation of the Department of Homeland Security, and the transfer of the United States Coast Guard from DOT to the Department of Homeland Security, the delegation of authority from the Secretary to the United States Coast Guard is hereby removed and the section is renumbered accordingly.

Since these amendments relate to departmental management, organization, procedure, and practice, notice and comment are unnecessary under 5 U.S.C. 553(b). Further, since these amendments expedite DOT's ability to meet the statutory intent of the applicable laws and regulations covered by this delegation, the Secretary finds good cause under 5 U.S.C. 553(d)(3) for the final rule to be effective on the date of publication in the **Federal Register**.

Regulatory Impact and Notices

A. Executive Order 12866 and DOT Regulatory Policies and Procedures

The final rule is not considered a significant regulatory action under Executive Order 12866 and DOT Regulatory Policies and Procedures. See 44 FR 11034, Feb. 26, 1979. There are no costs associated with this rule.

B. Regulatory Flexibility Act and Executive Order 13272

Because no notice of proposed rulemaking is required for this rule under the Administrative Procedure Act, 5 U.S.C. 553, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We also do not believe that this rule would impose any costs on small entities because it simply delegates authority from one official to another. Therefore, I certify that this final rule will not have a significant economic impact on a substantial number of small businesses.

C. Paperwork Reduction Act

This rule contains no information collection requirements under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

D. Federalism Implications

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13132 (“Federalism”). This final rule does not have a substantial direct effect on, or sufficient federalism implications for, the States, nor would it limit the policymaking discretion of the States. Therefore, the consultation requirements of Executive Order 13132 do not apply.

E. Executive Order 13175

This final rule has been analyzed in accordance with the principles and criteria contained in Executive Order 13175 (“Consultation and Coordination with Indian Tribal Governments”). Because this final rule does not significantly or uniquely affect the communities of the Indian Tribal governments and does not impose substantial direct compliance costs, the funding and consultation requirements of Executive Order 13175 do not apply.

F. Unfunded Mandates Reform Act of 1995

DOT has determined that the requirements of title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4, 2 U.S.C. 1531) do not apply to this rulemaking.

List of Subjects in 49 CFR Part 8

Classified Information (Government agencies), Classification/Declassification/Access (Government agencies).

The Final Rule

For the reasons set forth in the preamble, OST amends 49 CFR part 8 as follows: