

Executive Order 13563, "Improving Regulation and Regulatory Review." Only one comment was received as a result of this outreach. The commenter generally believes that the rule creates additional legal requirements without providing measures to prevent crime. The Department believes that the rule in fact has the opposite effect, decreasing legal requirements by removing defense articles from the USMIL while enhancing national security by focusing resources on imports that need to be protected.

#### *E. Regulatory Flexibility Act*

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis are not applicable to this final rule because the Department was not required to publish a general notice of proposed rulemaking under 5 U.S.C. 553 or any other law. *See* 5 U.S.C. 601 *et seq.*

#### *F. Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996. 5 U.S.C. 804. This rule is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

#### *G. Unfunded Mandates Reform Act of 1995*

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995. *See* 2 U.S.C. 1501 *et seq.*

#### *H. Paperwork Reduction Act*

The provisions of the Paperwork Reduction Act of 1995, Public Law 104-13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this rule because there are no reporting or recordkeeping requirements.

#### **Disclosure**

Copies of the interim final rule and the comment received are available for public inspection through the Federal e-Government portal, <http://www.regulations.gov>, or by appointment

during normal business hours at the ATF Reading Room, Room 1E-062, 99 New York Avenue NE., Washington, DC 20226; telephone: (202) 648-8740.

#### **Drafting Information**

The author of this document is George M. Fodor, Office of Regulatory Affairs, Enforcement Programs and Services, Bureau of Alcohol, Tobacco, Firearms, and Explosives.

#### **List of Subjects in 27 CFR Part 447**

Administrative practice and procedure, Arms and munitions, Chemicals, Customs duties and inspection, Imports, Penalties, Reporting and recordkeeping requirements, Scientific equipment, Seizures and forfeitures.

#### **PART 447—IMPORTATION OF ARMS, AMMUNITION AND DEFENSE ARTICLES**

Accordingly, for the reasons discussed in the preamble, the interim final rule amending part 447 of title 27 of the Code of Federal Regulations, which was published at 79 FR 17024 on March 27, 2014, is adopted as a final rule, without change.

Dated: May 21, 2015.

**Loretta E. Lynch,**

*Attorney General.*

[FR Doc. 2015-12992 Filed 5-28-15; 8:45 am]

**BILLING CODE 4410-FY-P**

#### **DEPARTMENT OF JUSTICE**

#### **Office of the Attorney General**

#### **28 CFR Part 0**

[Docket No. OAG 147; AG Order No. 3532-2015]

#### **Authority of the Assistant Attorneys General To Compromise or Close Civil Claims**

**AGENCY:** Department of Justice.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Department's regulations to increase the authority currently delegated to the Assistant Attorneys General to compromise or close civil claims and to make certain technical corrections.

**DATES:** Effective May 29, 2015

#### **FOR FURTHER INFORMATION CONTACT:**

August E. Flentje, Acting Deputy Assistant Attorney General, Civil Division, Department of Justice, Washington, DC 20530; (202) 514-3309.

**SUPPLEMENTARY INFORMATION:** The current delegations of authority to compromise or close civil claims are

contained in 28 CFR part 0, subpart Y, §§ 0.160-0.169. *See* 60 FR 15675 (Mar. 27, 1995). This final rule increases the monetary thresholds for the exercise of this authority by the Assistant Attorneys General and increases the redelegation authority to the United States Attorneys with respect to accepting offers of compromise for affirmative claims.

This final rule amends 28 CFR 0.160(a)(1) to increase the authority of the Assistant Attorneys General to compromise a civil claim asserted by the United States where the proposed settlement is within \$10 million or 15 percent of the original claim (up from the current threshold of \$2 million or 15 percent of the original claim). As provided in § 0.164, this change to § 0.160(a)(1) also means that the Assistant Attorneys General will have authority to close affirmative civil matters within the same new limits.

The final rule adds a new paragraph § 0.160(a)(2) to allow the Assistant Attorneys General to accept compromises in affirmative civil cases independent of the \$10 million cap in the limited circumstance where a qualified financial expert has reviewed the defendant's finances and has determined that the defendant likely does not have the ability to pay more than the proposed compromise offer. This would obviate the need to obtain higher level approval when claims are being compromised simply based on the defendant's financial condition rather than an analysis of the legal or factual merits of the claim. To clarify that new § 0.160(a)(2) applies to all cases within the authority of the Assistant Attorney General for the Environment and Natural Resources Division, including cases brought under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 *et seq.*, the final rule also amends § 0.160(c)(2) by removing language similar to new § 0.160(a)(2).

In addition, the final rule also increases the authority for the Assistant Attorneys General to accept offers in compromise of claims asserted against the United States of up to \$4 million (up from the current threshold of \$2 million). *See* new § 0.160(a)(3) (currently § 0.160(a)(2)).

The final rule also amends § 0.168(d) to allow a delegation of authority to the United States Attorneys to compromise claims asserted by the United States for up to \$10 million (up from a claim of \$5 million where the settlement difference does not exceed \$1 million). Citations to subsections of § 0.160 in §§ 0.162 and 0.168 also have been revised in light of the changes to § 0.160.

Finally, this final rule would update the agency reference in § 0.169(b) defining the term “gross amount of the original claim” for purposes of any civil claim brought under section 592 of the Tariff Act of 1930, as amended.

**Regulatory Certifications**

*Administrative Procedure Act*

This rule relates to a matter of agency management or personnel and is a rule of agency organization, procedure, and practice. As such, this rule is exempt from the usual requirements of prior notice and comment and a 30-day delay in effective date. See 5 U.S.C. 553.

*Regulatory Flexibility Act*

The Attorney General, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 605(b), has reviewed this rule, and by approving it, certifies that it will not have an impact on a substantial number of small entities because it pertains to personnel and administrative matters affecting the Department. Further, a Regulatory Flexibility Analysis is not required for this final rule because the Department was not required to publish a general notice of proposed rulemaking for this matter.

*Executive Orders 12866 and 13563*

This rule has been drafted and reviewed in accordance with Executive Order 12866, “Regulatory Planning and Review,” section 1(b), Principles of Regulation, and with Executive Order 13563, “Improving Regulation and Regulatory Review.” This final rule is “limited to agency organization, management, or personnel matters” and thus is not a “rule” as described by Executive Order 12866, section 3(d)(3) and, therefore, is not a “regulation” or “rule” as defined by that Executive Order.

*Executive Order 12988*

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, “Civil Justice Reform.”

*Executive Order 13132*

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, “Federalism,” the Department has determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

*Unfunded Mandates Reform Act of 1995*

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted for inflation) in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501 et seq.

*Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 804. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

*Congressional Review Act*

This action pertains to agency management, personnel, and organization and does not substantially affect the rights or obligations of non-agency parties. Accordingly, it is not a “rule” for purposes of the reporting requirement of 5 U.S.C. 801.

**List of Subjects in 28 CFR Part 0**

Authority delegations (Government agencies), Government employees, Organization and functions (Government agencies), Privacy, Reporting and recordkeeping requirements, Whistleblowing.

Accordingly, by virtue of the authority vested in me as Attorney General, including 5 U.S.C. 301 and 28 U.S.C. 509, 510, and for the reasons set forth in the preamble, part 0 of title 28 of the Code of Federal Regulations is amended as follows:

**PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE**

■ 1. The authority citation for part 0 continues to read as follows:

**Authority:** 5 U.S.C. 301; 28 U.S.C. 509, 510, 515–19.

■ 2. In § 0.160, revise paragraphs (a), (c) introductory text, and (c)(2) to read as follows:

**§ 0.160 Offers that may be accepted by Assistant Attorneys General.**

(a) Subject to the limitations set forth in paragraph (d) of this section,

Assistant Attorneys General are authorized, with respect to matters assigned to their respective divisions, to:

(1) Accept offers in compromise of claims asserted by the United States in all cases in which the difference between the gross amount of the original claim and the proposed settlement does not exceed \$10,000,000 or 15 percent of the original claim, whichever is greater;

(2) Accept offers in compromise of claims asserted by the United States in all cases in which a qualified financial expert has determined that the offer in compromise is likely the maximum that the offeror has the ability to pay;

(3) Accept offers in compromise of, or settle administratively, claims against the United States in all cases in which the principal amount of the proposed settlement does not exceed \$4,000,000; and

(4) Accept offers in compromise in all nonmonetary cases.

\* \* \* \* \*

(c) Subject to the limitations set forth in paragraph (d) of this section, the Assistant Attorney General, Environment and Natural Resources Division, is further authorized to approve settlements under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et seq., regardless of the amount of the proposed settlement, with:

\* \* \* \* \*

(2) Parties whose responsibility can be equitably allocated and are paying at least the allocated amount.

\* \* \* \* \*

**§ 0.162 [Amended]**

■ 3. Amend § 0.162 by removing the reference to “§ 0.160(c)(2)” and adding in its place “§ 0.160(d)(2)”.

■ 4. Amend § 0.168:

■ a. In paragraph (a) by removing the reference to “§§ 0.160(a) and (b)” and adding in its place “§§ 0.160(a), (b), and (c)”; and

■ b. By revising paragraphs (d) introductory text and (d)(1).

The revisions read as follows:

**§ 0.168 Redelelegation by Assistant Attorneys General.**

\* \* \* \* \*

(d) Subject to the limitations set forth in § 0.160(d) and paragraph (a) of this section, redelegations by the Assistant Attorneys General to United States Attorneys may include the authority to:

(1) Accept offers in compromise of claims asserted by the United States in all cases in which the gross amount of

the original claim does not exceed \$10,000,000; and

\* \* \* \* \*

#### § 0.169 [Amended]

■ 5. Amend paragraph (b) of § 0.169 by removing the words “Customs Service’s” and adding in their place the words “United States Customs and Border Protection’s”.

Dated: May 21, 2015.

**Loretta E. Lynch,**  
Attorney General.

[FR Doc. 2015-12991 Filed 5-28-15; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 180

[EPA-HQ-OPP-2014-0230; FRL-9927-11]

#### Metconazole; Pesticide Tolerances

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

**ACTION:** Final rule.

**SUMMARY:** This regulation establishes tolerances for residues of metconazole in or on multiple commodities which are identified and discussed later in this document. Interregional Research Project Number 4 (IR-4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA). In addition, this regulation removes established tolerances for certain commodities/groups superseded by this action, and deletes expired tolerances.

**DATES:** This regulation is effective May 29, 2015. Objections and requests for hearings must be received on or before July 28, 2015, and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPP-2014-0230, is available at <http://www.regulations.gov> or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC 20460-0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the OPP Docket is (703) 305-5805. Please review the visitor instructions and additional

information about the docket available at <http://www.epa.gov/dockets>.

#### FOR FURTHER INFORMATION CONTACT:

Susan Lewis, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; main telephone number: (703) 305-7090; email address: [RDfrNotices@epa.gov](mailto:RDfrNotices@epa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

###### A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

###### B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA’s tolerance regulations at 40 CFR part 180 through the Government Publishing Office’s e-CFR site at [http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?&c=ecfr&tpl=/ecfrbrowse/Title40/40tab_02.tpl).

###### C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA-HQ-OPP-2014-0230 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing, and must be received by the Hearing Clerk on or before July 28, 2015. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding

any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA-HQ-OPP-2014-0230, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>. Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

##### II. Summary of Petitioned-For Tolerance

In the **Federal Register** of May 23, 2014 (79 FR 29729) (FRL-9910-29), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 4E8244) by Interregional Research Project Number 4 (IR-4), 500 College Road East, Suite 201 W, Princeton, NJ 08540. The petition requested that 40 CFR 180.617 be amended by establishing tolerances for residues of the fungicide metconazole, 5-[[4-chlorophenyl)methyl]-2,-2-dimethyl-1-(1H-1,2,4-triazol-1-ylmethyl)-cyclopentanol, in or on fruit, stone, group 12-12 at 0.2 parts per million (ppm); nut, tree, group 14-12 at 0.04 ppm; pea and bean, dried shelled, except soybean, subgroup 6C at 0.15 ppm; rapeseed subgroup 20A at 0.08 ppm; and sunflower subgroup 20B at 0.9 ppm. The petition also requested that current established tolerances for residues of the fungicide metconazole in or on canola seed at 0.04 ppm; fruit, stone, group 12 at 0.20 ppm; pistachio at 0.04 ppm; and nut, tree, group 14 at 0.04 ppm be removed once the proposed tolerances were approved. That document referenced a summary of the petition prepared by Valent U.S.A Corporation, the registrant, which is available in the docket, <http://www.regulations.gov>. Comments were received on the notice of filing. EPA’s