

recognized by the Secretary or based upon the institution being in operation for at least 20 years.”

6. On page 66873, in the first column, under the paragraph labeled as (2), the sentence is corrected by adding the words “or entity” between the words “person” and “based”, so that the sentence reads: “Whether the commission, bonus, or other incentive payment is provided to any person or entity based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid, which are defined as activities engaged in for the purpose of the admission or matriculation of students for any period of time or the award of financial aid.”

7. On page 66876, in the third column, under the paragraph labeled as (2), the sentence is corrected by adding the words “or entity” between the words “person” and “based”, so that the sentence reads: “Whether the commission, bonus, or other incentive payment is provided to any person or entity based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid, which are defined as activities engaged in for the purpose of the admission or matriculation of students for any period of time or the award of financial aid.”

8. On page 66878, in the first column, in the paragraphs labeled as the *Discussion* section, in the third paragraph, the sentence is corrected by adding the words “or entity” after the word “person” and deleting the words “who is”, so that the sentence reads: “For this reason, we are making a change to § 668.14(b)(22)(ii) to provide that institutions may make payments, including profit-sharing payments, so long as they are not provided to any person or entity engaged in student recruitment or admission activity or in making decisions regarding the award of title IV, HEA program funds.”

9. On page 66878, in the paragraph labeled *Changes* that begins at the bottom of the first column, the sentence is corrected by adding the words “or entity” after the word “person” and deleting the words “who is”, so that the sentence reads: “We have revised § 668.14(b)(22)(ii) to clarify that, notwithstanding the ban in § 668.14(b)(22)(i), eligible institutions, organizations that are contractors to eligible institutions, and other entities may make profit-sharing payments, so long as such payments are not provided to any person or entity engaged in student recruitment or admission activity or in making decisions

regarding the award of title IV, HEA program funds.”

10. On page 66895, in the third column, in the first paragraph, the words “or a second disbursement of Pell Grant funds,” are removed so that the sentence reads: “If the student has not begun attendance in enough courses to establish a half-time enrollment status, the institution may not make a first disbursement of a Direct Loan to the student (34 CFR 685.303(b)(2)(i)), although the funds are included as aid that could have been disbursed in the Return of Title IV Funds calculation.”

11. On page 66916, the paragraph labeled *Discussion* that begins at the bottom of the second column and ends in the third column is removed and the following corrected *Discussion* is added in its place to read as follows:

“*Discussion*: As noted elsewhere in this preamble, the Department enforces its regulations, including those in subpart F of part 668 within a rule of reasonableness. We strongly believe that the concerns voiced by many commenters have ignored this fact. For this reason, we agree to limit the reach of the ban on making substantial misrepresentations to statements made by any ineligible institution, organization, or person with whom the eligible institution has an agreement to provide educational programs or those that provide marketing, advertising, recruiting, or admissions services. We have done this by narrowing the language in § 668.71(b) and the definition of the term *misrepresentation*. As a result, statements made by students through social media outlets will generally not be covered by these misrepresentation regulations. Also, statements made by entities that have agreements with the institution to provide services, such as food service, other than educational programs, marketing, advertising, recruiting, or admissions services will generally not be covered by these misrepresentation regulations.”

12. On page 66917, in the third column, the third paragraph is corrected to read as follows:

“With regard to the commenters who stated that the ‘capacity, likelihood, or tendency to deceive or confuse’ language will be confusing, in general, we have no reason to believe that this language will have any such effect. However, we recognize that the word ‘capacity’ is subject to a broad range of interpretations, so we have revised the regulations to state that a misleading statement is one that has the tendency or likelihood to deceive or confuse.”

13. On page 66918, in the first column, the *Changes* paragraph

incorrectly indicated that no changes were made to § 668.71(c). That paragraph is corrected to read as follows:

“*Changes*: We have revised § 668.71(c) to state that a misleading statement is one that has the tendency or likelihood to deceive or confuse.”

Corrections to Regulatory Text

§ 668.8 [Corrected]

■ 14. On page 66950, in the second column, the introductory text of § 668.8(l)(2) is corrected by adding the word “not” between the words “has” and “identified”.

§ 668.14 [Corrected]

■ 15. On page 66950, in the third column, § 668.14(b)(22)(ii)(B) is corrected by:

- (A) Adding the words “or entity” after the word “person”.
- (B) Removing the words “who is”.

§ 668.58 [Corrected]

■ 16. On page 66957, in the first column, § 668.58(a)(1)(iii) is corrected by removing the word “certified”.

■ 17. On page 66957, in the second column, § 668.58(a)(2)(iii)(B) is corrected by removing the words “Subsidized Stafford Loan or”.

■ 18. On page 66957, in the second column, § 668.58(a)(3)(ii)(C) is corrected by removing the words “Subsidized Stafford Loan or”.

Dated: April 7, 2011.

Eduardo M. Ochoa,

Assistant Secretary for Postsecondary Education.

[FR Doc. 2011–8747 Filed 4–12–11; 8:45 am]

BILLING CODE 4000–01–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 75

[EPA–HQ–OAR–2009–0837; FRL–9280–9]

RIN 2060–AQ06

Protocol Gas Verification Program and Minimum Competency Requirements for Air Emission Testing

Correction

In rule document 2011–6216 appearing on pages 17288–17325 in the issue of Monday, March 28, 2011, make the following correction:

Appendix D to Part 75 [Corrected]

On page 17324, the heading of Appendix D is corrected to read:

Appendix D to Part 75—Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Peaking Units

[FR Doc. C1–2011–6216 Filed 4–12–11; 8:45 am]

BILLING CODE 1505–01–D

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[EPA–HQ–OPP–2010–0063; FRL–8867–5]

Etoxazole; Pesticide Tolerances**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: This regulation establishes tolerances for residues of etoxazole in or on multiple commodities which are identified and discussed later in this document. Interregional Research Project #4 (IR–4) requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective April 13, 2011. Objections and requests for hearings must be received on or before June 13, 2011, 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: EPA has established a docket for this action under docket identification (ID) number EPA–HQ–OPP–2010–0063. All documents in the docket are listed in the docket index available at <http://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the OPP Regulatory Public Docket in Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. The Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305–5805.

FOR FURTHER INFORMATION CONTACT: Andrew Ertman, Registration Division (7505P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number:

(703) 308–9367; e-mail address: ertman.andrew@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. Potentially affected entities may include, but are not limited to those engaged in the following activities:

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

This listing is not intended to be exhaustive, but rather to provide a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

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 Printing Office's e-CFR site at <http://www.gpoaccess.gov/ecfr>. To access the harmonized test guidelines referenced in this document electronically, please go to <http://www.epa.gov/ocspp> and select "Test Methods and Guidelines."

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–2010–0063 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 June 13, 2011. 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 that does not contain any 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 a copy of your non-CBI objection or hearing request, identified by docket ID number EPA–HQ–OPP–2010–0063, by one of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- **Mail:** Office of Pesticide Programs (OPP) Regulatory Public Docket (7502P), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001.
- **Delivery:** OPP Regulatory Public Docket (7502P), Environmental Protection Agency, Rm. S–4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA. Deliveries are only accepted during the Docket Facility's normal hours of operation (8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays). Special arrangements should be made for deliveries of boxed information. The Docket Facility telephone number is (703) 305–5805.

II. Summary of Petitioned-for Tolerance

In the **Federal Register** of May 19, 2010 (75 FR 28009) (FRL–8823–2), EPA issued a notice pursuant to section 408(d)(3) of FFDCA, 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 9E7675) by IR–4, Rutgers, The State University of New Jersey, 500 College Road East, Suite 201 W., Princeton, NJ 08540. The petition requested that 40 CFR part 180 be amended by establishing tolerances for residues of the miticide/ovicide etoxazole, 2-(2,6-difluorophenyl)-4-[4-(1,1-dimethylethyl)-2-ethoxyphenyl]-4,5-dihydrooxazole, in or on peppers, African eggplant, eggplant, martynia, okra, pea eggplant, pepino, roselle, and scarlet eggplant at 0.20 ppm; Crop Group 9: Cucurbit vegetables at 0.20 ppm; Subgroup 13–07A: Caneberry at 1.1 ppm; Subgroup 13–07F: Small fruit vine climbing subgroup except fuzzy kiwi at 0.50 ppm; Subgroup 13–07G: Low-growing berry subgroup at 0.50 ppm and avocado, papaya, star apple, black sapote, mango, sapodilla, canistel, and mamey sapote at 0.20 ppm; and tea at 15 ppm. The petition also proposed to delete the established tolerances in or on strawberry, grape, cucumber, and vegetable, cucurbit subgroup 9A since