

**FOR FURTHER INFORMATION CONTACT:** The FinCEN Resource Center at (800) 767-2825.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Bank Secrecy Act (“BSA”), codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959, and 31 U.S.C. 5311–5314 and 5316–5332, promotes the prevention, detection, and prosecution of money laundering, tax evasion, the financing of terrorism, and other financial crimes. Regulations implementing the BSA appear at 31 CFR Chapter X. The authority of the Secretary of the Treasury (“the Secretary”) to administer the BSA and its implementing regulations has been delegated to the Director of FinCEN.

Section 5318A of the BSA grants the Secretary authority, upon finding that reasonable grounds exist for concluding that a foreign jurisdiction, foreign financial institution, class of international transactions, or type of account is of “primary money laundering concern,” to require domestic financial institutions and domestic financial agencies to take certain “special measures” against the primary money laundering concern.

**II. The Finding, Notice of Proposed Rulemaking, and Subsequent Developments**

*A. The Notice of Finding and Notice of Proposed Rulemaking*

Based upon review and analysis of relevant information, consultations with relevant Federal agencies and departments, and after consideration of the factors enumerated in section 311, the Director of FinCEN found that reasonable grounds existed for concluding that LCB was a financial institution of primary money laundering concern. FinCEN published a proposed rule proposing to impose the fifth special measure on February 17, 2011, pursuant to the authority under 31 U.S.C. 5318A.<sup>1</sup>

*B. Subsequent Developments*

Since FinCEN’s notice of proposed rulemaking, material facts regarding the circumstances of the proposed rulemaking have changed. On September 20, 2011, the Lebanese central bank and monetary authority, with control over bank supervision and regulation, the Banque du Liban (BDL), revoked the banking license of LCB and delisted LCB from the list of banks published by BDL. LCB’s former

shareholders sold its assets and liabilities to the Société Generale de Banque au Liban SAL (SGBL). Because of the action taken by the Lebanese banking authorities and the liquidation of the LCB’s assets, LCB no longer exists as a foreign financial institution. FinCEN will therefore not proceed with the rule proposed on February 17, 2011.

**III. Withdrawal of the Proposed Rule**

For the reasons set forth above, FinCEN hereby withdraws the February 17, 2011 proposed rule proposing to impose the fifth special measure authorized by 31 U.S.C. 5318A(b)(5) regarding LCB. FinCEN’s withdrawal of the proposed rule does not acknowledge any remedial measure taken by LCB, but results from the fact that LCB no longer exists as a foreign financial institution due to the decision by its former shareholders to liquidate the bank and the revocation of its banking license.

**Jennifer Shasky Calvery,**

*Director, Financial Crimes Enforcement Network.*

[FR Doc. 2015–24912 Filed 10–6–15; 8:45 am]

**BILLING CODE 4810–02–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

**[EPA–R01–OAR–2014–0605; A–1–FRL–9935–30–Region 1]**

**Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Sulfur Content of Fuels**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Rhode Island on June 26, 2014, with supplemental submittals on March 25, 2015 and August 28, 2015. This SIP revision includes a regulation that has been revised to require a lower sulfur content for petroleum-based distillate and residual fuel oils. In addition, outdated provisions in the regulation have been removed. The intended effect of this action is to propose approval of this regulation into the Rhode Island SIP. This action is being taken in accordance with the Clean Air Act.

**DATES:** Written comments must be received on or before November 6, 2015.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA–R01–

OAR–2014–0605 by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *Email*: [mccconnell.robert@epa.gov](mailto:mccconnell.robert@epa.gov).

3. *Fax*: (617) 918–0046.

4. *Mail*: EPA–R01–OAR–2014–0605, Bob McConnell, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912.

5. *Hand Delivery or Courier*. Deliver your comments to: Bob McConnell, Acting Manager, Air Quality Planning Unit, Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912. Such deliveries are only accepted during the Regional Office’s normal hours of operation. The Regional Office’s official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding legal holidays.

Please see the direct final rule which is located in the Rules Section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:**

Anne McWilliams, Air Quality Unit, U.S. Environmental Protection Agency, EPA New England Regional Office, 5 Post Office Square—Suite 100, (Mail code OEP05–2), Boston, MA 02109–3912, telephone number (617) 918–1697, fax number (617) 918–0697, email [mcwilliams.anne@epa.gov](mailto:mcwilliams.anne@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules Section of this **Federal Register**, EPA is approving the State’s SIP submittals as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that

<sup>1</sup> See 76 FR 9268 (February 17, 2011, RIN 1506–AB11).

are not the subject of an adverse comment.

For additional information, see the direct final rule which is located in the Rules Section of this **Federal Register**.

Dated: September 21, 2015.

#### H. Curtis Spalding,

*Regional Administrator, EPA New England.*

[FR Doc. 2015-25333 Filed 10-6-15; 8:45 am]

BILLING CODE 6560-50-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Chapter I

[EPA-HQ-OPPT-2015-0487; FRL-9934-77]

#### Carbon Dioxide Emissions and Ocean Acidification; TSCA Section 21 Petition; Reasons for Agency Response

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

**ACTION:** Petition; reasons for Agency response.

**SUMMARY:** This document provides the reasons for EPA's denial of a petition it received under section 21 of the Toxic Substances Control Act (TSCA) from the Center for Biological Diversity and Donn J. Viviani, Ph.D. The petitioners requested EPA to initiate rulemaking under TSCA to address risks related to carbon dioxide emissions, particularly those associated with ocean acidification, or, in the alternative, that EPA initiate rulemaking under TSCA to require testing to determine toxicity, persistence, and other characteristics of carbon dioxide emissions that affect human health and the environment. After careful consideration, EPA denied the TSCA section 21 petition for the reasons discussed in this document.

**DATES:** EPA's response to this TSCA section 21 petition was signed September 25, 2015.

**FOR FURTHER INFORMATION CONTACT:** For technical information contact: Cindy Wheeler, National Program Chemicals Division (7404), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (202) 566-0484; email address: [wheeler.cindy@epa.gov](mailto:wheeler.cindy@epa.gov).

For general information contact: The TSCA-Hotline, ABVI-Goodwill, 422 South Clinton Ave., Rochester, NY 14620; telephone number: (202) 554-1404; email address: [TSCA-Hotline@epa.gov](mailto:TSCA-Hotline@epa.gov).

#### SUPPLEMENTARY INFORMATION:

### I. General Information

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

This action is directed to the public in general. This action may, however, be of interest to sources of carbon dioxide emissions, such as power plants, cement plants, pulp and paper mills, and various types of mobile sources. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action.

#### B. How can I access information about this petition?

The docket for this TSCA section 21 petition, identified by docket identification (ID) number EPA-HQ-OPPT-2015-0487, is available at <http://www.regulations.gov> or at the Office of Pollution Prevention and Toxics Docket (OPPT Docket), Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW., Washington, DC. 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 OPPT Docket is (202) 566-0280. Please review the visitor instructions and additional information about the docket available at <http://www.epa.gov/dockets>.

### II. TSCA Section 21

#### A. What is a TSCA Section 21 petition?

Under TSCA section 21 (15 U.S.C. 2620), any person can petition EPA to initiate a rulemaking proceeding for the issuance, amendment, or repeal of a rule under TSCA section 4, 6, or 8 or an order under TSCA section 5(e) or 6(b)(2). A TSCA section 21 petition must set forth the facts that are claimed to establish the necessity for the action requested. EPA is required to grant or deny the petition within 90 days of its filing. If EPA grants the petition, the Agency must promptly commence an appropriate proceeding. If EPA denies the petition, the Agency must publish its reasons for the denial in the **Federal Register**. A petitioner may commence a civil action in a U.S. district court to compel initiation of the requested rulemaking proceeding within 60 days of either a denial or the expiration of the 90-day period.

#### B. What criteria apply to a decision on a TSCA Section 21 petition?

Section 21(b)(1) of TSCA requires that the petition "set forth the facts which it is claimed establish that it is necessary" to issue the rule or order requested (15

U.S.C. 2620(b)(1)). Thus, TSCA section 21 implicitly incorporates the statutory standards that apply to the requested actions. In addition, TSCA section 21 establishes standards a court must use to decide whether to order EPA to initiate rulemaking in the event of a lawsuit filed by the petitioner after denial of a TSCA section 21 petition (15 U.S.C. 2620(b)(4)(B)). Accordingly, EPA has relied on the standards in TSCA section 21 and in the provisions under which actions have been requested to evaluate this TSCA section 21 petition.

### III. TSCA Sections 6 and 4

Of particular relevance to this TSCA section 21 petition are the legal standards regarding TSCA section 6 rules and TSCA section 4 rules.

#### A. TSCA Section 6 Rules

To promulgate a rule under TSCA section 6, the EPA Administrator must find that "there is a reasonable basis to conclude that the manufacture, processing, distribution in commerce, use, or disposal of a chemical substance or mixture . . . presents or will present an unreasonable risk" (15 U.S.C. 2605(a)). This finding cannot be made considering risk alone. Under TSCA section 6, a finding of "unreasonable risk" requires the consideration of costs and benefits. Furthermore, the control measure adopted is to be the "least burdensome requirement" that adequately protects against the unreasonable risk (15 U.S.C. 2605(a)).

In addition, TSCA section 21(b)(4)(B) provides the standard for judicial review should EPA deny a request for rulemaking under TSCA section 6(a): "If the petitioner demonstrates to the satisfaction of the court by a preponderance of the evidence that . . . there is a reasonable basis to conclude that the issuance of such a rule . . . is necessary to protect health or the environment against an unreasonable risk of injury," the court shall order the EPA Administrator to initiate the requested action (15 U.S.C. 2620(b)(4)(B)).

Also relevant to the issuance of regulations under TSCA section 6, TSCA section 9(b) directs EPA to take regulatory action on a chemical substance or mixture under other statutes administered by the Agency if the EPA Administrator determines that actions under those statutes could eliminate or reduce to a sufficient extent a risk posed by the chemical substance or mixture. If this is the case, the regulation under TSCA section 6 can be promulgated only if the EPA determines that it is in the "public interest" to protect against that risk under TSCA