

present an unreasonable risk of injury to health or the environment.

Unreasonable risk findings must be made without consideration of costs or other non-risk factors, including an unreasonable risk to a potentially exposed or susceptible subpopulation identified as relevant under the conditions of use. The term “conditions of use” is defined in TSCA section 3 to mean “the circumstances, as determined by the Administrator, under which a chemical substance is intended, known, or reasonably foreseen to be manufactured, processed, distributed in commerce, used, or disposed of.”

EPA is required under TSCA section 5(g) to publish in the **Federal Register** a statement of its findings after its review of a TSCA section 5(a) notice when EPA makes a finding that a new chemical substance or significant new use is not likely to present an unreasonable risk of injury to health or the environment. Such statements apply to PMNs, MCANs, and SNUNs submitted to EPA under TSCA section 5.

Anyone who plans to manufacture (which includes import) a new chemical substance for a non-exempt commercial purpose and any manufacturer or processor wishing to engage in a use of a chemical substance designated by EPA as a significant new use must submit a notice to EPA at least 90 days before commencing manufacture of the new chemical substance or before engaging in the significant new use.

The submitter of a notice to EPA for which EPA has made a finding of “not likely to present an unreasonable risk of injury to health or the environment” may commence manufacture of the chemical substance or manufacture or processing for the significant new use notwithstanding any remaining portion of the applicable review period.

IV. Statements of Administrator Findings Under TSCA Section 5(a)(3)(C)

In this unit, EPA provides the following information (to the extent that such information is not claimed as Confidential Business Information (CBI)) on the PMNs, MCANs and SNUNs for which, during this period, EPA has made findings under TSCA section 5(a)(3)(C) that the new chemical substances or significant new uses are not likely to present an unreasonable risk of injury to health or the environment:

- EPA case number assigned to the TSCA section 5(a) notice.
- Chemical identity (generic name, if the specific name is claimed as CBI).
- Web site link to EPA’s decision document describing the basis of the

“not likely to present an unreasonable risk” finding made by EPA under TSCA section 5(a)(3)(C).

EPA Case Number: J-17-0007;
Chemical identity: Biofuel producing *Saccharomyces cerevisiae* modified, genetically stable (generic name); *Web site link:* <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tasca-section-5a3c-determination-54>.

EPA Case Number: P-17-0227;
Chemical identity: 2-Alkenoic acid, 2-alkyl-, alkyl ester, polymer with 2-alkyl 2-propenoate and -(2-alkyl-1-oxo-2-alken-1-yl—alkoxypoly(oxy-1,2-alkanediyl), ester with -2-alken-1-yl—hydroxypoly(oxy-1,2-alkanediyl); polymer exemption flag (generic name); *Web site link:* <https://www.epa.gov/reviewing-new-chemicals-under-toxic-substances-control-act-tasca-section-5a3c-determination-53>.

Authority: 15 U.S.C. 2601 *et seq.*

Dated: June 8, 2017.

Greg Schweer,
Chief, New Chemicals Management Branch,
Chemical Control Division, Office of Pollution
Prevention and Toxics.

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ENVIRONMENTAL PROTECTION AGENCY

[Petitions IV-2016-06 and -07; FRL-9965-57-Region 4]

Clean Air Act Operating Permit Program; Petitions for Objection to State Operating Permits for Duke Energy, LLC—Asheville Steam Electric Plant (Buncombe County, North Carolina) and Roxboro Steam Electric Plant (Person County, North Carolina)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final orders on petitions to object to state operating permits.

SUMMARY: The EPA Administrator signed two Orders, dated June 30, 2017, granting the petitions submitted by Sierra Club (Petitioner) objecting to proposed Clean Air Act (CAA) title V operating permits issued to Duke Energy, LLC. One Order responds to a June 17, 2016, petition objecting to a proposed title V permit issued by the Western North Carolina Regional Air Quality Agency to the Asheville Steam Electric Plant located in Arden, Buncombe County, North Carolina. The other Order responds to a June 23, 2016, petition objecting to a proposed title V permit issued by the North Carolina

Department of Environmental Quality to the Roxboro Steam Electric Plant located near Semora, in Person County, North Carolina. Each Order constitutes a final action on the petition addressed therein.

ADDRESSES: Copies of the Orders, the petitions, and all pertinent information relating thereto are on file at the following location: EPA Region 4; Air, Pesticides and Toxics Management Division; 61 Forsyth Street SW., Atlanta, Georgia 30303-8960. The Orders are also available electronically at the following addresses: https://www.epa.gov/sites/production/files/2017-7/documents/duke_asheville_response2016.pdf, https://www.epa.gov/sites/production/files/2017-07/documents/duke_roxboro_response2016_0.pdf.

FOR FURTHER INFORMATION CONTACT: Art Hofmeister, Air Permits Section, EPA Region 4, at (404) 562-9115 or hofmeister.art@epa.gov.

SUPPLEMENTARY INFORMATION: The CAA affords the EPA a 45-day period to review and, as appropriate, the authority to object to operating permits proposed by state permitting authorities under title V of the CAA, 42 U.S.C. 7661-7661f. Section 505(b)(2) of the CAA and 40 CFR 70.8(d) authorize any person to petition the EPA Administrator to object to a title V operating permit within 60 days after the expiration of the EPA’s 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period. Pursuant to sections 307(b) and 505(b)(2) of the CAA, a petition for judicial review of those parts of the Order that deny issues in the petition may be filed in the United States Court of Appeals for the appropriate circuit within 60 days from the date this notice is published in the **Federal Register**.

Petitioner submitted a petition requesting that EPA object to the proposed CAA title V operating permit #11-628-15 issued to the Asheville Steam Electric Plant and a separate petition requesting that EPA object to the proposed title V operating permit #01001T49 issued to the Roxboro Steam Electric Plant. Petitioner claims generally that each permit must contain stricter, modeling-based numerical emission limits for sulfur dioxide (SO₂) to prevent exceedances of the 2010 1-

hour SO₂ National Ambient Air Quality Standard (NAAQS) and must contain a compliance schedule because, according to Petitioner, each facility has violated its current permit by causing violations of the 2010 1-hour SO₂ NAAQS. On June 30, 2017, the Administrator issued Orders granting the petitions. The Orders explain EPA's basis for granting the petitions.

Dated: July 19, 2017.

V. Anne Heard,

Acting Regional Administrator, Region 4.

[FR Doc. 2017-16277 Filed 8-1-17; 8:45 am]

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FEDERAL MARITIME COMMISSION

Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within twelve days of the date this notice appears in the **Federal Register**. A copy of the agreement is available through the Commission's Web site (www.fmc.gov) or by contacting the Office of Agreements at (202)-523-5793 or tradeanalysis@fmc.gov.

Agreement No.: 012067-019.

Title: U.S. Supplemental Agreement to the HLC Agreement.

Parties: BBC Chartering Carriers GmbH & Co. KG and BBC Chartering & Logistic GmbH & Co. KG (acting as a single party); Chipolbrok (Chinese-Polish Joint Stock Shipping Company); Hanssy Shipping Pte. Ltd.; Industrial Maritime Carriers, L.L.C.; and Rickmers-Linie GmbH & Cie. KG.

Filing Party: Wade S. Hooker, Esq.; 211 Central Park W.; New York, NY 10024.

Synopsis: The amendment deletes Peter Dohle Schiffahrts KG as a party to the HLC Agreement attached to the U.S. Supplemental Agreement.

Agreement No.: 012301-003.

Title: Siem Car Carrier AS/ Volkswagen Logistics Konzernlogistik GMBH & Co. OHG Space Charter Agreement.

Parties: Siem Car Carrier Pacific AS and Volkswagen Konzernlogistik GmbH & Co. OHG.

Filing Party: Ashley W. Craig, Esq. and Elizabeth K. Lowe, Esq.; Venable LLP; 575 Seventh Street NW., Washington, DC 20004.

Synopsis: The amendment expands the geographic scope of the Agreement to include all ports and points in the

U.S. and all ports and points worldwide.

Agreement No.: 012488.

Title: THE Alliance/OOCL Vessel Sharing Agreement.

Parties: Hapag Lloyd AG, Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd., Nippon Yusen Kaisha, and Yang Ming Marine Transport Corp (acting as a single party); and Orient Overseas Container Line Limited.

Filing Party: David Smith and Joshua Stein; Cozen O'Connor; 1200 19th Street NW.; Washington, DC 20036.

Synopsis: The Agreement authorizes the Parties to charter and exchange space on their respective vessels in the trade between the U.S. Pacific Coast and Japan, and to enter into cooperative working arrangements in connection therewith.

By Order of the Federal Maritime Commission.

Dated: July 28, 2017.

JoAnne D. O'Bryant,

Program Analyst.

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FEDERAL MARITIME COMMISSION

Controlled Carriers Under the Shipping Act of 1984

AGENCY: Federal Maritime Commission.

ACTION: Notice.

SUMMARY: The Federal Maritime Commission is publishing an updated list of controlled carriers, *i.e.*, ocean common carriers operating in U.S.-foreign trades that are owned or controlled by foreign governments. Such carriers are subject to special regulatory oversight by the Commission under the Shipping Act of 1984.

FOR FURTHER INFORMATION CONTACT: Tyler J. Wood, General Counsel, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573 (202) 523-5740.

SUPPLEMENTARY INFORMATION: The Federal Maritime Commission is publishing an updated list of controlled carriers. Section 3(8) of the Shipping Act of 1984 (46 U.S.C. 40102(8)), defines a "controlled carrier" as:

an ocean common carrier that is, or whose operating assets are, directly or indirectly, owned or controlled by a government, with ownership or control by a government being deemed to exist for a carrier if—

(A) a majority of the interest in the carrier is owned or controlled in any manner by that government, an agency of that government, or a public or private person controlled by that government; or

(B) that government has the right to appoint or disapprove the appointment of a

majority of the directors, the chief operating officer, or the chief executive officer of the carrier.

As required by the Shipping Act, controlled carriers are subject to special oversight by the Commission. Section 9(a) of the Shipping Act (46 U.S.C. 40701(b)), states:

The Federal Maritime Commission, at any time after notice and opportunity for a hearing, may prohibit the publication or use of a rate, charge, classification, rule, or regulation that a controlled carrier has failed to demonstrate is just and reasonable.

Congress enacted these protections to ensure that controlled carriers, whose marketplace decision-making can be influenced by foreign governmental priorities or by their access to non-market sources of capital, do not engage in unreasonable below-market pricing practices which could disrupt trade or harm privately-owned shipping companies.

The controlled carrier list is not a comprehensive list of foreign-owned or -controlled ships or ship owners; rather, it is only a list of ocean common carriers that are controlled by governments. *See* 46 U.S.C. 40102(8). Thus, ocean common carriers owned by foreign individuals are not included, nor are tramp operators, other non-common carriers, or non-vessel-operating common carriers, regardless of their ownership or control.

Since the last publication of this list on July 2, 2015 (80 FR 43427), there has been a reduction in the number of controlled carriers, due in part to the spate of consolidation activity that has occurred over the last two years. These changes are described below.

Pursuant to 46 CFR 501.23, COSCO SHIPPING Lines (Europe) GmbH (formerly COSCO Container Lines Europe GmbH) was classified as a controlled carrier on November 9, 2015. *See Petition of COSCO Container Lines Europe GmbH for an Exemption from 46 U.S.C. 40703*, Docket No. P3-15 (Nov. 9, 2015). All tariffs for this carrier were cancelled effective May 24, 2017. As a result, COSCO SHIPPING Lines (Europe) GmbH will not be added to this republished controlled carrier list.

Two previously classified controlled carriers, China Shipping Container Lines, Co., Ltd. and COSCO Container Lines Company, Limited, have formed a single controlled carrier now known as COSCO SHIPPING Lines Co., Ltd.

Hainan P O Shipping Co., Ltd. is being removed from the list as it no longer operates as a common carrier. All Hainan P O Shipping Co., Ltd. tariffs in the U.S.-foreign trades were cancelled effective November 29, 2012.