

39 U.S.C. 3012(a). This section currently imposes a \$68,345 penalty for each mailing less than 50,000 pieces, \$136,689 for each mailing of 50,000 to 100,000 pieces, and \$13,669 for each additional 10,000 pieces above 100,000 not to exceed \$2,733,780. The new penalties will be as follows: \$69,463 for each mailing less than 50,000 pieces, \$138,925 for each mailing of 50,000 to 100,000 pieces, and \$13,893 for each additional 10,000 pieces above 100,000 not to exceed \$2,778,505.

*39 U.S.C. 3012(c)(1)—False Representation and Lottery Penalties in Lieu of or as Part of an Order*

In lieu of or as part of an order issued under 39 U.S.C. 3005(a)(1)–(3), the Postal Service may assess a civil penalty. Currently, the amount of this penalty, set in 39 U.S.C. 3012(c)(1), is \$34,172 for each mailing that is less than 50,000 pieces, \$68,345 for each mailing of 50,000 to 100,000 pieces, and an additional \$6,834 for each additional 10,000 pieces above 100,000 not to exceed \$1,366,890. The new penalties will be: \$34,731 for each mailing that is less than 50,000 pieces, \$69,463 for each mailing of 50,000 to 100,000 pieces, and an additional \$6,946 for each additional 10,000 pieces above 100,000 not to exceed \$1,389,252.

*39 U.S.C. 3012(d)—Misleading References to the United States Government; Sweepstakes and Deceptive Mailings*

Persons sending certain deceptive mail matter described in 39 U.S.C. 3001(h)–(k), including:

- Solicitations making false claims of Federal Government connection or approval;
- Certain solicitations for the purchase of a product or service that may be obtained without cost from the Federal Government;
- Solicitations containing improperly prepared “facsimile checks”; and
- Certain solicitations for “skill contests” and “sweepstakes” sent to individuals who, in accordance with 39 U.S.C. 3017(d), have requested that such materials not be mailed to them); may be liable to the United States for a civil penalty under 39 U.S.C. 3012(d). Currently, this penalty is not to exceed \$13,669 for each mailing. The new penalty will be \$13,893.

*39 U.S.C. 3017(g)(2)—Commercial Use of Lists of Persons Electing Not To Receive Skill Contest or Sweepstakes Mailings*

Under 39 U.S.C. 3017(g)(2), the Postal Service may impose a civil penalty against a person who provides

information for commercial use about individuals who, in accordance with 39 U.S.C. 3017(d), have elected not to receive certain sweepstakes and contest information. Currently, this civil penalty may not exceed \$2,733,780 per violation. The new penalty may not exceed \$2,778,505 per violation.

*39 U.S.C. 3017(h)(1)(A)—Reckless Mailing of Skill Contest or Sweepstakes Matter*

Currently, under 39 U.S.C. 3017(h)(1)(A), any promoter who recklessly mails nonmailable skill contest or sweepstakes matter may be liable to the United States in the amount of \$13,669 per violation for each mailing to an individual. The new penalty is \$13,893 per violation.

*39 U.S.C. 3018(c)(1)(A)—Hazardous Material*

Under 39 U.S.C. 3018(c)(1)(A), the Postal Service may impose a civil penalty payable into the Treasury of the United States on a person who knowingly mails nonmailable hazardous materials or fails to follow postal laws on mailing hazardous materials. Currently, this civil penalty is at least \$295, but not more than \$117,858 for each violation. The new penalty is at least \$300, but not more than \$119,786 for each violation.

**List of Subjects in 39 CFR Part 233**

Administrative practice and procedure, Banks, Banking, Credit, Crime, Infants and children, Law enforcement, Penalties, Privacy, Seizures and forfeitures.

For the reasons set out in this document, the Postal Service amends 39 CFR part 233 as follows:

**PART 233—INSPECTION SERVICE AUTHORITY**

- 1. The authority citation for 39 CFR part 233 continues to read as follows:

**Authority:** 39 U.S.C. 101, 102, 202, 204, 401, 402, 403, 404, 406, 410, 411, 1003, 3005, 3012, 3017, 3018; 12 U.S.C. 3401–3422; 18 U.S.C. 981, 983, 1956, 1957, 2254, 3061; 21 U.S.C. 881; Pub. L. 101–410, 104 Stat. 890; Omnibus Budget Reconciliation Act of 1996, sec. 662 (Pub.L. 104–208, 110 Stat. 3009–378); Pub. L. 106–168, 113 Stat. 1806; Pub. L. 114–74, 129 Stat. 584.

- 2. In § 233.12(a), remove “\$68,345” and add in its place “\$69,463”; remove “\$136,689” and add in its place “\$138,925”; remove “\$13,669” and add in its place “\$13,893”; remove “each piece above 100,000” and add in its place “each additional 10,000 pieces above 100,000”; remove “\$2,733,780” and add in its place “\$2,778,505”.

- 3. In § 233.12(b), remove “\$34,172” and add in its place “\$34,731”; remove “\$68,345” and add in its place “\$69,463”; remove “\$6,834” and add in its place “\$6,946”; remove “every” and add in its place “each”; remove “\$1,366,890” and add in its place “\$1,389,252”.

- 4. In § 233.12(c)(4), remove “\$13,669” and add in its place “13,893”.

- 5. In § 233.12(d), remove “\$2,733,780” and add in its place “\$2,778,505”.

- 6. In § 233.12(e), remove “\$13,669” and add in its place “\$13,893”.

- 7. In § 233.12(f), remove “\$295” and add in its place “\$300”; remove “\$117,858” and add in its place “\$119,786”.

**Stanley F. Mires,**

*Attorney, Federal Compliance.*

[FR Doc. 2017–00204 Filed 1–18–17; 8:45 am]

**BILLING CODE 7710–12–P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 9 and 721**

[EPA–HQ–OPPT–2016–0207; FRL–9958–20]

**RIN 2070–AB27**

**Significant New Use Rules on Certain Chemical Substances; Withdrawal**

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

**ACTION:** Partial withdrawal of direct final rule.

**SUMMARY:** EPA is withdrawing significant new use rules (SNURs) promulgated under the Toxic Substances Control Act (TSCA) for two chemical substances, which were the subject of premanufacture notices (PMNs). EPA published these SNURs using direct final rulemaking procedures, which requires EPA to take certain actions if a notice of intent to submit an adverse comment is received. EPA received notices of intent to submit adverse comments regarding the SNURs identified in this document. Therefore, the Agency is withdrawing the direct final rule SNURs identified in this document, as required under the direct final rulemaking procedures.

**DATES:** This document is effective January 19, 2017.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA–HQ–OPPT–2016–0207, 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>.

**FOR FURTHER INFORMATION CONTACT:** For technical information contact: Kenneth Moss, Chemical Control Division (7405M) Office of Pollution Prevention and Toxics, Environmental Protection Agency, 1200 Pennsylvania Ave. NW., Washington, DC 20460-0001; telephone number: (202) 564-9232; email address: [moss.kenneth@epa.gov](mailto:moss.kenneth@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. Does this action apply to me?

A list of potentially affected entities is provided in the **Federal Register** of November 17, 2015 (81 FR 1250) (FRL-9953-41). If you have questions regarding the applicability of this action to a particular entity, consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

##### II. What direct final SNURs are being withdrawn?

In the **Federal Register** of November 17, 2015 (81 FR 1250), EPA issued direct final SNURs for the chemical substances that are identified in this document. These direct final SNURs were issued under the procedures in 40 CFR part 721, subpart D. Because the Agency received notices of intent to submit adverse comments, in accordance with § 721.160(c)(3)(ii), EPA is withdrawing the direct final SNURs issued for the following chemical substances, which were the subject of PMNs: bimodal mixture consisting of multi-walled carbon nanotubes and other classes of carbon nanotubes (generic), (PMN No. P-11-482); and carbon nanotubes (generic), (PMN No. P-15-54). EPA intends to publish proposed SNURs for the chemical substances identified in this document.

For further information regarding EPA's direct final rulemaking procedures for issuing SNURs, see 40 CFR part 721, subpart D, and the

**Federal Register** of July 27, 1989 (54 FR 31314).

#### III. Statutory and Executive Order Reviews

This action withdraws regulatory requirements that have not gone into effect and which contain no new or amended requirements. As such, the Agency has determined that this action will not have any adverse impacts, economic or otherwise. The statutory and Executive Order review requirements applicable to the direct final rule were discussed in the **Federal Register** of November 17, 2015 (81 FR 1250) (FRL-9953-41). Those review requirements do not apply to this action because it is a withdrawal and does not contain any new or amended requirements.

#### IV. Congressional Review Act (CRA)

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), 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 the rule in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

#### List of Subjects

##### 40 CFR Part 9

Environmental protection, Reporting and recordkeeping requirements.

##### 40 CFR Part 721

Environmental protection, Chemicals, Hazardous substances, Reporting and recordkeeping requirements.

Dated: January 9, 2017.

**Maria J. Doa,**

*Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

Therefore, 40 CFR chapter I is amended as follows:

#### PART 9—[AMENDED]

- 1. The authority citation for part 9 continues to read as follows:

**Authority:** 7 U.S.C. 135 *et seq.*, 136-136y; 15 U.S.C. 2001, 2003, 2005, 2006, 2601-2671; 21 U.S.C. 331j, 346a, 348; 31 U.S.C. 9701; 33 U.S.C. 1251 *et seq.*, 1311, 1313d, 1314, 1318, 1321, 1326, 1330, 1342, 1344, 1345 (d) and (e), 1361; E.O. 11735, 38 FR 21243, 3 CFR, 1971-1975 Comp. p. 973; 42 U.S.C. 241, 242b, 243, 246, 300f, 300g, 300g-1, 300g-2, 300j-2, 300j-3, 300j-4, 300j-9, 1857 *et seq.*, 6901-6992k, 7401-7671q, 7542, 9601-9657, 11023, 11048.

##### § 9.1 [Amended]

- 2. In the table in § 9.1, under the undesignated center heading

"Significant New Uses of Chemical Substances," remove the entries for §§ 721.10927 and 721.10942.

#### PART 721—[AMENDED]

- 3. The authority citation for part 721 continues to read as follows:

**Authority:** 15 U.S.C. 2604, 2607, and 2625(c).

##### § 721.10927 [Removed]

- 4. Remove § 721.10927.

##### § 721.10942 [Removed]

- 5. Remove § 721.10942.

[FR Doc. 2017-00938 Filed 1-18-17; 8:45 am]

BILLING CODE 6560-50-P

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Docket No. CDC-2015-0006]

#### 42 CFR Part 73

RIN 0920-AA59

#### Possession, Use, and Transfer of Select Agents and Toxins; Biennial Review of the List of Select Agents and Toxins and Enhanced Biosafety Requirements

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

**ACTION:** Final rule.

**SUMMARY:** In accordance with the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (the Bioterrorism Response Act), the Centers for Disease Control and Prevention (CDC) in the Department of Health and Human Services (HHS) has reviewed the list of biological agents and toxins that have the potential to pose a severe threat to public health and safety. Following the review, HHS has decided: Not to finalize the proposed changes to the list of select agents and toxins at this time; to finalize provisions to address toxin permissible limits and the inactivation of select agents; to finalize specific provisions to the section of the regulations addressing biosafety; and to clarify regulatory language concerning security, training, incident response, and records. In a companion document published in this issue of the **Federal Register**, the U.S. Department of Agriculture (USDA) has made parallel regulatory changes.

**DATES:** Effective February 21, 2017.

**FOR FURTHER INFORMATION CONTACT:** Dr. Samuel S. Edwin, Director, Division of Select Agents and Toxins, Centers for Disease Control and Prevention, 1600