

one mile north into the Tchefuncta River, Madisonville, LA.

(b) *Effective dates and enforcement periods.* This rule is effective without actual notice from December 23, 2014 until January 1, 2015. For the purposes of enforcement, actual notice will be used from December 6, 2014, until December 23, 2014. The safety zones will be enforced during the following times:

(1) December 6, 2014, from 9:00 p.m. until 9:30 p.m., at Fort Jackson, LA.

(2) New Year's Eve, December 31, 2014 at 11:30 p.m. until January 1, 2015 at 12:30 a.m., at Madisonville, LA.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, entry into these zones is prohibited unless specifically authorized by the Captain of the Port (COTP) New Orleans or designated personnel. Designated personnel include commissioned, warrant and petty officers of the U.S. Coast Guard assigned to units under the operational control of USCG Sector New Orleans.

(2) Persons and vessels requiring deviation from this rule must request permission from the COTP New Orleans or a COTP New Orleans designated representative. They may be contacted on VHF-FM Channel 16 or 67, or through Coast Guard Sector New Orleans at 504-365-2200.

(3) Persons and vessels permitted to deviate from this rule must transit at the slowest safe speed and comply with all lawful directions issued by the COTP New Orleans or designated representative.

(d) *Information broadcasts.* The COTP New Orleans or a COTP New Orleans designated representative will inform the public through broadcast notices to mariners of the enforcement period for the safety zones as well as any changes in the planned schedule.

Dated: December 3, 2014.

**Philip C. Schifflin,**

*Captain, U.S. Coast Guard, Captain of the Port New Orleans.*

[FR Doc. 2014-30102 Filed 12-22-14; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Parts 9 and 721

[EPA-HQ-OPPT-2014-0390; FRL-9920-63]

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 thirty 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 an adverse comment is received. EPA received 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 December 26, 2014.

**ADDRESSES:** The docket for this action, identified by docket identification (ID) number EPA-HQ-OPPT-2014-0390, 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 October 27, 2014 (79 FR 63821) (FRL-9914-56). 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 rules are being withdrawn?

In the October 27, 2014 **Federal Register**, 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 a notice of intent to submit adverse comments, in accordance with 40 CFR 721.160(c)(3)(ii), EPA is withdrawing the direct final SNURs issued for the following chemical substances, which were the subject of PMNs: Functionalized carbon nanotubes (generic), (PMN No. P-13-793); Propaneperoxoic acid, 2,2-dimethyl-, 1,1,3,3-tetramethylbutyl ester, (CAS No. 22288-41-1), (PMN No. P-14-72); Fatty acid amide hydrochlorides (generic), (PMN No. P-14-89, P-14-90, P-14-91, and P-14-92) Fatty acid amides (generic), (PMN No. P-14-158, P-14-159, P-14-161, P-14-162, and P-14-163); and Fatty acid amide acetates (generic), (PMN No. P-14-173, P-14-175, P-14-176, P-14-177, P-14-178, P-14-179, P-14-180, P-14-181, P-14-182, P-14-183, P-14-184, P-14-185, P-14-186, P-14-187, P-14-188, P-14-190, P-14-191, P-14-192 and P-14-193). 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 October 27, 2014 **Federal Register**. 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: December 17, 2014.

**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 §§ 721.10776, 721.10780, 721.10781, 721.10782 and 721.10783.

## 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).

### §§ 721.10776 [Removed]

- 4. Remove §§ 721.10776.

### §§ 721.10780 through 721.10783 [Removed]

- 5. Remove §§ 721.10780 through 721.10783.

[FR Doc. 2014–30023 Filed 12–22–14; 8:45 am]

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## FEDERAL MARITIME COMMISSION

### 46 CFR Part 502

[Docket No. 14–12]

RIN 3072–AC58

### Amendments to Regulations Governing the Rules of Practice and Procedure for Dismissals of Actions

**AGENCY:** Federal Maritime Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Maritime Commission is amending its rules governing dismissals of actions by complainants, by order of the presiding officer, and by respondents when complainant fails to prosecute.

**DATES:** *Effective:* January 24, 2015.

#### FOR FURTHER INFORMATION CONTACT:

Karen V. Gregory, Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573–0001, Phone: (202) 523–5725, Email: [secretary@fmc.gov](mailto:secretary@fmc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission published a proposed rule on September 22, 2014, 79 FR 56546, to amend Rule 72 of its Rules of Practice and Procedure, 46 CFR 502.72, to reflect its intent with regard to review and approval of settlement agreements prior to dismissal of formal complaints. No comments were received to the proposed rule and the Commission hereby adopts it as a final rule.

Section 502.72 currently permits voluntary dismissals by notice, allowing a complainant to dismiss an action voluntarily before an answer or other responsive pleading is served. Additionally, the rule permits dismissal of complaints by stipulation of the parties, thereby fostering efficient and speedy resolution of matters that have become moot (*e.g.*, cargo has been delivered, expense of litigation, etc.). The rule does not, however, expressly address the circumstance when a voluntary dismissal is the result of a settlement between the parties.

When § 502.72 was published, the Commission stated that it “did not intend to eliminate the requirement for review of settlement.” Docket No. 11–05, Rules of Practice and Procedure, *Final Rule*, 77 FR 61519–20 (Oct. 10, 2012). The revision adopted here reflects the Commission’s intent to adhere to its long-standing policy of reviewing settlements by adding language to clarify that when a voluntary dismissal is based on a settlement agreement, the agreement must be submitted for approval by the Commission.

The Commission has followed a well-established policy of encouraging settlement agreements in proceedings brought before it. *Old Ben Coal Co. v. Sea-Land Serv., Inc.*, 18 S.R.R. 1085, 1091 (ALJ 1978). The Commission has adhered to “encourag[ing] settlements and engage[ing] in every presumption which favors a finding that they are fair, correct, and valid.” *Inlet Fish Producers, Inc. v. Sea-Land Serv., Inc.*, 29 S.R.R. 975, 978 (ALJ 2002) (quoting *Old Ben Coal*, 18 S.R.R. at 1091); *see also Ellenville Handle Works, Inc. v. Far E. Shipping Co.*, 20 S.R.R. 761, 763 (ALJ 1981) (noting that settlements may be approved upon a showing that the settlement is bona fide and not a device for rebating). The Commission has exercised oversight of these settlements to ensure that such agreements are free from “fraud, duress, undue influence, [or] mistake” and do “not contravene any law or public policy.” *Old Ben Coal*, 18 S.R.R. at 1093.

Although the Commission undertakes a relatively limited role in scrutinizing settlements, *see P.R. Shipping Ass’n v. P.R. Ports Auth.*, 27 S.R.R. 645, 647 (ALJ 1996), it has also made clear that it “does not merely rubber stamp any proffered statement, no matter how anxious the parties may be to terminate their litigation.” *Old Ben Coal*, 18 S.R.R. at 1092. Previously, the Commission required proof of a statutory violation before approving a settlement. An agreement to settle a proceeding could only “be approved . . . upon an affirmative finding that such violation occurred.” *Consolidated International Corporation v. Concordia Line, Boise Griffin Steamship Company, Inc.*, 18 F.M.C. 180, 183 (ALJ 1975); *cf. Ketchikan Spruce Mills v. Coastwise Line*, 5 F.M.B. 661 (1959) (settlement was not approved because it could not be shown that the tariffs were unreasonable or violated the Shipping Act).

In *Old Ben Coal*, the Commission modified this requirement in favor of a revised standard that allows the Commission to assess whether “the settlement offered is fair, reasonable, and adequate,” and whether the settlement is “free of fraud, duress, undue influence, [or] mistake.” 18 S.R.R. at 1091. Additionally, the Commission may weigh the likelihood of the complainant’s success if litigation were pursued, as well as balance the adequacy of the terms of settlement against the estimated cost and complexity of continued litigation. *Id.* at, 1093–94. Finally, the Commission will review the settlement to ensure that it is “proper and does not itself violate any provision of the law.” *Id.* at 1091.