

After that date, these substances will be prohibited in organic processing.

#### List of Subjects in 7 CFR Part 205

Records, Imports, Labeling, Organically produced products, Plants, Reporting and recordkeeping requirements, Seals and insignia, Soil conservation.

For the reasons set forth in the preamble, 7 CFR part 205 is amended as follows:

#### PART 205—NATIONAL ORGANIC PROGRAM

■ 1. The authority citation for 7 CFR part 205 continues to read as follows:

Authority: 7 U.S.C. 6501–6522.

#### § 205.605 [Amended]

■ 2. Amend § 205.605 by:

- A. In paragraph (a), remove the substance “Egg white lysozyme (CAS # 9001–63–2)”.
- B. In paragraph (b), remove the substances “Cyclohexylamine (CAS # 108–91–8)—for use only as a boiler water additive for packaging sterilization”; “Diethylaminoethanol (CAS # 100–37–8)—for use only as a boiler water additive for packaging sterilization”; “Octadecylamine (CAS # 124–30–1)—for use only as a boiler water additive for packaging sterilization”; and “Tetrasodium pyrophosphate (CAS # 7722–88–5)—for use only in meat analog products”.

Dated: July 26, 2016.

Elanor Starmer,

Administrator, Agricultural Marketing Service.

[FR Doc. 2016–18108 Filed 8–2–16; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 13 and 406

[Docket No. FAA–2016–7004 Amdt. Nos. 13–38, 406–10]

RIN 2120–AK90

#### Revisions to the Civil Penalty Inflation Adjustment Tables; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Interim final rule; correction.

**SUMMARY:** The FAA is correcting an interim final rule titled “Revisions to the Civil Penalty Inflation Adjustment Tables” that it published in the **Federal Register** on July 5, 2016. That interim final rule was the catch-up inflation

adjustment to civil penalty amounts that may be imposed for violations of Federal Aviation Administration (FAA) regulations, as required by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. In that document, there were several errors that need to be corrected before the rule becomes effective. This document addresses those errors.

**DATES:** This correction is effective on August 5, 2016.

**FOR FURTHER INFORMATION CONTACT:** Cole R. Milliard, Attorney, Office of the Chief Counsel, Enforcement Division, AGC–300, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–3452; email [Cole.Milliard@faa.gov](mailto:Cole.Milliard@faa.gov).

**SUPPLEMENTARY INFORMATION:** Prior to the July 5 final rule’s publication, the Pipeline and Hazardous Materials Safety Administration (PHMSA), the Department of Transportation (DOT) agency primarily responsible for developing and enforcing hazardous materials regulations, published its catch-up adjustments for civil penalties, including those for violations of 49 U.S.C. 5123(a)(3). The FAA is amending its catch-up adjustment for 49 U.S.C. 5123(a)(3) to harmonize it with PHMSA’s.

#### Background

On July 5, 2016, the FAA published an interim final rule titled “Revisions to the Civil Penalty Inflation Adjustment Tables” (81 FR 43463). The intent of that rule is to implement the Federal Civil Penalties Inflation Adjustment Act of 1990 (FCPIAA), Public Law (Pub. L.) 101–410, as amended by the Debt Collection Improvement Act (DCIA) of 1996, Pub. L. 104–134, and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act), Pub. L. 114–74, codified at 28 U.S.C. 2461 note.

The FCPIAA, DCIA, and the 2015 Act require Federal agencies to adjust minimum and maximum civil penalty amounts for inflation to preserve their deterrent impact. The 2015 Act amended the formula and frequency of inflation adjustments. It required an initial catch-up adjustment in the form of an interim final rule, followed by annual adjustments of penalty amounts. The amount of the adjustment must be made using a strict statutory formula that was discussed in the final rule and is corrected as indicated below.

As mentioned above, the FAA’s interim final rule was published on July 5, 2016, and included an inflation adjustment for civil penalties associated with hazardous materials training

violations under 49 U.S.C. 5123(a)(3). On June 29, 2016, prior to the FAA’s civil penalty inflation adjustment publication, the Pipeline and Hazardous Materials Safety Administration (PHMSA), the DOT agency primarily responsible for developing and enforcing hazardous materials regulations, also published its catch-up adjustments for civil penalties, including those for violations of 49 U.S.C. 5123(a)(3). PHMSA, however, came up with a different adjustment to the minimum penalty for training than the FAA. PHMSA read technical amendments made to section 5123(a)(3) in 2012 to be adjusting the minimum penalty back down from a 2009 PHMSA inflation adjustment. *See Moving Ahead for Progress in the 21st Century Act (MAP–21)*, Pub. L. 112–141, 33010, 126 Stat. 405, 837, (2012); 74 FR 68701 (Dec. 29, 2009). It therefore concluded that 2012 was the year the minimum penalty was established or adjusted. FAA concluded that 2005 was the correct year upon which to base adjustments because Congress established the \$450 minimum that year and did not change it in its 2012 amendments. *Compare Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU)*, Pub. L. 109–59, 7120, 119 Stat. 1144, 1905 (2005) with MAP–21, 126 Stat. at 837. Because PHMSA is the primary DOT agency in the area of hazardous materials safety, and because its calculation is reasonable, the FAA is correcting its catch-up adjustment to harmonize it with PHMSA’s.

The FAA is also making technical corrections to its interim final rule. First, it is correcting the effective date noted in the table included in 14 CFR 13.301(c), to reflect the correct effective date of August 5, 2016 (not August 1, 2016). Second, the word “established” is replacing the word “set” when used in reference to the “catch-up adjustment” formula provided by the 2015 Act to make the text of the interim final rule consistent with the statutory text of the 2015 Act. Finally, the FAA is correcting the reference to “section 5123” in the hazmat adjustment example for 49 U.S.C. 5123(a)(1), provided in the background section of the interim final rule, to specifically reference section 5123(a)(1).

#### Correction

In FR Doc. 2016–7004, beginning on page 43463 in the **Federal Register** of July 5, 2016, make the following corrections:

1. On page 43464, in the second column, under the heading “Background”, in the second paragraph,

correct the seventh line by replacing the word “set” with “established”.

2. On page 43464, in the third column, correct the ninth line from the top by replacing the word “set” with “established”.

3. On page 43464, in the third column, correct subparagraph (1) by replacing the word “set” with “established” in both places it is used, replacing the word “reset” with “adjusted” and replacing the words “Section 5123” with “Section 5123(a)(1)”.

4. On page 43464, correct the heading of the second column of the table by replacing the word “set” with “established”.

5. On page 43464, correct the heading of the third column of the table by replacing the word “set” with “established”.

6. On page 43464, correct the second column of the table by replacing “2005” with “2012” in the third line (referencing 49 U.S.C. Statute 5123(a)(3)).

7. On page 43464, correct the fourth column of the table by replacing

“1.19397” with “1.02819” in the third line (referencing 49 U.S.C. Statute 5123(a)(3)).

8. On page 43464, correct the fifth column of the table by replacing “537” with “463” in the third line (referencing 49 U.S.C. Statute 5123(a)(3)).

**§ 13.301 [Corrected]**

■ 9. On page 43467, correct § 13.301 by revising paragraph (c) to read as follows:

(c) Minimum and maximum civil monetary penalties within the jurisdiction of the FAA are as follows:

**TABLE OF MINIMUM AND MAXIMUM CIVIL MONETARY PENALTY AMOUNTS FOR CERTAIN VIOLATIONS OCCURRING ON OR AFTER AUGUST 5, 2016**

United States Code citation	Civil monetary penalty description	Minimum penalty amount	New or adjusted minimum penalty amount	Maximum penalty amount when last established or adjusted by Congress	New or adjusted maximum penalty amount
49 U.S.C. 5123(a), subparagraph (1).	Violation of hazardous materials transportation law.	Deleted 7/6/2012 ..	N/A .....	\$75,000 per violation, adjusted 7/6/2012.	\$77,114.
49 U.S.C. 5123(a), subparagraph (2).	Violation of hazardous materials transportation law resulting in death, serious illness, severe injury, or substantial property destruction.	Deleted 7/6/2012 ..	N/A .....	\$175,000 per violation, adjusted 7/6/2012.	\$179,933.
49 U.S.C. 5123(a), subparagraph (3).	Violation of hazardous materials transportation law relating to training.	\$450 per violation, adjusted. 7/6/2012 .....	\$463 .....	\$75,000 per violation, adjusted 7/6/2012.	\$77,114.
49 U.S.C. 46301(a)(1).	Violation by a person other than an individual or small business concern under 49 U.S.C. 46301(a)(1)(A) or (B).	N/A .....	N/A .....	\$25,000 per violation, established 12/12/2003.	\$32,140.
49 U.S.C. 46301(a)(1).	Violation by an airman serving as an airman under 49 U.S.C. 46301(a)(1)(A) or (B) (but not covered by 46301(a)(5)(A) or (B)).	N/A .....	N/A .....	\$1,100 per violation, adjusted 12/12/2003.	\$1,414.
49 U.S.C. 46301(a)(1).	Violation by an individual or small business concern under 49 U.S.C. 46301(a)(1)(A) or (B) (but not covered in 49 U.S.C. 46301(a)(5)).	N/A .....	N/A .....	\$1,100 per violation, adjusted 12/12/2003.	\$1,414.
49 U.S.C. 46301(a)(3).	Violation of 49 U.S.C. 47107(b) (or any assurance made under such section) or 49 U.S.C. 47133.	N/A .....	N/A .....	Increase above otherwise applicable maximum amount not to exceed 3 times the amount of revenues that are used in violation of such section.	No change.
49 U.S.C. 46301(a)(5)(A).	Violation by an individual or small business concern (except an airman serving as an airman) under 49 U.S.C. 46301(a)(5)(A)(i) or (ii).	N/A .....	N/A .....	\$10,000 per violation, established 12/12/2003.	\$12,856.
49 U.S.C. 46301(a)(5)(B)(i).	Violation by an individual or small business concern related to the transportation of hazardous materials.	N/A .....	N/A .....	\$10,000 per violation, established 12/12/2003.	\$12,856.
49 U.S.C. 46301(a)(5)(B)(ii).	Violation by an individual or small business concern related to the registration or recordation under 49 U.S.C. chapter 441, of an aircraft not used to provide air transportation.	N/A .....	N/A .....	\$10,000 per violation, established 12/12/2003.	\$12,856.

TABLE OF MINIMUM AND MAXIMUM CIVIL MONETARY PENALTY AMOUNTS FOR CERTAIN VIOLATIONS OCCURRING ON OR AFTER AUGUST 5, 2016—Continued

United States Code citation	Civil monetary penalty description	Minimum penalty amount	New or adjusted minimum penalty amount	Maximum penalty amount when last established or adjusted by Congress	New or adjusted maximum penalty amount
49 U.S.C. 46301(a)(5)(B)(iii).	Violation by an individual or small business concern of 49 U.S.C. 44718(d), relating to limitation on construction or establishment of landfills.	N/A .....	N/A .....	\$10,000 per violation, established 12/12/2003.	\$12,856.
49 U.S.C. 46301(a)(5)(B)(iv).	Violation by an individual or small business concern of 49 U.S.C. 44725, relating to the safe disposal of life-limited aircraft parts.	N/A .....	N/A .....	\$10,000 per violation, established 12/12/2003.	\$12,856.
49 U.S.C. 46301(b)	Tampering with a smoke alarm device	N/A .....	N/A .....	\$2,000 per violation, established 12/22/1987.	\$4,126.
49 U.S.C. 46302 ....	Knowingly providing false information about alleged violation involving the special aircraft jurisdiction of the United States.	N/A .....	N/A .....	\$10,000 per violation, established 10/12/1984.	\$22,587.
49 U.S.C. 46318 ....	Interference with cabin or flight crew ..	N/A .....	N/A .....	\$25,000, established 4/5/2000.	\$34,172.
49 U.S.C. 46319 ....	Permanent closure of an airport without providing sufficient notice.	N/A .....	N/A .....	\$10,000 per day, established 12/12/2003.	\$12,856.
49 U.S.C. 47531 ....	Violation of 49 U.S.C. 47528–47530, relating to the prohibition of operating certain aircraft not complying with stage 3 noise levels.	N/A .....	N/A .....	See 49 U.S.C. 46301(a)(1)(A) and (a)(5), above.	No change.

Issued under authority provided by 28 U.S.C. 2461 and 49 U.S.C. 106(f), 44701(a), and 46301 in Washington, DC, on July 26, 2016.

**Lirio Liu,**

Director, Office of Rulemaking.

[FR Doc. 2016–18514 Filed 8–2–16; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 25**

[Docket No. FAA–2016–5909; Special Conditions No. 25–626–SC]

**Special Conditions: The Boeing Company Model 787–9 Series Airplane; Dynamic Test Requirements for Single-Occupant Oblique (Side-Facing) Seats With Inflatable and 3-Point Restraint Systems**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final special conditions; request for comments.

**SUMMARY:** These special conditions are issued for The Boeing Company (Boeing) Model 787–9 series airplane. This airplane, as modified by Boeing, will have novel or unusual design features when compared to the state of

technology envisioned in the airworthiness standards for transport-category airplanes. These design features are single-occupant oblique (side-facing) seats with inflatable and 3-point restraint systems requiring dynamic testing. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for these design features. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** This action is effective on Boeing on August 3, 2016. We must receive your comments by September 19, 2016.

**ADDRESSES:** Send comments identified by docket number FAA–2016–5909 using any of the following methods:

- *Federal eRegulations Portal:* Go to <http://www.regulations.gov> and follow the online instructions for sending your comments electronically.
- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE., Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey

Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

• *Fax:* Fax comments to Docket Operations at 202–493–2251.

*Privacy:* The FAA will post all comments it receives, without change, to [http://www.regulations.gov/](http://www.regulations.gov), including any personal information the commenter provides. Using the search function of the docket Web site, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT’s complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478), as well as at <http://DocketsInfo.dot.gov/>.

*Docket:* Background documents or comments received may be read at <http://www.regulations.gov/> at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jeff Gardlin, FAA, Airframe and Cabin Safety branch, ANM–115, Transport