

Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W23-453, Washington, DC 20590. Telephone 202-366-9309, Email [Bianca.carr@dot.gov](mailto:Bianca.carr@dot.gov).

**SUPPLEMENTARY INFORMATION:** As described by the applicant the intended service of the vessel CONUNDRUM is:

- Intended Commercial Use of Vessel:* Charter vessel operations
- Geographic Region:* “Florida, Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Delaware, New Jersey, Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Texas, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota”

The complete application is given in DOT docket MARAD-2017-0168 at <http://www.regulations.gov>. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines, in accordance with 46 U.S.C. 12121 and MARAD’s regulations at 46 CFR part 388, that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels in that business, a waiver will not be granted. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter’s interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD’s regulations at 46 CFR part 388.

#### Privacy Act

In accordance with 5 U.S.C. 553(c), DOT/MARAD solicits comments from the public to better inform its rulemaking process. DOT/MARAD posts these comments, without edit, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice, DOT/ALL-14 FDMS, accessible through [www.dot.gov/privacy](http://www.dot.gov/privacy). In order to facilitate comment tracking and response, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. Whether or not commenters identify themselves, all timely comments will be fully considered. If you wish to provide comments containing proprietary or confidential information, please contact the agency for alternate submission instructions.

(Authority: 49 CFR 1.93(a), 46 U.S.C. 55103, 46 U.S.C. 12121)

By Order of the Maritime Administrator.

Dated: September 26, 2017.

**T. Mitchell Hudson, Jr.,**

*Secretary, Maritime Administration.*

[FR Doc. 2017-20915 Filed 9-28-17; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2017-0040; Notice 1]

#### Continental Tire the Americas, LLC, Receipt of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Receipt of petition.

**SUMMARY:** Continental Tire the Americas, LLC (CTA), has determined that certain Continental brand tires do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 139, *New Pneumatic Radial Tires for Light Vehicles*. CTA filed a noncompliance report dated March 31, 2017. CTA also petitioned NHTSA on April 27, 2017, and amended it on June 28, 2017, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety.

**DATES:** The closing date for comments on the petition is October 30, 2017.

**ADDRESSES:** Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and be submitted by any of the following methods:

- *Mail:* Send comments by mail addressed to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

- *Hand Delivery:* Deliver comments by hand to U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. The Docket Section is open on weekdays from 10 a.m. to 5 p.m. except Federal Holidays.

- *Electronically:* Submit comments electronically by logging onto the Federal Docket Management System (FDMS) Web site at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.

- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than

15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at <https://www.regulations.gov> by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT’s complete Privacy Act Statement is available for review in a **Federal Register** notice published on April 11, 2000, (65 FR 19477-78).

#### SUPPLEMENTARY INFORMATION:

*I. Overview:* Continental Tire the Americas, LLC (CTA), has determined that certain Continental brand tires do not fully comply with paragraphs S5.5(e) and S5.5(f) of FMVSS No. 139, *New Pneumatic Radial Tires for Light Vehicles*. CTA filed a noncompliance report dated March 31, 2017, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. CTA also petitioned NHTSA on April 27, 2017, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety.

This notice of receipt of CTA’s petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

*II. Tires Involved:* Approximately 111,500 of the following Continental brand tires, manufactured between August 3, 2014, and March 25, 2017, are potentially involved:

- XL Continental Cross Contact UHP size 255/55R18 109Y
- Barum Brillantis 2 size 175/70R13 82T
- Continental ContiTrac size P225/70R15 100S
- XL General Grabber UHP size 275/55R20 117V
- Continental ExtremeContact DWS size 285/30ZR20 99W XL
- Continental CrossContact LX20 size 245/55R19 103S
- XL Continental CrossContact LX20 size 285/45R 114H
- General Altimax RT43 size 215/45R17 87V&

*III. Noncompliance:* CTA states that the noncompliance is due to a mold error, and that as a result, the number of tread plies indicated on the sidewall of the subject tires do not match the actual number of plies in the tire construction, as required by paragraphs S5.5(e) and S5.5(f) of FMVSS No. 139. Specifically, below is a list of the subject tires with the labeling as marked (Marked) and how the sidewall should have been marked (Actual):

- XL Continental Cross Contact UHP size 255/55R18 109Y  
—Marked: “PLIES: TREAD: 2 RAYON + 2 STEEL + 2 POLYAMIDE”  
—Actual: “PLIES: TREAD: 2 RAYON + 2 STEEL + 1 POLYAMIDE”
- Barum Brillantis 2 size 175/70R13 82T  
—Marked: “TREAD 4 PLIES: 1 POLYESTER + 2 STEEL + 1 POLYAMIDE”  
—Actual: “TREAD 5 PLIES: 1 POLYESTER + 2 STEEL + 2 POLYAMIDE”
- Continental ContiTrac size P225/70R15 100S  
—Marked: “TREAD 4 PLIES: 2 POLYESTER + 2 STEEL”  
—Actual: “TREAD 5 PLIES: 2 POLYESTER + 2 STEEL + 1 POLYAMIDE”
- XL General Grabber UHP size 275/55R20 117V  
—Marked: “PLIES: TREAD: 2 POLYESTER + 2 STEEL + 2 POLYAMIDE SIDEWALL: 2 POLYESTER”  
—Actual: “PLIES: TREAD: 2 RAYON + 2 STEEL + 2 POLYAMIDE SIDEWALL: 2 RAYON”
- Continental ExtremeContact DWS size 285/30ZR20 99W  
—Marked: “PLIES: TREAD: 1 RAYON + 2 STEEL + 2 POLYAMIDE”  
—Actual: “PLIES: TREAD: 2 RAYON + 2 STEEL + 1 POLYAMIDE”

- Continental CrossContact LX20 size 245/55R19 103S  
—Marked: “PLIES: TREAD: 1 POLYESTER + 2 STEEL + 2 POLYAMIDE”  
—Actual: “PLIES: TREAD: 1 POLYESTER + 2 STEEL + 1 POLYAMIDE”
- XL Continental CrossContact LX20 size 285/45R22 114H  
—Marked: “PLIES: TREAD: 2 POLYESTER + 2 STEEL + 2 POLYAMIDE”  
—Actual: “PLIES: TREAD: 1 POLYESTER + 2 STEEL + 2 POLYAMIDE”
- General Altimax RT43 size 215/45R17 87V  
—Marked: “PLIES: TREAD: 2 POLYESTER + 2 STEEL + 1 POLYAMIDE”  
—Actual: “PLIES: TREAD: 2 POLYESTER + 2 STEEL + 2 POLYAMIDE”

*IV. Rule Text:* Paragraphs S5.5(e) and S5.5(f) of FMVSS No. 139 require in pertinent part:

S5.5 *Tire Markings.* Except as specified in paragraph (a) through (i) of S5.5, each tire must be marked on each sidewall with the information specified in S5.5(a) through (d) and on one sidewall with the information specified in S5.5(e) through (i) according to the phase-in schedule specified in S7 of this standard. . .

(e) The generic name of each cord material used in the plies (both sidewall and tread area) of the tire;

(f) The actual number of plies in the sidewall, and the actual number of plies in the tread area, if different. . .

*V. Summary of CTA's Petition:* CTA described the subject noncompliance and stated its belief that the noncompliance is inconsequential as it relates to motor vehicle safety.

In support of its petition, CTA submitted the following reasoning:

(a) The tires covered by this petition are labeled with incorrect information regarding the number of tread plies and in two cases, the incorrect and/or missing ply material. However, this mislabeling has no impact on the operational performance of these tires or on the safety of vehicles on which these tires are mounted. The subject tires meet or exceed all of the performance requirements specified by FMVSS No. 139.

(b) NHTSA has concluded in response to numerous other petitions that this type of noncompliance is inconsequential to safety.

(c) Continental cited three petitions<sup>1</sup> that NHTSA has previously granted and

noted that on several occasions NHTSA has stated:

“In the agency’s judgment, the incorrect labeling of the tire construction information will have an inconsequential effect on motor vehicle safety because most consumers do not base tire purchases or vehicle operation parameters on the ply material in a tire.”

(d) All tires covered by this petition meet or exceed the performance requirements of FMVSS No. 139, as well as the other labeling requirements of the standard.

(e) CTA is not aware of any crashes, injuries, customer complaints, or field reports associated with the mislabeling.

(f) CTA has quarantined all existing inventory of these tires that contain the noncompliant tire sidewall labeling.

(g) CTA has corrected the molds at the manufacturing plant, so no additional tires will be manufactured with the noncompliance.

CTA concluded by expressing the belief that the subject noncompliance is inconsequential as it relates to motor vehicle safety, and that its petition to be exempted from providing notification of the noncompliance, as required by 49 U.S.C. 30118, and a remedy for the noncompliance, as required by 49 U.S.C. 30120, should be granted.

To view CTA’s petition analyses and test data in its entirety you can visit <https://www.regulations.gov> by following the online instructions for accessing the dockets and by using the docket ID number for this petition shown in the heading of this notice.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject tires that CTA no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant tires under their control after CTA notified them that the subject noncompliance existed.

<sup>1</sup> Cooper Tire & Rubber Company, 82 FR 17075 (April 7, 2017); Nitto Tire USA, Inc., 81FR 17764

(April 30, 2016); Hankook Tire America Corp., 79 FR 30688 (May 28, 2014); Bridgestone 78 FR 47049 (August 2, 2013).

**Authority:** (49 U.S.C. 30118, 30120: delegations of authority at 49 CFR 1.95 and 501.8).

**Jeffrey M. Giuseppe,**

*Director, Office of Vehicle Safety Compliance.*

[FR Doc. 2017-20908 Filed 9-28-17; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### **Funding Opportunity Title: Notice of Funds Availability (NOFA) Inviting Applications for the Fiscal Year (FY) 2017 Funding Round of the Bank Enterprise Award Program (BEA Program)**

*Announcement Type:* Announcement of funding opportunity.

*Funding Opportunity Number:* CDFI-2017-BEA.

*Catalog of Federal Domestic Assistance (CFDA) Number:* 21.021.

*Key Dates:*

**TABLE 1—FY 2017 BEA PROGRAM FUNDING ROUND—KEY DATES FOR APPLICANTS**

Description	Deadline	Time (Eastern Time—ET)	Contact Information
Grant Application Package/SF-424 Mandatory (Application for Federal Assistance).	November 16, 2017.	11:59 p.m. ET ....	Contact <i>Grants.gov</i> at 800-518-4726 or <i>support@grants.gov</i> .
<i>Submission Method: Electronically via Grants.gov</i> ..... Last day to contact BEA Program Staff re: BEA Program Application materials.	November 28, 2017.	5:00 p.m. ET .....	CDFI Fund BEA Helpdesk: 202-653-0421 or BEA Award Management Information System (AMIS) Service Request. <sup>1</sup>
Last day to contact Certification, Compliance Monitoring and Evaluation (CCME) staff.	November 28, 2017.	5:00 p.m. ET .....	CCME Helpdesk: 202-653-0423 or Compliance and Reporting AMIS Service Request. <sup>2</sup>
Last day to contact IT Help Desk re. AMIS support and submission of the FY 2017 BEA Program Application in AMIS.	November 30, 2017.	5:00 p.m. ET .....	CDFI Fund IT Helpdesk: 202-653-0422 or IT AMIS Service Request. <sup>3</sup>
FY 2017 BEA Program Application ..... <i>Submission Method: Electronically via AMIS</i> .....	November 30, 2017.	5:00 pm ET .....	CDFI Fund IT Helpdesk: 202-653-0422 or IT AMIS Service Request. <sup>4</sup>

<sup>1</sup> For questions regarding completion of the BEA Application materials, the preferred electronic method of contact with the BEA Program Office is to submit a Service Request (SR) within AMIS. For the SR, select "BEA Application" for the record type.

<sup>2</sup> For Compliance and Reporting related questions, the preferred electronic method of contact is to submit a Service Request (SR) within AMIS. For the SR, select "General Inquiry" for the record type, and select "BEA-Compliance & Reporting" for the type.

<sup>3</sup> For Information Technology support, the preferred method of contact is to submit a Service Request (SR) within AMIS. For the SR, select "General Inquiry" for the record type, and select "BEA-AMIS technical problem" for the type.

<sup>4</sup> Ibid.

**Executive Summary:** This NOFA is issued in connection with the fiscal year (FY) 2017 funding round of the Bank Enterprise Award Program (BEA Program). The BEA Program is administered by the U.S. Department of the Treasury's Community Development Financial Institutions Fund (CDFI Fund). Through the BEA Program, the CDFI Fund awards formula-based grants to depository institutions that are insured by the Federal Deposit Insurance Corporation (FDIC) for increasing their levels of loans, investments, Service Activities, and technical assistance within Distressed Communities, and financial assistance to certified Community Development Financial Institutions (CDFIs) through equity investments, equity-like loans, grants, stock purchases, loans, deposits, and other forms of financial and technical assistance, during a specified period.

### **I. Program Description**

**A. History:** The CDFI Fund was established by the Riegle Community Development and Regulatory Improvement Act of 1994 to promote economic revitalization and community development through investment in and assistance to CDFIs. Since its creation in 1994, the CDFI Fund has awarded more than \$2.3 billion to CDFIs, community development organizations, and financial institutions through the Community Development Financial Institutions Program (CDFI Program), the Native American CDFI Assistance Program (NACA Program), and the BEA Program. In addition, the CDFI Fund has allocated \$50.5 billion in tax credit allocation authority to Community Development Entities through the New Markets Tax Credit Program (NMTC Program), guaranteed bonds in the total amount of \$1.1 billion through the CDFI Bond Guarantee Program, and awarded more than \$171 million through the Capital Magnet Fund. The BEA Program

complements the community development activities of banks and thrifts (collectively referred to as banks for purposes of this NOFA) by providing financial incentives to expand investments in CDFIs and to increase lending, investment, and Service Activities within Distressed Communities. Providing monetary awards to banks for increasing their community development activities leverages the CDFI Fund's dollars and puts more capital to work in Distressed Communities throughout the nation.

**B. Authorizing Statutes and Regulations:** The BEA Program was authorized by the Bank Enterprise Award Act of 1991, as amended. The regulations governing the BEA Program can be found at 12 CFR part 1806 (the Interim Rule). The Interim Rule provides the evaluation criteria and other requirements of the BEA Program. Detailed BEA Program requirements are also found in the application materials associated with this NOFA (the