

designated as Class I federal areas, mandated by Congress to receive heightened protection. NGS is subject to the BART requirement of the CAA and the Regional Haze Rule based on its age and its effects on visibility in Class I areas.<sup>1</sup>

On February 5, 2013, EPA proposed a BART determination to require NGS to achieve a nearly 80 percent reduction of its current overall NO<sub>x</sub> emission rate. EPA also proposed an alternative to BART that would provide flexibility to NGS in the schedule for the installation of new post-combustion control equipment. EPA's proposed alternative to BART credits NGS for its early and voluntary installation of new combustion controls to reduce NO<sub>x</sub> emissions beginning in 2009 and therefore achieves greater reasonable progress than BART.

In recognition that there may be other approaches that could result in equivalent or better visibility benefits than BART, as well as the singular importance of NGS to the Navajo Nation, Hopi Tribe, and other numerous tribes located in Arizona, EPA also outlined a framework for evaluating other alternatives to provide greater flexibility than EPA's proposed alternative to BART. EPA requested comment on Alternatives 2 and 3 that provide until 2025 or 2026 for compliance but would require the owners of NGS to implement additional emission reductions in order to assure greater reasonable progress than would otherwise be achieved under BART.

EPA encouraged a robust public discussion of our proposed BART determination and alternative, as well as Alternatives 2 and 3, and recognized the potential need for a supplemental proposal if Alternatives 2 or 3, or other approaches developed by other parties, are identified as meeting the needs of stakeholders and meeting the requirements of the CAA.

On February 15, 2013, Salt River Project (SRP), co-owner and operator of NGS, requested a 90-day extension of the public comment period. SRP stated that identifying and analyzing alternatives and discussing options with interested parties would require a significant amount of time. On February 21, 2013, the Central Arizona Water Conservation District (CAWCD) submitted a similar request for a 90-day

extension of the comment period.<sup>2</sup> On March 1, 2013, the Navajo Nation also requested a 90-day extension of the comment period in order to allow the Navajo Nation the time and opportunity to participate with NGS owners and other stakeholders in examining the feasibility of additional alternatives, including Alternatives 2 and 3.

## II. Today's Action

EPA recognizes that the stakeholder process, to develop viable alternatives to BART that provide additional flexibility to the owners of NGS while achieving more emission reductions to assure greater reasonable progress than BART, will require a significant amount of time. EPA also recognizes the critical importance of active participation by the Navajo Nation, the Hopi Tribe, and other affected tribes located in Arizona in the development of alternatives to BART. Therefore, EPA is extending the comment period by an additional 90 days.

### List of Subjects in 40 CFR Part 49

Environmental protection, Administrative practice and procedure, Air pollution control, Indians, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: March 8, 2013.

**Jared Blumenfeld,**

*Regional Administrator, Region 5.*

[FR Doc. 2013-06196 Filed 3-18-13; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R05-OAR-2012-0884; EPA-R05-OAR-2012-0970 FRL-9790-1]

### Approval and Promulgation of Air Quality Implementation Plans; Ohio; Cleveland-Akron-Lorain and Columbus 1997 8-Hour Ozone Maintenance Plan Revisions to Approved Motor Vehicle Emissions Budgets

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve the request by Ohio to revise the

<sup>2</sup> The CAWCD manages the Central Arizona Project, a water delivery system that relies on electricity from NGS to pump surface water from the Colorado River for use by numerous tribes in Arizona, as well as agricultural, municipal, and industrial water users. Please refer to 78 FR 8274 (February 5, 2013) for additional information about CAWCD and its relationship to NGS and tribes located in Arizona.

Cleveland-Akron-Lorain and Columbus, Ohio, 1997 8-hour ozone maintenance air quality State Implementation Plans (SIPs) under the Clean Air Act to replace the previously approved motor vehicle emissions budgets with budgets developed using EPA's Motor Vehicle Emissions Simulator (MOVES) emissions model. Ohio submitted the SIP revision requests to EPA on October 30, 2012, and December 12, 2012, respectively.

**DATES:** Comments must be received on or before April 18, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R05-OAR-2012-0884 for Cleveland-Akron-Lorain or EPA-R05-OAR-2012-0970 for Columbus, by one of the following methods:

1. *www.regulations.gov*: Follow the on-line instructions for submitting comments.

2. *Email*: [blakley.pamela@epa.gov](mailto:blakley.pamela@epa.gov)

3. *Fax*: (312) 692-2450.

4. *Mail*: Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery*: Pamela Blakley, Chief, Control Strategies Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

#### FOR FURTHER INFORMATION CONTACT:

Anthony Maietta, Environmental Scientist, Control Strategies Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353-8777, [maietta.anthony@epa.gov](mailto:maietta.anthony@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are

<sup>1</sup> Please refer to 78 FR 8274 (February 5, 2013) for additional background information related to NGS, regional haze and the protection of visibility at mandatory Class I federal areas, and the statutory and regulatory framework for addressing visibility impairment from sources located in Indian country.

received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: March 4, 2013.

**Susan Hedman,**

*Regional Administrator, Region 5.*

[FR Doc. 2013-06209 Filed 3-18-13; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 81

[EPA-R09-OAR-2013-0135; FRL-9791-5]

#### Designation of Areas for Air Quality Planning Purposes; State of California; Imperial Valley Planning Area for PM<sub>10</sub> Clarification of Nonattainment Area Boundary

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to clarify the description of the Imperial Valley planning area, an area designated as nonattainment for the national ambient air quality standard for particulate matter with an aerodynamic diameter of a nominal 10 microns or less (PM<sub>10</sub>). EPA is not proposing to change the boundaries of the PM<sub>10</sub> area or the status of the area as a “serious” PM<sub>10</sub> nonattainment area but is proposing to clarify the description of this partial county area in the Code of Federal Regulations.

**DATES:** Written comments must be received on or before April 18, 2013.

**ADDRESSES:** Submit your comments, identified by Docket ID No. EPA-R09-OAR-2013-0135 by one of the following methods:

1. Federal eRulemaking Portal, at [www.regulations.gov](http://www.regulations.gov), please follow the on-line instructions;
2. Email to [ward.laweeda@epa.gov](mailto:ward.laweeda@epa.gov); or

3. Mail or delivery to La Weeda Ward, Air Division (AIR-1), U.S. Environmental Protection Agency, Region 9, 600 Wilshire Blvd., Suite 1460, Los Angeles, CA 90017.

Please see the direct final rule which is located in the Rules section of this **Federal Register** for detailed instructions on how to submit comments.

**FOR FURTHER INFORMATION CONTACT:** La Weeda Ward, Air Division (AIR-1), U.S. Environmental Protection Agency, Region 9, 600 Wilshire Blvd., Suite 1460, Los Angeles, CA 90017, telephone number (213) 244-1812, or email [ward.laweeda@epa.gov](mailto:ward.laweeda@epa.gov).

**SUPPLEMENTARY INFORMATION:** For further information, please see the direct final rule, of the same title, which is located in the Rules section of this **Federal Register**. EPA is clarifying that the “Imperial Valley planning area” PM<sub>10</sub> nonattainment area is that portion of Imperial County that is defined as follows: Commencing at the southwest corner of Imperial County and extending north along the Imperial-San Diego County line to the northwest corner of Imperial County; then east along the Imperial-Riverside County line to the point of intersection of the eastern boundary line of Hydrologic Unit #18100200<sup>1</sup>; then southeasterly along the eastern boundary line of Hydrologic Unit #18100200 to the Imperial County-Mexico Border; then west along the Imperial County-Mexico Border to the point of the beginning. EPA is publishing this action as a direct final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for this action is set forth in the preamble to the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this proposed rule.

If EPA receives adverse comments, EPA will withdraw the direct final rule, and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

Dated: March 6, 2013.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2013-06199 Filed 3-18-13; 8:45 am]

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<sup>1</sup> Within Imperial County, the northeastern boundary of Hydrologic Unit #18100200 generally follows the crestline of the Chocolate Mountains.

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 95

[GN Docket No. 12-354; DA 13-298]

#### Commercial Operations in the 3550-3650 MHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** The Federal Communications Commission extends the deadline for filing reply comments on its *Notice of Proposed Rulemaking (NPRM)*, in this proceeding, which was published in the **Federal Register** at 78 FR 1188, January 8, 2013. Reply comments are now due on April 5, 2013.

**DATES:** Submit reply comments on or before April 5, 2013.

**ADDRESSES:** You may submit comments, identified by GN Docket No. 12-354; FCC 12-148, by any of the following methods:

- *Federal Communications Commission's Web Site:* <http://fjallfoss.fcc.gov/ecfs2/>. Follow the instructions for submitting comments.
- *Mail:* All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St. SW., Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of *before* entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street SW., Washington DC 20554.

- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

**FOR FURTHER INFORMATION CONTACT:** Paul Powell, Attorney Advisor, Wireless Bureau's Mobility Division, at (202) 418-1613 or email at [Paul.Powell@fcc.gov](mailto:Paul.Powell@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order (*Order*) in GN Docket No. 12-354, DA 13-298, adopted and released February 28, 2013, which extends the reply