

*B. Do the rules meet the evaluation criteria?*

These rules are consistent with CAA requirements and relevant guidance regarding enforceability, stringency, and SIP revisions. The TSDs have more information on our evaluation.

*C. EPA Recommendations To Further Improve the Rules*

The TSD for Rule 215 describes a suggested rule revision that we recommend for the next time the local agency modifies the rule.

*D. Public Comment and Proposed Action*

As authorized in section 110(k)(3) of the Act, the EPA proposes to fully approve the submitted rules because they fulfill all relevant requirements. We will accept comments from the public on this proposal until April 8, 2021. If we take final action to approve the submitted rules, our final action will incorporate these rules into the federally enforceable SIP.

### III. Incorporation by Reference

In these rules, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the EDCAQMD Rule 215 and the SCAQMD Rule 102 described in Table 1 of this preamble. The EPA has made, and will continue to make, these materials available through [www.regulations.gov](http://www.regulations.gov) and at the EPA Region IX Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

### IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely proposes to approve state law as meeting federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide the EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: February 26, 2021.

**Deborah Jordan,**

*Acting Regional Administrator, Region IX.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 21-50; RM-11875; DA 21-159; FR ID 17524]

### Television Broadcasting Cape Girardeau, Missouri

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed Rule.

**SUMMARY:** The Video Division has before it a petition for rulemaking filed November 27, 2020 (Petition) by Gray Television Licensee, LLC (Petitioner), the licensee of KFVS-TV (CBS), channel 11 (KFVS or Station), Cape Girardeau, Missouri. The Petitioner requests the substitution of channel 32 for channel 11 at Cape Girardeau, Missouri in the DTV Table of Allotments. In support of its channel substitution request, the Petitioner states that the Commission has recognized that VHF channels have certain propagation characteristics which may cause reception issues for some viewers, and also that the "reception of VHF signals require larger antennas . . . relative to UHF channels." According to the Petitioner, "many of its viewers experience significant difficulty receiving KFVS-TV's signal" and its channel substitution proposal will allow KFVS "to deliver a more reliable over-the-air signal to viewers." The Petitioner further states that operation on channel 32 will not result in any predicted loss of service and would result in a substantial increase in signal receivability for KFVS viewers. We believe that the Petitioner's channel substitution proposal warrants consideration. Channel 32 can be substituted for channel 11 at Cape Girardeau, Missouri as proposed, in compliance with the principal community coverage requirements of the Commission's rules at coordinates 37-27-46.0 N and 89-30-14.0 W. In addition, we find that this channel change meets the technical requirements set forth in our regulations. We believe that the Petitioner's channel substitution proposal warrants consideration. Channel 32 can be substituted for channel 11 at Cape Girardeau, Missouri as proposed, in compliance with the principal community coverage requirements of the Commission's rules at coordinates 37-27-46.0 N and 89-30-14.0 W. In addition, we find that this channel change meets the technical requirements set forth in our regulations.

**DATES:** Comments must be filed on or before April 8, 2021 and reply comments on or before April 23, 2021.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 45 L Street NE, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: Joan Stewart, Esq., Wiley Rein LLP, 1776 Street NW, Washington, DC 20006.

**FOR FURTHER INFORMATION CONTACT:** Andrew Manley, Media Bureau, at (202) 418-0596 or [Andrew.Manley@fcc.gov](mailto:Andrew.Manley@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rulemaking*, MB Docket No. 21-50; RM-11875; DA 21-159, adopted February 12, 2021, and released February 12, 2021. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Government Affairs Bureau at (202) 418-0530 (VOICE), (202) 418-0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a Notice of Proposed Rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in Section 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

See Sections 1.415 and 1.420 of the Commission's rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

**Thomas Horan,**

*Chief of Staff, Media Bureau.*

#### Proposed Rule

For the reasons discussed in the preamble, the Federal Communications

Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICE

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, and 339.

■ 2. In § 73.622 in paragraph (i) amend the Post-Transition Table of DTV Allotments under Missouri by revising the entry for Cape Girardeau to read as follows:

#### § 73.622 Digital television table of allotments.

(i) * * *				
Community	Channel No.			
*	*	*	*	*
Missouri				
*	*	*	*	*
Cape Girardeau .....				22, 32
*	*	*	*	*

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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 223 and 226

[Docket No. 210303-0035]

RIN 0648-BC56

#### Endangered and Threatened Species; Designation of Critical Habitat for the Arctic Subspecies of the Ringed Seal; Extension of Public Comment Period

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

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

**SUMMARY:** NMFS hereby extends the public comment period by 30 days for the revised proposed rule, published in the **Federal Register** on January 8, 2021, to designate critical habitat for the threatened Arctic subspecies of the ringed seal (*Pusa hispida hispida*) under the Endangered Species Act (ESA). The end of the public comment period is extended from March 9, 2021, to April 8, 2021.

**DATES:** The comment period for the revised notice of proposed rulemaking published at 86 FR 1452 is extended by 30 days to April 8, 2021.

**ADDRESSES:** You may submit data, information, or comments regarding the revised proposed rule to designate critical habitat for the Arctic ringed seal, identified by NOAA-NMFS-2013-0114, by either of the following methods:

- **Electronic Submission:** Submit all electronic comments via the Federal eRulemaking Portal. Go to [www.regulations.gov](http://www.regulations.gov) and enter NOAA-NMFS-2013-0114 in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to Jon Kurland, Assistant Regional Administrator for Protected Resources, Alaska Region NMFS, Attn: Records Office, P.O. Box 21668, Juneau, AK 99082-1668.

**Instructions:** NMFS may not consider comments sent by any other method, to any other address or individual, or received after the end of the comment period. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous).

The revised proposed rule and supporting documents are available at [www.regulations.gov](http://www.regulations.gov), and on the NMFS website at [www.fisheries.noaa.gov/action/designation-critical-habitat-arctic-subspecies-ringed-seal](http://www.fisheries.noaa.gov/action/designation-critical-habitat-arctic-subspecies-ringed-seal).

#### FOR FURTHER INFORMATION CONTACT:

Tammy Olson, NMFS Alaska Region, (907) 271-2373; or Jon Kurland, NMFS Alaska Region, (907) 586-7638.

**SUPPLEMENTARY INFORMATION:** On January 8, 2021, NMFS published a revised proposed rule to designate critical habitat for the threatened Arctic ringed seal under the ESA (86 FR 1452). The proposed designation comprises an area of marine habitat in the northern Bering, Chukchi, and Beaufort seas. An area north of the Beaufort Sea shelf is proposed for exclusion from the proposed designation based on national security impacts. The revised proposed rule opened a 60-day public comment period to end on March 9, 2021. NMFS received two requests to extend the comment period in order to provide additional time to prepare comments in