

will not interfere with Maine's ability to continue attaining the Pb NAAQS.

## VI. Proposed Action

EPA is proposing to approve Maine's revision to its SIP and corresponding noninterference determination, submitted on August 20, 2020, in support of Maine's separate petition to opt-out of the federal RFG requirements for in York, Cumberland, Kennebec, Androscoggin, Knox, Lincoln, and Sagadahoc counties. Specifically, EPA proposes to find that this change in removing reliance on the federal RFG requirements for the southern Maine counties will not interfere with attainment or maintenance of the NAAQS or with any other applicable requirement of the CAA. Maine's August 20, 2020, SIP revision updates the Maine C.M.R. ch. 119 Motor Vehicle Fuel Volatility Limits that is approved into Maine's SIP and adopts Maine statute at 38 M.R.S. § 585-N as amended by Public Law 2019, c. 55, § 1 to reflect Maine's request to opt out of the federal RFG requirements. EPA is proposing to find that Maine's August 20, 2020, SIP revision is consistent with the applicable provisions of the CAA, including section 110(l). In this action, EPA is not acting on the State's opt-out petition to the EPA Administrator to remove the federal RFG requirement for York, Cumberland, Kennebec, Androscoggin, Knox, Lincoln, and Sagadahoc counties. Any decision by the Administrator on the opt-out petition would occur in a separate action. EPA is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to this proposed rule by following the instructions listed in the **ADDRESSES** section of this **Federal Register**.

## VII. Incorporation by Reference

In this rule, 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 into Maine's SIP Maine's revisions to C.M.R. ch. 119 *Motor Vehicle Fuel Volatility Limits* that remove the State's requirement for the sale of RFG in the southern Maine counties and concurrently adopting Maine statute at 38 M.R.S. § 585-N as amended by Public Law 2019, c. 55, § 1, which repealed the State's requirement for the sale of RFG in the southern Maine

counties effective November 1, 2020, as discussed in section I. The EPA has made, and will continue to make, these documents generally available through <https://www.regulations.gov> and at the EPA Region 1 Office (please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section of this preamble for more information).

## VIII. 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, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely approves 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 EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using

practicable 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 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, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: March 17, 2021.

**Deborah Szaro,**

*Acting Regional Administrator, EPA Region 1.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 21-72; RM-11888; DA 21-271; FR ID 17578]

### Television Broadcasting Green Bay, Wisconsin

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Video Division has before it a petition for rulemaking filed November 27, 2020 (Petition) by WULK Licensee, LLC (Licensee), the licensee of WULK-TV (FOX), channel 12, Green Bay, Wisconsin. The Licensee requests the substitution of channel 18 for channel 12 at Green Bay, Wisconsin the digital television (DTV) Table of Allotments.

**DATES:** Comments must be filed on or before April 26, 2021 and reply comments on or before May 10, 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: Paul A. Cicelski, Esq., Lerman Senter PLLC, 2001 L Street NW, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418-1647 or [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** In support of its channel substitution request, the Licensee states that the Commission has recognized that VHF channels have certain propagation characteristics which may cause reception issues for some viewers, and that the reception of VHF signals require larger antennas relative to UHF channels. According to the Licensee, WLUK-TV has received numerous complaints from viewers unable to receive its signal and the Licensee's channel substitution proposal will result in more effective building penetration for indoor antenna reception and greatly improve the Station's ability to provide ATSC 3.0 service to homes, vehicles, and portable devices. The Licensee further states that it will continue to serve all of the population located within the licensed channel 12 contour and that three other FOX-affiliated stations provide a signal to portions of the licensed channel 12 facility. We believe that the Licensee's channel substitution proposal warrants consideration. Channel 18 can be substituted for channel 12 at Green Bay, Wisconsin as proposed, in compliance with the principal community coverage requirements of the Commission's rules at coordinates 44-24-32.0 N and 87-59-31.0 W. In addition, we find that this channel change meets the technical requirements set forth in our regulations.

This is a synopsis of the Commission's *Notice of Proposed Rulemaking*, MB Docket No. 21-72; RM-11888; DA 21-271, adopted March 4, 2021, and released March 4, 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 § 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

*See* §§ 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 (i) amend the Post-Transition Table of DTV Allotments under Wisconsin by revising the entry for Green Bay to read as follows:

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

* * * * *
(i) * * *
Community Channel No.
* * * * *
<b>Wisconsin</b>
* * * * *
Green Bay ..... 18, 23, 39, 41, * 42
* * * * *

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[MB Docket No. 21-70; RM-11886; DA 21-267; FR ID 17577]

**Television Broadcasting Albany, Georgia**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Video Division has before it a petition for rulemaking filed November 27, 2020 (Petition) by WFXL Licensee, LLC (Licensee), the licensee of WFXL (FOX), channel 12, Albany, Georgia (Station). The Licensee requests the substitution of channel 29 for channel 12 at Albany, Georgia in the digital television (DTV) Table of Allotments.

**DATES:** Comments must be filed on or before April 26, 2021 and reply comments on or before May 10, 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: Paul A. Cicelski, Esq., Lerman Senter PLLC, 2001 L Street NW, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418-1647 or [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** In support of its channel substitution request, the Licensee states that the Commission has recognized that VHF channels have certain propagation characteristics which may cause reception issues for some viewers, and that the reception of VHF signals require larger antennas relative to UHF channels. According to the Licensee, WFXL has received numerous complaints from viewers unable to receive its signal and the Licensee's channel substitution proposal will result in more effective building penetration for indoor antenna reception and greatly improve the Station's ability to provide ATSC 3.0 service to homes, vehicles, and portable devices. The Licensee further states that it will continue to serve all of the population located within the licensed channel 12 contour and that three other FOX-affiliated stations provide a signal to portions of the licensed channel 12 facility. We believe that the Licensee's channel substitution proposal warrants consideration. Channel 29 can be substituted for channel 12 at Albany, Georgia as proposed, in compliance