III. 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 the IGAPCD rule described in Table 1 of this preamble. The EPA has made, and will continue to make, these materials available through https://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 Order 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;
- 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, Reporting and recordkeeping requirements, Volatile organic compounds.

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


Deborah Jordan,
Acting Regional Administrator, Region IX.

[FR Doc. 2021–09635 Filed 5–7–21; 8:45 am]
BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 21–185; RM–11906; DA 21–475; FR ID 24742]

Television Broadcasting Services
Butte, Montana

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has before it a petition for rulemaking filed by Sinclair Media Licensee, LLC (Petitioner), the licensee of KTVN–TV (NBC), channel 6, Butte, Montana. The Petitioner requests the substitution of channel 20 for channel 6 at Butte, Montana in the DTV Table of Allotments.

DATES: Comments must be filed on or before June 9, 2021 and reply comments on or before June 24, 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 the Petitioner as follows: Paul A. Cicleski, 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, Media Bureau, at Joyce.Bernstein@fcc.gov.

SUPPLEMENTARY INFORMATION: In support of its channel substitution request, the Petitioner states that the Commission has recognized that VHF channels have
Petitioner further states that KTVM–TV has received numerous complaints from viewers unable to receive that Station’s over-the-air signal, despite being able to receive signals from other stations, and that its channel substitution proposal will result in more effective building penetration for indoor antenna reception. In addition, the Petitioner states that while the proposed channel 20 facility’s noise limited contour does not completely encompass the relevant channel 6 noise limited contour, KTVM–TV is an NBC affiliate and there are two other NBC affiliated stations that serve some of the portions of the loss area. The Petitioner also submitted an analysis, using the Commission’s TVStudy software analysis program, demonstrating that after taking into account service provided by the other NBC stations, all of the population located within KTVM–TV’s original post-transition channel 6 noise limited contour will continue to receive NBC service, except for 66 people. The Bureau used the technical parameters of KTVM–TV’s original post-transition digital channel 6 facility (File Nos. BPCDT–20080314ADF and BLCDT–20090622ADT) in determining any predicted loss which may occur from the proposed channel substitution.

This is a synopsis of the Commission’s Notice of Proposed Rulemaking, MB Docket No. 21–185; RM–11906; DA 21–475, adopted April 26, 2021, and released April 26, 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 or call the Consumer & Government Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

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:


§ 73.622 [Amended]

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

<table>
<thead>
<tr>
<th>Community</th>
<th>Channel No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Butte</td>
<td>5, 19, 20, 24</td>
</tr>
</tbody>
</table>

List of Subjects in 47 CFR Part 73

Television.