

them by mail is desired; and (4) proof of identity. A full description of EPA's Privacy Act procedures for requesting access to records is included in EPA's Privacy Act regulations at 40 CFR part 16.

#### CONTESTING RECORD PROCEDURES:

Requests for correction or amendment must include: (1) the name and signature of the individual making the request; (2) the name of the Privacy Act system of records to which the request relates; (3) a description of the information sought to be corrected or amended and the specific reasons for the correction or amendment; and (4) proof of identity. A full description of EPA's Privacy Act procedures for the correction or amendment of a record is included in EPA's Privacy Act regulations at 40 CFR part 16.

#### NOTIFICATION PROCEDURES:

Individuals who wish to be informed whether a Privacy Act system of records maintained by EPA contains any record pertaining to them, should make a written request to the EPA, Attn: Agency Privacy Officer, MC 2831T, 1200 Pennsylvania Ave. NW, Washington, DC 20460, or by email at: [privacy@epa.gov](mailto:privacy@epa.gov). A full description of EPA's Privacy Act procedures is included in EPA's Privacy Act regulations at 40 CFR part 16.

#### EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

#### HISTORY:

70 FR 35251—Established a new System of Records (SOR) under the Federal Lead-Based Paint Program (June 17, 2005).

74 FR 42298—Amended an existing system of records (SOR) by changing the title of "Lead-Based Paint System of Records" (LPSOR) to the "Federal Lead-Based Paint Program System of Records" (FLPPSOR) (August 21, 2009) <https://www.govinfo.gov/content/pkg/FR-2009-08-21/pdf/E9-20209.pdf>.

84 FR 5673—Amended an existing system of records (SOR) to update the category of uses to add lead-based paint and renovator professionals' photographs, to add names of training program managers and principal course instructors as well as their education experience or training qualification, and to discuss EPA's Central Data Exchange (CDX) interconnection or online applications and notifications submissions and other administrative

updates to the FLPPSOR (February 22, 2019).

Vaughn Noga,

Senior Agency Official for Privacy.

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-10280-01-R8]

### Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for Hunter Power Plant (Emery County, Utah)

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

**ACTION:** Notice of final order on petition to object to state operating permit.

**SUMMARY:** The EPA Administrator signed an order dated September 27, 2022, denying the petition submitted by the Sierra Club requesting that EPA object to the issuance of the Clean Air Act (CAA) title V operating permit (no. 1500101004) issued to the PacifiCorp Hunter Power Plant in Castle Dale, Emery County, Utah, by the Utah Department of Environmental Quality, Division of Air Quality (UDAQ). The September 27, 2022 Order responds to Sierra Club's January 14, 2022 petition regarding title V operating permit no. 1500101004 (2021 Permit). The Order constitutes final action on the petition.

**ADDRESSES:** You may review copies of the Order and petition electronically at <https://www.epa.gov/title-v-operating-permits/title-v-petition-database>. To reduce the risk of COVID-19 transmission, for this action we do not plan to offer hard copy review of these documents or other supporting information. Please email or call the person listed in the **FOR FURTHER INFORMATION CONTACT** section if you need to make alternative arrangements for access to the documents.

**FOR FURTHER INFORMATION CONTACT:** Daniel Fagnant, Air Permitting and Monitoring Branch (8ARD-PM), EPA Region 8, 1595 Wynkoop Street, Denver, Colorado, 80202-1129. Phone number: (303) 312-6927, email address: [fagnant.daniel@epa.gov](mailto:fagnant.daniel@epa.gov).

**SUPPLEMENTARY INFORMATION:** The CAA affords EPA a 45-day period to review and, as appropriate, the authority to object to operating permits proposed by state permitting authorities under title V of the CAA, 42 U.S.C. 7661-7661f. Section 505(b)(2) of the CAA and 40 CFR 70.8(d) authorize any person to petition the EPA Administrator to object to a title V operating permit within 60

days after the expiration of EPA's 45-day review period if EPA has not objected on its own initiative. Petitions must be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided by the state, unless the petitioner demonstrates that it was impracticable to raise these issues during the comment period or the grounds for the issues arose after this period. Pursuant to sections 307(b) and 505(b)(2) of the Act, a petition for judicial review of those portions of the Order that deny issues in the petition may be filed in the United States Court of Appeals for the appropriate circuit within 60 days from the date this document appears in the **Federal Register**.

### State Operating Permit for Hunter Power Plant (Emery County, Utah)

EPA received petitions from the Sierra Club, requesting that EPA object to the 2016, 2020, and 2021 operating permits for the Hunter Power Plant. Among other things, the Sierra Club claims that the operating permit is deficient because it does not include Prevention of Significant Deterioration (PSD) permitting requirements. More specifically, the Sierra Club asserts that the operating permit should include Best Achievable Control Technology requirements for nitrogen oxide, sulfur dioxide and particulate matter, terms and conditions necessary to adequately protect national ambient air quality standards, and PSD increments. EPA denied the 2016 petition on October 16, 2017; however, the Sierra Club sought judicial review of a portion of the 2017 Order in the United States Court of Appeals for the Tenth Circuit. On July 2, 2020, the Tenth Circuit issued a decision vacating and remanding the 2017 Order. EPA's January 13, 2021 Order responded to the Tenth Circuit's decision, replaced the vacated portion of EPA's 2017 Order, and separately responded to the 2020 Petition. On October 1, 2021, UDAQ transmitted a proposed permit to EPA for the Agency's 45-day review. EPA did not object during this period. On November 19, 2021, UDAQ finalized the Permit. On January 14, 2022, the Sierra Club filed the Petition that this order responds to.

On September 27, 2022, the Administrator issued an Order denying the January 14, 2022 Petition. The Order explains EPA's basis for denying the petition.

Dated: October 13, 2022.

**KC Becker,**

*Regional Administrator, Region 8.*

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## FEDERAL COMMUNICATIONS COMMISSION

[GN Docket No. 22-352; DA 22-974; FR ID 107907]

### 180-Day Freeze on Applications for New or Modified Authorizations for the 12.7-13.25 GHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Announcement of temporary freeze.

**SUMMARY:** In this document, the International, Public Safety and Homeland Security, Media, and Wireless Telecommunications Bureaus (Bureaus) announce a 180-day freeze, effective September 19, 2022 on the filing of new or modification applications for licenses or other authorizations in the 12.7-12.75 GHz and 12.75-13.250 GHz bands (collectively, 12.7 GHz band). The purpose of this temporary freeze is to preserve the current landscape of authorized operations in the 12.7 GHz band pending the Commission's consideration of actions that might encourage the larger and more effective use of this radio spectrum in the public interest.

**DATES:** Filing of certain applications is frozen as of September 19, 2022.

**FOR FURTHER INFORMATION CONTACT:** Simon Banyai, Broadband Division, Wireless Telecommunications Bureau, (202) 418-1443 or [simon.banyai@fcc.gov](mailto:simon.banyai@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This a summary of the Commission's document, DA 22-974, released on September 19, 2022. The full text of this document is available at <https://docs.fcc.gov/public/attachments/DA-22-974A1.pdf>. 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).

*Filing Freeze in 12.7-12.75 GHz and 12.75-13.25 GHz Band (12.7 GHz Band).* To preserve the current landscape of authorized operations in the 12.7 GHz band to facilitate the Commission's consideration of spectrum management and planning options, the Bureaus

announce a 180-day freeze, effective as of September 19, 2022, on the filing of new or modification applications for fixed satellite service (FSS) space stations serving earth stations located in the United States, FSS earth stations, broadcast auxiliary services, cable television relay service, and fixed microwave services stations, in the 12.7 GHz band, except as otherwise noted herein. The decision to impose this temporary freeze is procedural in nature, and therefore the freeze is exempt from the notice and comment and effective date requirements of the Administrative Procedure Act. Moreover, and in the alternative, the Commission finds good cause to conclude that prior notice and comment or a delay in effectiveness would be impractical, unnecessary, and contrary to the public interest because it would undermine the purposes of the freeze. The Bureaus find that this temporary freeze will help preserve the options available to the Commission for consideration of additional uses of the band while limiting the potential for speculative applications that might be filed in anticipation of potential future actions by the Commission. The Commission or the Bureaus may extend the freeze if doing so is deemed necessary to avoid undermining the purpose of the freeze. Any conditional authority conferred by rule during the pendency of an application is inapplicable to an application that will be dismissed under this freeze.<sup>1</sup> Any temporary authority to operate in the 12.7 GHz band at temporary locations conferred by rule or license will remain operative.<sup>2</sup>

*Space stations.* During the freeze, the International Bureau will dismiss any new space station license applications and new requests for access to the U.S. market through non-U.S.-licensed space stations, or those parts of any such applications and requests, that seek to operate in the 12.7 GHz band. *Exceptions:* The freeze does not apply to new applications for space stations limited to serving earth stations outside the United States, applications for modification of existing space station authorizations,<sup>3</sup> relocations of existing space stations pursuant to the Commission's fleet management

<sup>1</sup> See, e.g., 47 CFR 74.25(a), 101.31(b) (conditional authorization during pendency of certain properly filed, completed formal applications that do not require a waiver).

<sup>2</sup> See, e.g., 47 CFR 74.24 (short-term operation), 101.31(a) (operation at temporary locations).

<sup>3</sup> 47 CFR 25.117.

policy,<sup>4</sup> or to applications for replacement space stations.<sup>5</sup>

*Earth stations.* During the freeze, the International Bureau will dismiss applications, or those portions of applications, received for new earth station licenses, and modifications to earth stations currently authorized, to operate in the 12.7 GHz band. *Exceptions:* The freeze does not extend to applications for renewal or cancellation of current earth station authorizations,<sup>6</sup> or modifications to correct location or other data required in the earth station file,<sup>7</sup> or to certain other earth station modifications described below.

*Broadcast Auxiliary.*<sup>8</sup> During the freeze, the Wireless Telecommunications Bureau will dismiss applications received for new or major modifications to fixed or mobile BAS stations to operate in the 12.7 GHz band. *Exceptions:* The freeze does not extend to applications for renewal, cancellation, and certain minor modifications described below.

*Cable Television Relay.*<sup>9</sup> During the freeze, the Media Bureau will dismiss applications received for new or major modifications to fixed or mobile CARS stations to operate in the 12.7 GHz band. *Exceptions:* The freeze does not extend to applications for renewal, cancellation, and certain minor modifications discussed below.

*Fixed Microwave.*<sup>10</sup> During the freeze, the Wireless Telecommunications and Public Safety and Homeland Security Bureaus will dismiss applications received for new or major modifications to fixed or mobile microwave stations to operate in the 12.7 GHz band. *Exceptions:* The freeze does not extend to applications for renewal, cancellation, or certain minor modifications discussed below.

*Exception to freeze for certain modification applications.* Under the Commission's emerging technology

<sup>4</sup> 47 CFR 25.118(e) (permitting the relocation of a GSO space station without prior authorization, but upon 30 days prior notice to the Commission and any potentially affected licensed spectrum user, provided that the operator meets specific requirements, including a requirement that the space station will be relocated to a position within  $\pm 0.15^\circ$  of an orbital location assigned to the same licensee).

<sup>5</sup> 47 CFR 25.158(a)(2), 25.165(e)(1),(2).

<sup>6</sup> 47 CFR 25.121(e).

<sup>7</sup> See generally *International Bureau Addresses Accuracy of Earth Station Location Information in IBFS*, Public Notice, 32 FCC Rcd 9512 (IB 2017); 47 CFR 25.117.

<sup>8</sup> See 47 CFR part 74, subparts E, and F (ULS radio service codes: AI, AS, TB, TI, TP, TS, TT).

<sup>9</sup> See 47 CFR part 78 (COALS radio service: CS).

<sup>10</sup> See 47 CFR part 101, subparts H, I, and J (ULS radio service codes: CF, CT, MG, MW, WA).