

defense provisions in the rules addressed in this proposed action, the EPA estimated a small administrative burden to report deviations from standards as a result of malfunctions that included the option for an owner or operator to offer an affirmative defense. The proposed removal of the affirmative defense provisions does not affect that small administrative burden because the EPA expects that sources will continue to collect similar information in order to defend any compliance actions against a source. In addition, as required by the individual rules, sources will continue to report information regarding malfunctions that result in a failure to meet the standards.

## V. Statutory and Executive Order Reviews

Additional information about these statutes and Executive Orders can be found at <https://www.epa.gov/laws-regulations/laws-and-executive-orders>.

### A. Executive Order 12866: Regulatory Planning and Review, as Amended by Executive Order 14094: Modernizing Regulatory Review

This action is not a significant regulatory action as defined in Executive Order 12866, as amended by Executive Order 14094, and was therefore not subject to a requirement for Executive Order 12866 review.

### B. Paperwork Reduction Act (PRA)

This action does not impose any new information collection burden under the PRA. OMB has previously approved the information collection activities contained in the existing regulations. The removal of provisions for affirmative defense does not change any mandatory recordkeeping, reporting, or other activity previously established under prior final rules.

### C. Regulatory Flexibility Act (RFA)

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. In making this determination, the EPA concludes that this rule will not have any significant adverse economic impact on small entities because the rule has no net burden on the small entities subject to the rule. The removal of the affirmative defense provisions does not have a material impact on the obligation for sources to comply with their respective standards, or on the ability of federal or state agencies to enforce such standards. When the EPA originally promulgated the affirmative defense provisions in the rules addressed in this proposed action, the EPA estimated a small

administrative burden to report deviations from standards as a result of malfunctions that included the option for an owner or operator to offer an affirmative defense. The proposed removal of the affirmative defense provisions does not affect that small administrative burden because the EPA expects that sources will continue to collect similar information in order to defend any compliance actions against a source. We have therefore concluded that this action will have no net regulatory burden for all directly regulated small entities.

### D. Unfunded Mandates Reform Act (UMRA)

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments. The action imposes no enforceable duty on any state, local or tribal governments or the private sector.

### E. Executive Order 13132: Federalism

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

### F. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This action does not have tribal implications as specified in Executive Order 13175. It will not have substantial direct effects on tribal governments, on the relationship between the federal government and Indian tribes, or on the distribution of power and responsibilities between the federal government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this action.

### G. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

The EPA interprets Executive Order 13045 as applying only to those regulatory actions that concern environmental health or safety risks that the EPA has reason to believe may disproportionately affect children, per the definition of “covered regulatory action” in section 2–202 of the Executive Order. Therefore, this action is not subject to Executive Order 13045 because it does not concern an environmental health risk or safety risk. Since this action does not concern

human health, the EPA’s Policy on Children’s Health also does not apply.

### H. Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

This action is not subject to Executive Order 13211, because it is not a significant regulatory action under Executive Order 12866.

### I. National Technology Transfer and Advancement Act (NTTAA) and 1 CFR Part 51

This rulemaking does not involve technical standards.

### J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations and Executive Order 14096: Revitalizing Our Nation’s Commitment to Environmental Justice for All

The EPA believes that this action does not concern human health or environmental conditions and therefore cannot be evaluated with respect to potentially disproportionate and adverse effects on communities with environmental justice concerns. This action does not change the underlying standards that have an impact on human health and the environment.

**Michael S. Regan,**  
Administrator.

[FR Doc. 2024–13188 Filed 6–21–24; 8:45 am]

BILLING CODE 6560–50–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 24–152; RM–11982; DA 24–558; FR ID 226621]

### Television Broadcasting Services Boise, Idaho

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Video Division, Media Bureau (Bureau), has before it a petition for rulemaking filed May 10, 2024, by King Broadcasting Company (Petitioner), the licensee of KTVB, channel 7, Boise, Idaho (Station or KTVB). The Petitioner requests the substitution of channel 23 for channel 7 at Boise, Idaho (Boise), in the Table of TV Allotments.

**DATES:** Comments must be filed on or before July 24, 2024 and reply comments on or before August 8, 2024.

**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: Michael Beder, Esq., Associate General Counsel, TEGNA Inc., 8350 Broad Street, Suite 2000, Tysons, Virginia 22102.

**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 its proposed channel substitution would serve the public interest by resolving persistent reception complaints it has received from viewers, and substantially improve the Boise community's access to the Station's local news, emergency, NBC network, and other programming. The Petitioner states that the Commission has recognized that VHF channels have certain characteristics that pose challenges for their use in providing digital television service, including propagation characteristics that allow undesired signals and noise to be receivable at relatively far distances. Additionally, the Petitioner notes that the Commission has observed "large variability in the performance (especially intrinsic gain) of indoor antennas available to consumers, with most antennas receiving fairly well at UHF and the substantial majority not so well to very poor at high-VHF." An engineering statement provided by the Petitioner confirms that the proposed channel 23 contour would provide full principal community coverage to Boise and would not cause impermissible interference to any station. In addition, the proposed channel 23 facility will not result in any loss of service to existing viewers within the Station's noise limited service contour (NLSC).

We believe that the Petitioner's channel substitution proposal for KTVB warrants consideration. Channel 23 can be substituted for channel 7 at Boise as proposed, in compliance with the principal community coverage requirements of section 73.618(a) of the Commission's rules (rules), at coordinates 43-45'-15.6" N and 116-05'-59.4" W. In addition, we find that this channel change meets the technical requirements set forth in section 73.622(a) of the rules. The proposal would not result in loss of service to any viewers within the Station's existing NLSC.

This is a synopsis of the Commission's *Notice of Proposed*

*Rulemaking*, MB Docket No. 24-152; RM-11982; DA 24-558, adopted June 13, 2024, and released June 13, 2024. 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).

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* 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.

*Providing Accountability Through Transparency Act:* The Providing Accountability Through Transparency Act, Public Law 118-9, requires each agency, in providing notice of a rulemaking, to post online a brief plain-language summary of the proposed rule. The required summary of this Notice of Proposed Rulemaking/Further Notice of Proposed Rulemaking is available at <https://www.fcc.gov/proposed-rulemakings>.

**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, 339.

■ 2. In § 73.622, in the table in paragraph (j), under Idaho, amend by revising the entry for Boise to read as follows:

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

* * * * *				
(j) * * * *				
	Community		Channel No.	
	*	*	*	*
		<b>Idaho</b>		
Boise .....	*	*	15, 20, 21, 23	*
	*	*	*	*

\* \* \* \* \*  
[FR Doc. 2024-13692 Filed 6-21-24; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[**MB Docket No. 24-153; RM-11983; DA 24-559; FR ID 226551**]

**Television Broadcasting Services Augusta, Georgia**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Video Division, Media Bureau (Bureau), has before it a petition for rulemaking filed June 7, 2024, by Gray Television Licensee, LLC, the licensee of WRDW-TV, channel 12, Augusta, Georgia. Gray also holds a construction permit to construct a facility on channel 27 at Augusta. Gray now requests that the Bureau substitute channel 12 for channel 27 at Augusta in the Table of TV Allotments, with the technical parameters as set forth in WRDW-TV's current license.

**DATES:** Comments must be filed on or before July 24, 2024 and reply comments on or before August 8, 2024.

**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: Joan Stewart, Esq., Wiley Rein LLP,