

engine categories that are permanently preempted from state regulation. To determine consistency with section 209(b)(1)(C), EPA typically reviews nonroad authorization requests under the same “consistency” criteria that are applied to motor vehicle waiver requests. Pursuant to section 209(b)(1)(C), the Administrator shall not grant California a motor vehicle waiver if she finds that California “standards and accompanying enforcement procedures are not consistent with [section 202(a)]” of the Act. Previous decisions granting waivers and authorizations have noted that state standards and enforcement procedures are inconsistent with section 202(a) if: (1) There is inadequate lead time to permit the development of the necessary technology giving appropriate consideration to the cost of compliance within that time, or (2) the federal and state testing procedures impose inconsistent certification requirements.<sup>11</sup>

If California amends regulations that EPA has already authorized, California can seek EPA confirmation that the amendments are within the scope of the previous authorization. A within-the-scope confirmation, without a full authorization review, is permissible if three conditions are met.<sup>12</sup> First, the amended regulations must not undermine California’s determination that its standards, in the aggregate, are as protective of public health and welfare as applicable federal standards. Second, the amended regulations must not affect consistency with section 202(a) of the Act. Third, the amended regulations must not raise any “new issues” affecting EPA’s prior authorizations.

In considering whether to grant authorizations for accompanying enforcement procedures tied to standards for which an authorization has already been granted, EPA addresses questions as to whether the enforcement procedures undermine California’s determination that its standards are as protective of public health and welfare as applicable federal standards, and whether the enforcement procedures are consistent with section 202(a).<sup>13</sup>

### III. EPA’s Request for Comments

As stated above, EPA is offering the opportunity for a public hearing, and is requesting written comment on issues relevant to a within-the-scope analysis

and a full authorization analysis. Specifically, we request comment on whether the 2011 Amendments (1) undermine California’s previous determination that its standards, in the aggregate, are at least as protective of public health and welfare as comparable federal standards; (2) affect the consistency of California’s requirements with section 209 of the Act; or (3) raise any other new issues affecting EPA’s previous waiver or authorization determinations.

Should any party believe that the amendments are not within the scope of the previous authorizations, EPA also requests comment on whether the 2011 Amendments meet the criteria for a full authorization. Specifically, we request comment on: (a) Whether CARB’s determination that its standards, in the aggregate, are at least as protective of public health and welfare as applicable federal standards is arbitrary and capricious; (b) whether California needs such standards to meet compelling and extraordinary conditions; and (c) whether California’s standards and accompanying enforcement procedures are consistent with section 209 of the Act.

### IV. Procedures for Public Participation

If a hearing is held, the Agency will make a verbatim record of the proceedings. Interested parties may arrange with the reporter at the hearing to obtain a copy of the transcript at their own expense. Regardless of whether a public hearing is held, EPA will keep the record open until February 8, 2016. Upon expiration of the comment period, the Administrator will render a decision on CARB’s request based on the record from the public hearing, if any, all relevant written submissions, and other information that she deems pertinent. All information will be available for inspection at the EPA Air Docket No. EPA-HQ-OAR-2015-0224.

Persons with comments containing proprietary information must distinguish such information from other comments to the greatest extent possible and label it as “Confidential Business Information” (CBI). If a person making comments wants EPA to base its decision on a submission labeled as CBI, then a non-confidential version of the document that summarizes the key data or information should be submitted to the public docket. To ensure that proprietary information is not inadvertently placed in the public docket, submissions containing such information should be sent directly to the contact person listed above and not to the public docket. Information covered by a claim of confidentiality

will be disclosed by EPA only to the extent allowed, and according to the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies the submission when EPA receives it, EPA will make it available to the public without further notice to the person making comments.

Dated: November 9, 2015.

**Christopher Grundler,**

*Director, Office of Transportation and Air Quality, Office of Air and Radiation.*

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**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-9937-19-OECA]

### National Environmental Justice Advisory Council; Notification of Public Teleconference Meetings and Public Comment

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

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (FACA), Public Law 92-463, the U.S. Environmental Protection Agency (EPA) hereby provides notice that the National Environmental Justice Advisory Council (NEJAC) will host a two (2) public teleconference meetings on Wednesday, December 2, 2015, from 12:30 p.m. to 2:30 p.m. Eastern Time and Tuesday, December 15, 2015, from 3:30 p.m. to 5:30 p.m. Eastern Time. Items to be discussed by NEJAC over these coming meetings include respectively: U.S. Housing and Urban Development Final Rule on Affirmatively Furthering Fair Housing and Assessment Tool; and Chemical Plant Safety and Community Revitalization: 20 Years of the Brownfields Program.

There will be an opportunity for the public to comment on Wednesday, December 2, 2015, from 1:30 p.m. to 2:30 p.m. and Tuesday, December 15, 2015 from 4:30 p.m. to 5:30 p.m. Members of the public are encouraged to provide comments relevant to the topics of the meeting.

For additional information about registering to attend the meeting or to provide public comment, please see “REGISTRATION” under

### SUPPLEMENTARY INFORMATION.

**DATES:** The NEJAC teleconference meeting on Wednesday, December 2, 2015, will begin promptly at 12:30 p.m. Eastern Time. The NEJAC teleconference meeting on Tuesday,

<sup>11</sup> *Id.* See also 78 FR 58090, 58092 (September 20, 2013).

<sup>12</sup> See 78 FR 38970, 38972 (June 28, 2013).

<sup>13</sup> See CAA section 209(e)(2)(A)(i) and (iii), 42 U.S.C. 7543(e)(2)(A) (i) and (iii).

December 15, 2015, will begin promptly at 3:30 p.m. Eastern Time.

**FOR FURTHER INFORMATION CONTACT:**

Questions or correspondence concerning the teleconference meeting should be directed to Karen L. Martin, U.S. Environmental Protection Agency, by mail at 1200 Pennsylvania Avenue NW. (MC2201A), Washington, DC 20460; by telephone at 202-564-0203; via email at [martin.karenl@epa.gov](mailto:martin.karenl@epa.gov); or by fax at 202-564-1624. Additional information about the NEJAC is available at: [www.epa.gov/environmentaljustice/nejac](http://www.epa.gov/environmentaljustice/nejac).

**SUPPLEMENTARY INFORMATION:**

**Registration**

Registrations for the December 2, 2015, meeting will be processed at <http://nejac-teleconference-december-2-2015.eventbrite.com>. When registering, please provide your name, organization, city and state, email address, and telephone number for follow up. Please also state whether you would like to be put on the list to provide public comment, and whether you are submitting written comments before the Wednesday, November 25, 2015, noon deadline.

Registrations for the December 15, 2015, meeting will be processed at <http://nejac-teleconference-december-15-2015.eventbrite.com>. When registering, please provide your name, organization, city and state, email address, and telephone number for follow up. Please also state whether you would like to be put on the list to provide public comment, and whether you are submitting written comments before the Thursday, December 11, 2015, noon deadline.

Due to a limited number of telephone lines, attendance will be on a first-come, first served basis. Pre-registration is required.

1. Registration for the December 2, 2015, teleconference meeting closes at Noon, Eastern Time on Wednesday, November 25, 2015. The deadline to sign up to speak during the public comment period, or to submit written public comments, is also Noon, Wednesday, November 25, 2015.

2. Registration for the December 15, 2015, teleconference meeting closes at Noon, Eastern Time on Thursday, December 10, 2015. The deadline to sign up to speak during the public comment period, or to submit written public comments, is also Noon, Thursday, December 10, 2015.

The Charter of the NEJAC states that the advisory committee “will provide independent advice and recommendations to the Administrator

about broad, crosscutting issues related to environmental justice. The NEJAC’s efforts will include evaluation of a broad range of strategic, scientific, technological, regulatory, community engagement and economic issues related to environmental justice.”

*A. Public Comment*

Individuals or groups making remarks during the public comment period will be limited to seven (7) minutes. To accommodate the number of people who want to address the NEJAC, only one representative of a particular community, organization, or group will be allowed to speak. Written comments can also be submitted for the record. The suggested format for individuals providing public comments is as follows: Name of speaker; name of organization/community; city and state; and email address; brief description of the concern, and what you want the NEJAC to advise EPA to do. Written comments received by registration deadline, will be included in the materials distributed to the NEJAC prior to the teleconference. Written comments received after that time will be provided to the NEJAC as time allows. All written comments should be sent to Karen L. Martin, EPA, via email at [martin.karenl@epa.gov](mailto:martin.karenl@epa.gov).

*B. Information About Services for Individuals With Disabilities or Requiring English Language Translation Assistance*

For information about access or services for individuals requiring assistance, please contact Karen L. Martin, at (202) 564-0203 or via email at [martin.karenl@epa.gov](mailto:martin.karenl@epa.gov). To request special accommodations for a disability or other assistance, please submit your request at least four working days prior to the meeting, to give EPA sufficient time to process your request. All requests should be sent to the address, email, or phone/fax number listed in the **FOR FURTHER INFORMATION CONTACT** section.

Dated: November 10, 2015.

**Matthew Tejada,**

*Designated Federal Officer, Office of Environmental Justice, U.S. EPA.*

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**FEDERAL COMMUNICATIONS COMMISSION**

[OMB 3060-0027]

**Information Collection Being Reviewed by the Federal Communications Commission**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission’s burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before January 19, 2016. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-0027.

*Title:* Application for Construction Permit for Commercial Broadcast