

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

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

■ 2. Section 52.2585 is amended by adding paragraph (ss) to read as follows:

§ 52.2585 Control strategy: Ozone.

(ss) *Redesignation.* Approval—On December 3, 2021, Wisconsin submitted a request to redesignate the Wisconsin portion of the Chicago-Naperville, IL-IN-WI area to attainment of the 2008 ozone National Ambient Air Quality Standards (NAAQS). As part of the redesignation request, the State submitted a

maintenance plan as required by section 175A of the Clean Air Act (CAA). Elements of the section 175 maintenance plan include a contingency plan and an obligation to submit a subsequent maintenance plan revision in eight years as required by the CAA. The ozone maintenance plan also establishes 2030 and 2035 Motor Vehicle Emission Budgets (Budgets) for the area. The 2030 Budgets for the area are 0.54 tons/day for volatile organic compounds (VOC) and 0.85 tons/day for oxides of nitrogen (NO_x). The 2035 Budgets for the area are 0.47 tons/day for VOC and 0.75 tons/day for NO_x. Wisconsin also submitted a revision to its State Implementation Plan to satisfy the Enhanced Inspection/Maintenance

recertification for the 2008 ozone NAAQS requirements of the CAA.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

■ 3. The authority citation for part 81 continues to read as follows:

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

■ 4. Section 81.350 is amended by revising the entry for “Chicago-Naperville, IL-IN-WI” in the table entitled “Wisconsin-2008 8-Hour Ozone NAAQS [Primary and Secondary]” to read as follows:

§ 81.350 Wisconsin.

WISCONSIN—2008 8-HOUR OZONE NAAQS [Primary and Secondary]

Designated area	Designation		Classification	
	Date ¹	Type	Date ¹	Type
Chicago-Naperville, IL-IN-WI: ² Kenosha County (part): The portion of Kenosha County bounded by the Lake Michigan shoreline on the East, the Kenosha County boundary on the North, the Kenosha County boundary on the South, and the I-94 corridor (including the entire corridor) on the West.	4/11/2022	Attainment	Serious.
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¹ This date is July 20, 2012, unless otherwise noted.

² Excludes Indian country located in each area, unless otherwise noted.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 22-13; RM-11914; DA 22-360; FR ID 81398]

Television Broadcasting Services Albany, New York

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On January 11, 2022, the Media Bureau, Video Division (Bureau) issued a *Notice of Proposed Rulemaking (NPRM)* in response to a petition for rulemaking filed by WNYT-TV, LLC (Petitioner), the licensee of WNYT-TV (Station), channel 12, Albany, New York, requesting the substitution of channel 24 for channel 12 at Albany in the Table of Allotments. For the reasons set forth in the *Report and Order*

referenced below, the Bureau amends the Federal Communications Commission (Commission or FCC) regulations to substitute channel 24 for channel 12 at Albany.

DATES: Effective April 11, 2022.

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

SUPPLEMENTARY INFORMATION: The proposed rule was published at 87 FR 3489 on January 24, 2022. The Petitioner filed comments in support of the petition reaffirming its commitment to apply for channel 24. No other comments were filed. In support of its channel substitution request, the Petitioner states that the Station has a long history of significant reception problems given the local terrain, specifically the proximity of the Green, Berkshire, Catskill, and Adirondack mountain ranges and that these problems were exacerbated by the station's conversion from analog to digital operations on VHF channel 12, when it received numerous complaints from viewers about the station's over-the-air signal. In response to these

complaints, the Petitioner applied for and received modification authorizations to increase the Station's effective radiated power (ERP) from 9.1 kW to 30 kW. According to the Petitioner, its proposal will result in a net gain in service to 289,588 persons within the Station's predicted noise limited service contour. While the proposal will result in a loss population of 210 persons within the predicted noise limited contour, the Petitioner demonstrated that the population within the loss area is currently served by at least five over-the-air television services. In addition, the Station is an NBC affiliate, and the Petitioner submitted an analysis, using the Commission's *TVStudy* software analysis program, demonstrating that after taking into account service provided by other NBC stations, all of the population located within the Station's original DTV channel 12 noise limited contour will continue to receive NBC service, except for 130 people, a number which the Commission considers *de minimis*. Moreover, the proposed channel 21 facility will result in 30,075 persons gaining access to NBC

network programing that did not have it before.

This is a synopsis of the Commission's *Report and Order*, MB Docket No. 22–13; RM–11914; DA 22–360, adopted April 4, 2022, and released April 4, 2022. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental 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.

The Commission will send a copy of the *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Final Rule

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

■ 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(j), amend the Table of Allotments, under New York, by revising the entry for Albany to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(j) * * *

Community	Channel No.
* * * *	*
NEW YORK	
Albany	8, 21, 24
* * * *	*

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 22–39; RM–11917; DA 22–359; FR ID 81399]

Television Broadcasting Services Billings, Montana

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On January 26, 2022, the Media Bureau, Video Division (Bureau) issued a *Notice of Proposed Rulemaking (NPRM)* in response to a petition for rulemaking filed by Scripps Broadcasting Holdings LLC (Scripps or Petitioner), the licensee of KTVQ(TV) (KTVQ or Station), channel 10, Billings, Montana, requesting the substitution of channel 20 for channel 10 at Billings in the Table of Allotments. For the reasons set forth in the *Report and Order* referenced below, the Bureau amends the Federal Communications Commission (Commission or FCC) regulations to substitute channel 20 for channel 10 at Billings.

DATES: Effective April 11, 2022.

FOR FURTHER INFORMATION CONTACT: Joyce Bernstein, Media Bureau, at (202) 418–1647 or Joyce.Bernstein@fcc.gov.

SUPPLEMENTARY INFORMATION: The proposed rule was published at 87 FR 6473 on February 4, 2022. The Petitioner filed comments in support of the petition reaffirming its commitment to apply for channel 20. No other comments were filed. In support of its channel substitution request, 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, and that the Station has received many complaints from viewers unable to

receive a reliable signal on channel 10. An analysis using the Commission's *TVStudy* software tool indicates that KTVQ's move from channel 10 to channel 20 is predicted to create a small area with 3,624 persons. That loss area, however, is partially overlapped by the noise limited contours of Scripps' owned TV translator stations K15LB–D, Red Lodge, Montana, and K28ON–D, Castle Rock, Montana, both of which carry the CBS network programming aired by KTVQ, and it appears that due to VHF reception issues and terrain, most of the viewers in the loss area already receive their CBS service from these translators. Accordingly, taking into account service from the Scripps' translators, only 483 persons would lose CBS service if KTVQ moves to channel 20, a number which the Commission considers *de minimis*. In addition, the loss area is also partially overlapped by the noise limited contours of KSVI (ABC) and KULR (NBC), Billings, Montana; KHMT (FOX), Hardin, Montana; and KSGW (ABC/FOX), Sheridan, Wyoming, so viewers in the loss area will continue to have access to major network programming.

This is a synopsis of the Commission's *Report and Order*, MB Docket No. 22–39; RM–11917; DA 22–359, adopted April 4, 2022, and released April 4, 2022. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental 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.

The Commission will send a copy of the *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Television.