Internet at *http://www.regulations.gov*. Recently published rulemaking documents can also be accessed through the FAA's Web page at *http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/*.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see the **ADDRESSES** section for the address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the Northwest Mountain Regional Office of the Federal Aviation Administration, Air Traffic Organization, Western Service Center, Operations Support Group, 1601 Lind Avenue, SW., Renton, WA 98057.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267–9677, for a copy of Advisory Circular No. 11–2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) Part 71 by modifying Class D airspace at Santa Monica Municipal Airport, CA, to accommodate IFR aircraft departing and arriving at the airport. This action, initiated by FAA's biennial review of the Santa Monica Municipal Airport airspace area, and based on the results of a study conducted by the Los Angeles Visual Flight Rules (VFR) Task Force, and the Los Angeles Class B Workgroup, would enhance the safety and management of IFR operations at the airport. Class D airspace designations are published in paragraph 5000, of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designation listed in this document will be published subsequently in this Order.

The FAA has determined this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation; (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority for the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would amend this proposal for controlled airspace at Santa Monica Municipal Airport, Santa Monica, CA.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, and effective September 15, 2011 is amended as follows:

Paragraph 5000 Class D airspace.

* * * * *

AWP CA D Santa Monica, CA [Amended]

Santa Monica Municipal Airport, CA
(Lat. 34°00′57″ N., long. 118°27′05″ W.)

That airspace extending upward from the surface to and including 2,700 feet MSL within a 2.7-mile radius of Santa Monica Municipal Airport, and within 1.5 miles each side of the 047° bearing from the airport extending from the 2.7-mile radius to 4.6 miles northeast, and that airspace beginning at the intersection of the 2.7-mile radius and 287° bearing from the airport to lat. 34°01′43″ N., long. 118°31′49″ W.; to lat. 33°59′06″ N., long. 118°32′16″ W.; to lat. 33°58′47″ N., long. 118°31′43″ W.; to lat. 33°58′04″ N., long. 118°31′42″ W.; to lat. 33°58′04″ N., long. 118°30′25″ W.; to lat. 33°57′00″ N., long. 118°28′41″ W.; to the intersection of the 168° bearing from the airport and the 2.7-mile radius of the airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Seattle, Washington, on October 20, 2011.

John Warner,

Manager, Operations Support Group, Western Service Center.

[FR Doc. 2011–27807 Filed 10–26–11; 8:45 am]

BILLING CODE 4910–13–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA–R05–OAR–2010–0394; FRL–9483–5]

Approval and Promulgation of Implementation Plans; Illinois; Consumer Products and AIM Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve Illinois' volatile organic compound (VOC) emission limits for consumer products and architectural and industrial maintenance (AIM) coatings and incorporate this new rule into the State Implementation Plan (SIP) for the State of Illinois. However, there are four specific paragraphs in this rule with deficiencies that EPA is proposing to conditionally approve, based on a State commitment to address the deficiencies no later than one year from the date of EPA's conditional approval.

DATES: Comments must be received on or before November 28, 2011.

ADDRESSES: Submit comments, identified by Docket ID No. EPA–R05–OAR–2010–0394, by one of the following methods:

1. *http://www.regulations.gov:* Follow the on-line instructions for submitting comments.

2. *E-mail: blakley.pamela@epa.gov.*

3. *Fax:* (312) 886–4447.

4. *Mail:* Pamela Blakley, Chief, Control Strategies Section, (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

5. *Hand Delivery:* Pamela Blakley, Chief, Control Strategies Section, (AR–18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604. Such deliveries are only accepted during the Regional Office normal hours of operation, and special arrangements should be made for deliveries of boxed information. The Regional Office official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding Federal holidays.

Instructions: Direct your comments to Docket ID No. EPA–R05–OAR–2010–0394. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at *http://www.regulations.gov,* including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through *http://www.regulations.gov* or e-mail. The *http://www.regulations.gov* Web site is an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through *http://www.regulations.gov* your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional instructions on submitting comments, go to Section I of the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: All documents in the docket are listed in the *http://www.regulations.gov* index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy. Publicly available docket materials are available either electronically in *http://www.regulations.gov* or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays. We recommend that you telephone Anthony Maietta at (312) 353–8777 before visiting the Region 5 office.

FOR FURTHER INFORMATION CONTACT: Anthony Maietta, Environmental Protection Specialist, Control Strategies Section, Air Programs Branch (AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 353–8777, or *maietta.anthony@epa.gov.*

SUPPLEMENTARY INFORMATION: Throughout this document whenever ''we,'' ''us,'' or ''our'' is used, we mean EPA. This **SUPPLEMENTARY INFORMATION** section is arranged as follows:

I. What should I consider as I prepare my comments for EPA?

When submitting comments, remember to:

1. Identify the rulemaking by docket number and other identifying information (subject heading, **Federal Register** date, and page number).

2. Follow directions—EPA may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

3. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

4. Describe any assumptions and provide any technical information and/or data that you used.

5. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

6. Provide specific examples to illustrate your concerns, and suggest alternatives.

7. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

8. Make sure to submit your comments by the comment period deadline identified.

II. Background

Consumer products are a wide array of sprays, gels, cleaners, adhesives, and other chemically formulated products that are purchased for personal or institutional use and that emit VOC through their use, consumption, storage, disposal, destruction, or decomposition. AIM coatings are paints, varnishes, and other similar coatings that are meant for use on external surfaces of buildings or other outside structures and that emit VOC through similar means to consumer products.

On April 7, 2010, the Illinois Environmental Protection Agency (Illinois EPA) submitted to EPA a request to approve into the Illinois SIP Part 223, ''Standards and Limitations for Organic material Emissions for Area Sources'' of Title 35 of the IAC (35 IAC 223). The purpose of the rule is to limit VOC emissions by requiring reductions in the VOC content of consumer products and AIM coatings. 35 IAC 223 consists of 34 new chapters, and is divided into three subparts (a subpart for general provisions and one subpart each for consumer products and AIM coatings rules). Part 223 includes the following components for control of VOC from consumer products and AIM coatings:

(1) VOC emissions limits, reporting requirements, and labeling requirements for consumer products and AIM coatings sold, supplied, offered for sale, or manufactured in Illinois.

(2) Specific limitations for the sale, supply, offered for sale, use, or manufacture for sale of aerosol adhesives, floor wax strippers, products containing ozone-depleting compounds, and charcoal lighter material.

(3) Test methods for determining compliance with these rules and for determining specific aspects of affected products or coatings.

(4) Alternative compliance plans for any manufacturer of consumer products that has been granted an alternative compliance plan agreement by the California Air Resources Board (CARB).

(5) A special analysis method for Methacrylate Traffic Marking Coatings.

(6) Special recordkeeping requirements for consumer products that contain perchloroethylene or methylene chloride.

(7) Additional labeling requirements for aerosol adhesives, adhesive removers, electronic cleaners, electrical cleaners, energized electrical cleaners, and contact adhesives.

(8) Exemptions for consumer products produced for sale outside of Illinois, consumer products whose VOC emission limits are governed by other rules, and innovative consumer products as defined by CARB.

(9) Incorporation by reference: The State is incorporating by reference a number of materials. These

incorporations by reference include test methods from the American Society for Testing and Materials, EPA, CARB, the Bay Area Air Quality Management District, and the South Coast Air Quality Management District to determine VOC content in a number of the product categories subject to limits in Illinois' new rule. Also incorporated by reference are EPA and the California Code of Regulations (CCR) VOC standards for consumer products. Illinois also incorporated by reference the CCR innovative products exemption and the alternate control plan. These incorporations by reference help persons or companies subject to Illinois' new 35 IAC Part 223 to comply with the VOC limits contained therein.

The rules that Illinois adopted and submitted to EPA for approval are based on existing CARB regulations and model rules developed by the Ozone Transport Commission (OTC) for consumer products and AIM coatings. The OTC has developed model rules for several consumer products and AIM coatings VOC source categories which OTC member states (Illinois is not an OTC member state) have signed a memorandum of understanding to adopt. For consumer products, the CARB regulations and OTC model rule that Illinois based their rule on are at least as stringent, and in some cases more stringent than, EPA's national consumer products rule, ''National Volatile Organic Compound Emission Standards for Consumer Products,'' 40 CFR Part 59, Subpart C. For AIM coatings, the OTC model rule that Illinois' rule is based upon is also at least as stringent, and in some cases more stringent than, EPA's AIM coatings rule, ''National Volatile Organic Compound Emission Standards for Architectural Coatings,'' at 40 CFR Part 59 Subpart D.

III. Conditions for Approval

A rule-by-rule review of Illinois' submittal showed that four paragraphs contained errors. Paragraph (6)(A) of 35 IAC 223.205 erroneously provides two high-volatility organic material limits for aerosol-based antiperspirants when there should be both a high- and medium-volatility limit for this category based on the OTC model rule. Paragraph (6)(B) of 35 IAC 223.205 erroneously provides two medium-volatility organic material limits for non aerosol-based antiperspirants when there should be both a high- and medium-volatility limit for this category based on the OTC model rule.

Paragraph (17)(A) of 35 IAC 223.205 erroneously provides two high-volatility organic material limits for aerosol-based deodorants when there should be both a high- and medium-volatility limit for this category based on the OTC model rule. Paragraph (17)(B) of 35 IAC 223.205 erroneously provides two medium-volatility organic material limits for non aerosol-based deodorants when there should be both a high- and medium-volatility limit for this category based on the OTC model rule.

On September 2, 2011, Illinois sent EPA a letter committing to amend these paragraphs to display the correct limits and limit categories and submit revised rules to EPA within one year of our final rulemaking. Under section 110(k)(4) of the CAA, EPA may conditionally approve a portion of a SIP revision based on a commitment from a state to adopt specific enforceable measures by a date certain that is no more than one year from the date of conditional approval. In this action, we are proposing to approve a portion of the SIP revision that Illinois has submitted on the condition that the specified deficiencies in the SIP revision are corrected as discussed in Illinois' September 2, 2011, letter. If this condition is not fulfilled within one year of the effective date of final rulemaking, the conditional approval will automatically revert to disapproval, as of the deadline for meeting the conditions, without further action from EPA. EPA would subsequently publish a notice in the **Federal Register** informing the public of a disapproval. If Illinois submits final and effective rule revisions correcting the deficiencies, as discussed above, within one year from this conditional approval becoming final and effective, EPA will publish a subsequent notice in the **Federal Register** to acknowledge conversion of the conditional approval to a full approval.

IV. What sources are affected by this proposed action?

Anyone who sells, supplies, offers for sale, or manufactures consumer products and AIM coatings in Illinois is affected by this proposed action. Because of the wide adoption of OTC model rules for consumer products and AIM coatings by California, OTC states, and other Midwestern states, Illinois expects that some of the reductions from adoption of these rules have already been realized. This is because of existing nationwide compliance with the OTC model rules by many of the largest manufacturers of these products. However, because so many states have adopted these rules, and many major manufacturers already comply with these rules, the burden on affected sources will be minor. EPA agrees with Illinois' view.

Illinois held two public hearings on its proposed rule, took public comment on the proposed rule and also contacted approximately 600 entities listed as potentially affected by the rules to provide these sources an opportunity for comment on the proposed rule. While very few of the potentially affected entities responded, it is clear that Illinois made an effort to inform them of the proposed rules.

IV. What is EPA's proposed action?

We propose to conditionally approve paragraphs (6)(A), (6)(B), (17)(A), and (17)(B) of 35 IAC 223.205, based on a commitment from the State sent on September 2, 2011 to correct this rule within one year of our final rulemaking. If the State fails to make this correction within the allowed one year period as discussed above, this conditional approval will revert to disapproval.

We propose to approve and incorporate in to the Illinois SIP the rest of the State's April 7, 2010, submittal, that is, the remainder of 35 IAC Part 223, because VOC limits in these rules are at least as stringent as, and in many cases are more stringent than, EPA's existing limits for these sources. Therefore, approval of these rules will strengthen the Illinois SIP.

VI. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this 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);
- 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; and

• Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Volatile organic compounds.

Dated: October 18, 2011.

Susan Hedman,

Regional Administrator, Region 5.

[FR Doc. 2011–27810 Filed 10–26–11; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[MB Docket No. 11–169; PP Docket No. 00–67; FCC 11–153]

Basic Service Tier Encryption Compatibility Between Cable Systems and Consumer Electronics Equipment

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, we propose a new rule to allow cable operators to encrypt the basic service tier in all-digital systems, provided that those cable operators undertake certain consumer protection measures for a limited period of time in order to minimize any potential subscriber disruption.

DATES: Submit comments on or before November 28, 2011. Submit reply comments on or before December 12, 2011.

FOR FURTHER INFORMATION CONTACT: For additional information on this proceeding, contact Brendan Murray, *Brendan.Murray@fcc.gov,* of the Media Bureau, Policy Division, (202) 418–2120.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rulemaking,* FCC 11–153, adopted on October 13, 2011 and released on October 14, 2011. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street, SW., CY–A257, Washington, DC 20554. This document will also be available via ECFS (*http://www.fcc.gov/cgb/ecfs/*). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) The complete text may be purchased from the Commission's copy contractor, 445 12th Street, SW., Room CY–B402, Washington, DC 20554. To request these documents in accessible formats (computer diskettes, large print, audio recording, and Braille), send an email to *fcc504@fcc.gov* or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Summary of the Notice of Proposed Rulemaking

1. With this Notice of Proposed Rulemaking (NPRM), we seek comment on whether to retain the basic service tier encryption prohibition for all-digital cable systems. As discussed below, we tentatively conclude that allowing cable operators to encrypt the basic service tier in all-digital systems will not substantially affect compatibility between cable service and consumer electronics equipment for most subscribers. At the same time, however, we recognize that some consumers subscribe only to a cable operator's digital basic service tier and currently are able to do so without using a set-top box or other equipment. Similarly, there are consumers that may have a set-top box on a primary television but access the unencrypted digital basic service tier on second or third televisions in their home without using a set-top box or other equipment. Although we expect the number of subscribers in these situations to be relatively small, these consumers may be affected by lifting the encryption prohibition for all-digital cable systems. Accordingly, we tentatively conclude that, any operators of all-digital cable systems that choose to encrypt the basic service tier must comply with certain consumer protection measures for a limited period of time in order to minimize any potential subscriber disruption.

2. In the Cable Television Consumer Protection and Competition Act of 1992 (1992 Cable Act), Congress recognized that compatibility problems between cable service and consumer electronics equipment were limiting and/or precluding the operation of premium features of consumer equipment and were affecting the ability of consumer equipment to receive cable programming. Section 624A of the Act was added by Section 17 of the 1992 Cable Act to address this issue. Specifically, section 624A requires the Commission to issue regulations to assure compatibility between consumer electronics equipment and cable systems. In 1994, the Commission implemented the requirements of section 624A. As part of that implementation, the Commission added § 76.630(a) to its rules. Section 76.630(a) of the Commission's rules prohibits cable operators from scrambling or encrypting signals carried on the basic tier of service. The Commission determined that this rule would significantly advance compatibility by ensuring that all subscribers would be able to receive basic tier signals ''in the clear'' and that basic-only subscribers with cable-ready televisions would not need set-top boxes. The Commission concluded that ''[t]his rule also will have minimal impact on the cable industry in view of the fact that most cable systems now generally do not scramble basic tier signals.''

3. Subsequent to the Commission's adoption of the encryption ban, cable operators began to upgrade their systems to offer digital cable service. More recently, cable operators' transition to more efficient all-digital systems has freed up spectrum to offer new or improved products and services like higher-speed Internet access and high definition programming. As a result of this digital transition, most cable subscribers now have at least one cable set-top box or CableCARD device in their homes. As cable operators began to transition programming on their cable programming service tier (*CPST*) to digital, many program carriage agreements required cable operators to encrypt that programming as a condition of carriage. Encryption refers