

the Clean Air Act. Absent a prior existing requirement for the state to use voluntary consensus standards, EPA has no authority to disapprove a SIP submission for failure to use such standards, and it would thus be inconsistent with applicable law for EPA to use voluntary consensus standards in place of a program submission that otherwise satisfies the provisions of the Clean Air Act. Therefore, the requirements of section 12(d) of the NTTA do not apply.

#### List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Nitrogen dioxide, Particulate matter, Carbon monoxide, Reporting and recordkeeping requirements.

Dated: December 27, 2006.

Steve Rothblatt,

Acting Regional Administrator, Region 5.

[FR Doc. E7-178 Filed 1-9-07; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 06-2563; MB Docket No. 06-200, RM-11350]

#### Radio Broadcasting Services; Boswell, OK and Detroit, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on the removal of two mutually exclusive vacant allotments, Channel 282C3 at Boswell, Oklahoma and Channel 282C2 at Detroit, Texas. The allotments are not in compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules. These vacant allotments are separated by 39.5, a short-spacing of 137.5 kilometers. The minimum distance spacing requirement for these allotments is 177 kilometers. Interest parties should file comments expressing an interest in the vacant allotments to prevent removal. *See SUPPLEMENTARY INFORMATION, infra.*

**DATES:** Comments must be filed on or before February 12, 2007 and reply comments on or before February 27, 2007.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MB Docket No. 06-200, adopted December 20, 2006 and released December 22, 2006. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center 445 Twelfth Street, SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC, 20054, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. This document does not contain proposed 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).

Channel 282C3 at Boswell, Oklahoma was allotted in MB Docket No. 01-136, as the community's first local service without a site restriction at coordinates 34-01-38 NL and 95-52-08 WL. *See Boswell, Oklahoma*, Report and Order, 17 FCC Rcd 6630 (MB 2002).

Channel 282C2 was substituted for vacant Channel 294C2 at Detroit, Texas, as the community's first local service in MM Docket No. 98-198. *See Cross Plains, Texas et al.*, Report and Order, 15 FCC Rcd 5506 (MMB 2000). The reference coordinates for vacant Channel 282C2 at Detroit are 33-47-21 NL and 95-33-07 WL.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 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, 303, 334 and 336.

### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by removing Boswell, Channel 282C3.

3. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Detroit, Channel 282C2.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. E7-181 Filed 1-9-07; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 06-2566; MB Docket No. 06-193, RM-11345]

#### Radio Broadcasting Services; Port Chester, NY, and Stamford, CT

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document sets forth a proposal to amend the FM Table of Allotments, section 73.202(b) of the Commission's rules. The Audio Division requests comment on a petition filed by Cox Radio, Inc. pursuant to section 1.420(i) of the Commission's rules. Petitioner proposes to change the community of license for Station WKHL(FM) from Port Chester, New York, to Stamford, Connecticut, and to change the FM Table of Allotments by deleting Channel 244A at Port Chester, New York, and by adding Channel 244A at Stamford, Connecticut, as the community's first local aural broadcast service. The proposed coordinates for Channel 244A at Stamford, Connecticut, are 41-02-49 NL and 73-31-36 WL. The allotment will require a site restriction of 12.8 km (7.9 miles) northeast of Port Chester.

**DATES:** Comments must be filed on or before February 12, 2007, and reply comments on or before February 27, 2007.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the petitioner as follows:

Kevin F. Reed, Esq., Christina H. Burrow, Esq., Nam E. Kim, Esq., Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, NW., Suite 800, Washington, DC 20036.

**FOR FURTHER INFORMATION CONTACT:** Deborah A. Dupont, Media Bureau (202) 418-7072.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 06-193; adopted December 20, 2006, and released December 22, 2006. The full text of this Commission document is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, (800) 378-3160, or via the company's Web site, <http://www.bcpweb.com>. This document does not contain proposed 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).

The Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 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, 303, 334, 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Connecticut, is amended by removing Channel 244A at Stamford.

3. Section 73.202(b), the Table of FM Allotments under New York, is amended by adding Port Charles, Channel 244A.

Federal Communications Commission.

**John A. Karousos,**  
Assistant Chief, Audio Division, Media Bureau.

[FR Doc. E7-185 Filed 1-9-07; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 90

[PS Docket No. 06-229; WT Docket No. 96-86; FCC 06-181]

#### Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In this document, the FCC seeks comment on proposals that 700 MHz public safety spectrum be allocated for broadband use and that a single, national public safety broadband licensee be assigned this spectrum on a primary basis. Consistent with national priorities focusing on homeland security and broadband, and the Commission's commitment to ensure that emergency first responders have access to reliable and interoperable communications, this *NPRM* will allow the Commission to compile a record in an effort to determine whether there is a need for changes to the current 700 MHz public safety band plan. This *NPRM* seeks to promote effective public safety communications and innovation in wireless services in support of public safety and homeland security.

**DATES:** Written comments are due on or before February 26, 2007, and reply comments are due on or before March 12, 2007.

**ADDRESSES:** You may submit comments, identified by PS Docket No. 06-229 and WT Docket No. 96-86, by any of the identified methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- Mail: Follow the instructions for paper filers below.

- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey S. Cohen, Deputy Division Chief, Policy Division, Public Safety and Homeland Security Bureau, (202) 418-0799, or TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission's *Ninth Notice of Proposed Rulemaking (9th NPRM)*, FCC 06-181, adopted and released on December 20, 2006. In the *9th NPRM*, the FCC seeks comment on its proposal that the 12 MHz of spectrum at 767-773 MHz and 797-803 MHz, currently designated as wideband segments, be allocated for broadband use and that a single, national public safety broadband licensee be assigned this spectrum on a primary basis. Specifically, this *9th NPRM* seeks to expand and build upon the themes raised in the *Eighth Notice of Proposed Rulemaking (Eighth NPRM)*, 71 FR 17786 (April 7, 2006), by proposing a comprehensive plan that may best promote the rapid deployment of a nationwide, interoperable, broadband public safety network, and thereby improve emergency responsiveness. Particularly in light of the nation's current and anticipated public safety and homeland security needs, the FCC proposes a centralized and national approach to maximize public safety access to interoperable, broadband spectrum in the 700 MHz band, and, at the same time, foster and promote the development and deployment of advanced broadband applications, related radio technologies, and a modern, IP-based system architecture.

#### Procedural Matters

##### *Ex Parte Rules-Permit-But-Disclose Proceeding*

This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects