

standards to determine the practicality of the VCS for this rule. This review requires significant method validation data that meet the requirements of EPA Method 301 for accepting alternative methods or scientific, engineering, and policy equivalence to procedures in the EPA referenced methods. The EPA may reconsider determinations of impracticality when additional information is available for particular VCS.

No applicable VCS was identified for EPA Method 5 or EPA Method 29. The search identified one VCS that was potentially applicable for this rule in lieu of EPA Method 29. After reviewing the available standard, the EPA determined that the VCS identified for measuring emissions of pollutants subject to emissions standards in the rule would not be practical due to lack of equivalency. Additional information for the VCS search and determination can be found in the memorandum, *Voluntary Consensus Standard Results for National Emission Standards for Hazardous Air Pollutants: Miscellaneous Coatings Manufacturing Technology Review*, which is available in the docket for this action.

The EPA welcomes comments on this aspect of the proposed rulemaking and, specifically, invites the public to identify potentially applicable VCS, and to explain why the EPA should use such standards in this regulation.

*J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations*

The EPA believes that this action does not have disproportionately high and adverse human health or environmental effects on minority populations, low-income populations, and/or indigenous peoples, as specified in Executive Order 12898 (59 FR 7629, February 16, 1994).

As discussed in section V.E of this preamble, the assessment of populations in close proximity of MCM facilities shows no demographic groups that are higher than the national average and the proposed changes will provide health protection for all populations.

#### List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous substances, Reporting and recordkeeping requirements.

**Michael S. Regan,**  
Administrator.

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 22-215; RM-11929; DA 22-578; FRS-89945]

### Television Broadcasting Services Orono, Maine

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has before it a petition for rulemaking filed by Maine Public Broadcasting Corporation (Petitioner), the licensee of WMEB, channel \*9, Orono, Maine. The Petitioner requests the substitution of channel \*22 for channel \*9 at Orono in the Table of Allotments.

**DATES:** Comments must be filed on or before July 7, 2022 and reply comments on or before July 22, 2022.

**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: Derek Teslik, Esq., Gray Miller Persh, 2233 Wisconsin Avenue NW, Washington, DC 20007.

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

**SUPPLEMENTARY INFORMATION:** In support, the Petitioner states that the proposed channel substitution would serve the public interest, since moving the Station to a UHF channel would improve indoor reception. According to the Petitioner, although the proposed channel \*22 facilities will result in a slight reduction in the Station's predicted population served, much of the predicted loss area is served by the Petitioner's other commonly owned stations WCBT-TV, Augusta, Maine4 and WMED-TV, Calais, Maine, which largely air the same programming as WMEB-TV. The Petitioner further states that once terrain-limitations are factored into the analysis, the new loss area that would be created by the proposed channel substitution would contain only 523 persons, which it asserts is below the level the Commission considers *de minimis* in the context of determining whether there would be an impermissible loss of service. Moreover, the proposed channel change would result in first service to a substantial number of persons.

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

*Rulemaking*, MB Docket No. 22-215; RM-11929; DA 22-578, adopted May 25, 2022, and released May 25, 2022. 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](mailto: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 Section 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.

#### 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.

#### § 73.622 [Amended]

■ 2. In § 73.622 in paragraph (j), amend the Table of Allotments under Maine by revising the entry for Orono to read as follows:

#### § 73.622 Table of allotments.

\* \* \* \* \*

(j) \* \* \*

Community	Channel No.
* * *	* *
<b>MAINE</b>	
* * *	* *
Orono .....	* 22
* * *	* *

[FR Doc. 2022-12159 Filed 6-6-22; 8:45 am]

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**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 17**[Docket No. FWS-HQ-ES-2021-0033;  
FF09E41000 2223 FXES111609C0000]

RIN 1018-BF98

**Endangered and Threatened Wildlife and Plants; Designation of Experimental Populations****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Proposed rule.

**SUMMARY:** We, the U.S. Fish Wildlife Service (Service), propose to revise the regulations concerning experimental populations of endangered species and threatened species under the Endangered Species Act (ESA). We are proposing to remove language generally restricting the introduction of experimental populations to only the species' "historical range" to allow for the introduction of populations into habitat outside of their historical range for conservation purposes. To provide for the conservation of certain species, we have concluded that it may be increasingly necessary and appropriate to establish experimental populations outside of their historical range if the ability of the habitat to support one or more life history stages has been reduced due to threats, such as climate change or invasive species. We are also proposing minor changes to clarify the existing regulations. These minor changes are not intended to alter the substance or scope of the regulations.

**DATES:** We will accept comments from all interested parties until August 8, 2022. Please note that if you are using the Federal eRulemaking Portal (see **ADDRESSES** below), the deadline for submitting an electronic comment is 11:59 p.m. Eastern Standard Time on this date.

**ADDRESSES:** You may submit comments by one of the following methods:

(1) *Electronically:* Go to the *Federal eRulemaking Portal*: <https://www.regulations.gov>. In the Search box, enter FWS-HQ-ES-2021-0033, which is the docket number for this rulemaking. Then, in the Search panel on the left side of the screen, under the Document Type heading, click on the Proposed Rules link to locate this document. You may submit a comment by clicking on "Comment."

(2) *By hard copy:* Submit by U.S. mail to: Public Comments Processing, Attn: FWS-HQ-ES-2021-0033; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

We request that you send comments only by the methods described above. We will post all comments on <https://www.regulations.gov>. This generally means that we will post any personal information you provide us (see Public Comments below for more information).

**FOR FURTHER INFORMATION CONTACT:** Lisa Ellis, Acting Chief, Division of Restoration and Recovery, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, Falls Church, VA 22041-3803, telephone 703-358-2171. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:****Background**

The purposes of the ESA are to provide a means to conserve the ecosystems upon which listed species depend, to develop a program for the conservation of listed species, and to achieve the purposes of certain treaties and conventions. Moreover, the ESA states that it is the policy of Congress that Federal agencies shall seek to conserve threatened and endangered species and use their authorities to further the purposes of the ESA (16 U.S.C. 1531(c)(1)). The ESA's implementing regulations are found in title 50 of the Code of Federal Regulations (CFR).

The 1982 amendments to the ESA added section 10(j) to facilitate reintroductions of listed species by allowing the Service to designate "experimental populations." The regulations to carry out section 10(j) provide that the Service may designate

as an experimental population a population of an endangered species or a threatened species that will be released into suitable natural habitat outside the species' current natural range (but within its probable historical range, absent a finding by the Director in the extreme case that the primary habitat of the species has been unsuitably and irreversibly altered or destroyed) (50 CFR 17.81). At the time the Service adopted these regulations, it did not anticipate the impact of climate change on species and their habitats. We have since learned that climate change is causing, or is anticipated to cause, many species' suitable habitat to shift outside of their historical range. In addition, other threats such as invasive species may also reduce the ability of habitat to support one or more life history stages within the species' historical range. Therefore, it may be necessary and appropriate to establish experimental populations outside of the species' historical range to provide for their conservation and adapt to the habitat-related impacts of climate change and other threats. These proposed regulatory changes will more clearly establish the authority of the Service to introduce experimental populations into areas of habitat outside of the historical range of the affected listed species. The proposed revisions will not otherwise change the process for designating an experimental population.

**Proposed Regulatory Revisions**

We seek public comments on the proposed revisions to the regulations in 50 CFR part 17, subpart H. The primary proposed revision is to delete the reference to a species' "historical range." We intend for this change to allow for experimental populations to be introduced into habitat outside of the historical range of the species under appropriate circumstances. Such circumstances could include instances where little to no habitat remains within the historical range of a species or where formerly suitable habitat within the historical range has undergone, or is undergoing, irreversible decline or change, rendering it unable to support one or more life history stages for the species, thereby leading to the need to establish the species in habitat in areas outside the historical range. If this proposal is finalized, it will be applied to future designations and will not require the reevaluation of any prior designation of an experimental population.