

TABLE 4—KNOX COUNTY NO<sub>x</sub> MVEB [tpd]

	2004	2014
<b>NO<sub>x</sub> Emissions</b>		
Base Emissions .....	57.23	41.48
Safety Margin Allocated to MVEB .....	2.79	18.43
NO <sub>x</sub> Conformity MVEB ....	36.68	50.14

TABLE 5—KNOX COUNTY VOC MVEB [tpd]

	2004	2014
<b>VOC Emissions</b>		
Base Emissions .....	104.02	96.74
Safety Margin Allocated to MVEB .....	7.97	11.61
VOC Conformity MVEB ....	37.21	33.73

Taking into consideration the portion of the safety margin applied to the MVEB, the resulting difference between the attainment level of emissions from all sources and the projected level of emissions from all sources in the maintenance area, the area still attains the NAAQS and meets the maintenance requirements. The new safety margins, are listed below in Table 6.

TABLE 6—NEW SAFETY MARGINS FOR THE KNOX COUNTY

Year	VOC tpd	NO <sub>x</sub> tpd
2004 .....	7.97	0
2014 .....	11.61	0

As shown in Tables 2 and 3 above, VOC and NO<sub>x</sub> total emissions in Knox County are projected to steadily decrease from 2004 to the maintenance year of 2014. This VOC and NO<sub>x</sub> emission decrease demonstrates continued attainment/maintenance of the 1-hour ozone NAAQS for ten years from 2004 (the year the Area was effectively designated attainment for the 1-hour ozone NAAQS) as required by the CAA.

The revised MVEB that Tennessee submitted for the Knox County Area were developed with projected mobile source emissions derived using the MOBILE6 motor vehicle emissions model. This model was the most current model available at the time Tennessee was performing its analysis. However, EPA has now issued an updated motor vehicle emissions model known as Motor Vehicle Emission Simulator or MOVES. In its announcement of this model, EPA established a two-year grace

period for continued use of MOBILE6.2 in regional emissions analyses for transportation plan and transportation improvement programs (TIPs) conformity determinations (extending to March 2, 2012),<sup>3</sup> after which states (other than California) must use MOVES in conformity determinations for TIPs. As stated above, MOBILE6.2 was the applicable mobile source emissions model that was available when the original SIP was submitted.

#### IV. Proposed Action

EPA is proposing to approve Tennessee's October 12, 2012, SIP revision concerning the Knox County 1-hour ozone maintenance plan and increasing the safety margin allocated to MVEB to account for changes in the emissions model and VMT projection model. This action, if finalized, would result in higher NO<sub>x</sub> and VOC MVEB for transportation conformity purposes for Knox County, and would still be consistent with attainment for the 1-hour ozone NAAQS. EPA is proposing this action because it is consistent with the CAA and the transportation conformity requirements at 40 CFR 93.

#### V. Statutory and Executive order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act 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 proposed 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 proposed 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

<sup>3</sup> EPA previously extended the grace period to use MOVES for regional emissions analysis in conformity determinations to March 2, 2013 (77 FR 11394).

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 CAA; 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 proposed 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, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements and Volatile organic compounds.

Dated: December 7, 2012.

**A. Stanley Meiburg,**

*Regional Administrator, Region 4.*

[FR Doc. 2012-30358 Filed 12-17-12; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 90

[WT Docket No. 11-69; Report No. 2970]

#### Petition for Reconsideration of Action in Rulemaking Proceeding

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for reconsideration.

**SUMMARY:** In this document, Petition for Reconsideration and/or a Petition for Clarification (Petition) has been filed in the Commission's rulemaking proceeding by Chuck Powers, Director, Engineering and Technology Policy, on the behalf of Motorola Solutions Inc.

**DATES:** Oppositions to the Petition must be filed on or before January 2, 2013. Replies to an opposition must be filed on or before January 14, 2013.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Tim Maguire, Wireless Telecommunications Bureau, 202-418-2155,

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**SUPPLEMENTARY INFORMATION:** This is a summary of Commission's document, Report No.2970, released November 29, 2012. The full text of Report No. 2970 is available for viewing and copying in Room CY-B402, 445 12th Street SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). The Commission will not send a copy of this *Notice* pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this *Notice* does not have an impact on any rules of particular applicability.

**SUBJECT:** Amendment of Part 90 of the Commission's Rules to Permit Terrestrial Trunked Radio (TETRA) Technology; Request by the TETRA Association for Waiver of §§ 90.209, 90.210 and 2.1043 of the Commission's rules, published at 77 FR 61535, October 10, 2012, in WT Docket No. 11-69, and published pursuant to 47 CFR 1.429(e) of the Commission's rules. *See also* 47 CFR 1.4(b)(1).

*Number of Petitions Filed:* 1.

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. 2012-30484 Filed 12-17-12; 8:45 am]

**BILLING CODE 6712-01-P**