

before the D.C. Circuit. For the same reasons that the D.C. Circuit is the appropriate venue for challenges to the Good Neighbor Plan, it is also the appropriate venue for any challenges to this final action.

This action is “nationally applicable” within the meaning of CAA section 307(b)(1) because it denies petitions to reconsider and stay the Good Neighbor Plan, which is itself a nationally applicable action. 88 FR 36654 at 36860; *see also* Order, *Kentucky Energy and Environment Cabinet v. EPA*, No. 23–3605 (6th Cir. Nov. 9, 2023). On its face, the Good Neighbor Plan is nationally applicable because it applies nationally consistent standards and uniform methodologies to 23 States located in ten of the eleven regional Federal judicial circuits across the Nation. 88 FR 36654 at 36860. Although the Good Neighbor Plan is temporarily stayed in 12 States as a result of pending litigation, *see* notes 4 and 5 *supra*, these temporary stays do not alter the rule’s national applicability.³ This denial is likewise nationally applicable because the result of this partial denial of the four petitions identified herein is that the existing Good Neighbor Plan remains in place and undisturbed—and because any judicial order disturbing the EPA’s reasoning herein would impact sources, states, and other parties across multiple judicial circuits.

In the alternative, to the extent a court finds this action or a relevant portion thereof to be locally or regionally applicable, the Administrator hereby makes and publishes a finding that the action is based on several determinations of “nationwide scope or effect” within the meaning of CAA section 307(b)(1). These determinations, which lie at the core of this action and are the primary aspects of the Good Neighbor Plan that petitioners ask the EPA to reconsider, include: the determination that the Good Neighbor Plan is lawful and implementable as applied in any individual state even if it is not in effect for any other particular

State or group of States; the determination that the Good Neighbor Plan is premised on a series of national-scale analyses that are not limited in scope to any particular geography or group of States; and the determination that the Good Neighbor Plan need not be reconsidered as to any group of sources or States on the basis that publication of the Good Neighbor Plan in the **Federal Register** occurred following the issuance of preliminary judicial stay orders as to several States.

Michael S. Regan,
Administrator.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[WT Docket No. 19–348; DA 24–233; FRS 212104]

Facilitating Shared Use in the 3100–3550 MHz Band; Correction

AGENCY: Federal Communications Commission.

ACTION: Correcting amendment.

SUMMARY: The Federal Communications Commission published a document in the **Federal Register** of March 25, 2024, concerning a non-substantive, editorial revision made by the Wireless Telecommunication Bureau and the Office of Engineering and Technology (WTB/OET) to the Table of Frequency Allocations in the Commission’s Rules (Table 22), which identifies coordinates for Department of Defense Cooperative Planning Areas (CPAs) and Periodic Use Areas (PUAs). The document contained an incorrect instruction regarding the revision to Table 22. This document sets out the correct instruction to amend Table 22.

DATES: Effective April 4, 2024.

FOR FURTHER INFORMATION CONTACT: Thomas Reed, Wireless Telecommunications Bureau, Mobility Division, (202) 418–0531 or Thomas.reed@fcc.gov. For information

regarding the Paperwork Reduction Act (PRA) information collection requirements, contact Cathy Williams, Office of Managing Director, at 202–418–2918 or cathy.williams@fcc.gov.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** of March 25, 2024, 89 FR 20548, WTB/OET deleted as redundant, the Norfolk, Virginia Cooperative Planning Area (Norfolk CPA) from the list of CPAs and PUA’s in Table 22, and renamed the Norfolk CPA, the Newport News-Norfolk CPA/PUA. However, the amendment in instruction 2 could not be incorporated as instructed. This document corrects the instruction to amend Table 22.

List of Subjects in 47 CFR Part 2

Administrative practice and procedures, Common carriers, Communications, Communications common carriers, Communications equipment, Disaster assistance, Environmental impact statements, Imports, Radio, Reporting and recordkeeping requirements, Satellites, Telecommunications, Television, Wiretapping and electronic surveillance.

Accordingly, 47 CFR part 2 is corrected by making the following correcting amendment:

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

■ 1. The authority citation for part 2 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

■ 2. In § 2.106, in paragraph (c)(431), amend table 22 by removing the entry “Norfolk * (includes Fort Story SESEF range)” and adding in its place the entry “Newport News-Norfolk * (includes Fort Story SESEF range)” to read as follows:

§ 2.106 Table of Frequency Allocations.

*	*	*	*	*
(c)	*	*	*	
(431)	*	*	*	

³ Upon the conclusion of the separate supplemental rulemaking, the Good Neighbor Plan may also apply in up to five additional States. *See* 89 FR 12666 (Feb. 24, 2024).

TABLE 22 TO PARAGRAPH (c)(431)—DEPARTMENT OF DEFENSE COOPERATIVE PLANNING AREAS AND PERIODIC USE AREAS

Location name	State	CPA	PUA	Latitude	Longitude	Radius (km)
* * * * *	*	*	*	*	*	*
Newport News-Norfolk* (includes Fort Story SESEF range)	VA	Yes	Yes	36°58'24"	76°26'07"	93
* * * * *	*	*	*	*	*	*

* * * * *

Dated: March 28, 2024.

Amy Brett,
Chief of Staff, Wireless Telecommunications Bureau.

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