

### *A. Solicitation of Public Comment on This Proposal*

EPA solicits comments on all aspects of today's proposal. EPA is specifically interested in receiving comments on several issues and requests the following information:

- Examples of Petroleum and Coal Products Manufacturing industry related response actions for releases which took place under the modern regulatory framework where potentially responsible parties (PRPs) did not lead the response at the facility.
- Examples of Petroleum and Coal Products Manufacturing industry related response actions for releases which took place under the modern regulatory framework where PRPs have not taken financial responsibility for their environmental liabilities.
- Information on state-lead or other Federal agency cleanups or instances of natural resource damages associated with this industry that may supplement the information on cleanups gathered and analyzed for this proposal.
- Information about existing Federal, state, tribal, and local environmental requirements applicable to the Petroleum and Coal Products Manufacturing industry relevant to the prevention of releases of hazardous substances that were not evaluated as part of this proposal.
- Information about financial responsibility requirements applicable to the Petroleum and Coal Products Manufacturing industry that were not evaluated as part of this proposal.

### **IX. Statutory and Executive Order Reviews**

#### *A. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review*

This action is a significant regulatory action that was submitted to the Office of Management and Budget (OMB) for review, because it may raise novel legal or policy issues [3(f)(4)]. Any changes made in response to OMB recommendations have been documented in the docket for this rulemaking. EPA did not prepare an economic analysis for the proposed rule, since this action proposes no regulatory requirements.

#### *B. Executive Order 13771: Reducing Regulation and Controlling Regulatory Costs*

This proposed rule is not subject to the requirements of Executive Order 13771 (82 FR 9339, February 3, 2017) because this proposed rule would not result in additional cost.

#### *C. Paperwork Reduction Act (PRA)*

This action does not propose an information collection burden under the PRA, because this action does not propose any regulatory requirements.

#### *D. Regulatory Flexibility Act (RFA)*

I certify that this action will not have a significant economic impact on a substantial number of small entities under the RFA. This action does not propose any new requirements for small entities.

#### *E. Unfunded Mandates Reform Act (UMRA)*

This action does not contain any unfunded mandate as described in UMRA, 2 U.S.C. 1531–1538, and does not significantly or uniquely affect small governments, because this action does not propose any regulatory requirements.

#### *F. Executive Order 13132: Federalism*

This action does not have federalism implications. It will not have substantial direct effects on the states, on the relationship between the Federal Government and the states, or on the distribution of power and responsibilities among the various levels of government, since this action proposes no new regulatory requirements.

#### *G. Executive Order 13175: Consultation and Coordination With Indian Tribal Governments*

This action does not have tribal implications as specified in Executive Order 13175, because this action proposes no regulatory requirements. Thus, Executive Order 13175 does not apply to this action.

#### *H. Executive Order 13045: Protection of Children From Environmental Health and Safety Risks*

This action is not subject to Executive Order 13045 because it is not economically significant as defined in Executive Order 12866, and because EPA does not believe the environmental health or safety risks addressed by this action present a disproportionate risk to children, since this action proposes no regulatory requirements.

#### *I. Executive Order 13211: Actions That Significantly Affect Energy Supply, Distribution, or Use*

This action is not a “significant energy action” because it is not likely to have a significant adverse effect on the supply, distribution or use of energy, since this action proposes no regulatory requirements.

#### *J. National Technology Transfer and Advancement Act*

This rulemaking does not involve technical standards.

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

EPA believes that this action is not subject to Executive Order 12898 because it does not establish an environmental health or safety standard, since this action proposes no regulatory requirements.

#### **List of Subjects in 40 CFR Part 320**

Environmental protection, Financial responsibility, Hazardous substances, Petroleum.

Dated: December 4, 2019.

**Andrew R. Wheeler,**  
Administrator.

[FR Doc. 2019–27066 Filed 12–20–19; 8:45 am]

**BILLING CODE 6560–50–P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Parts 51, 61, and 69**

**[WC Docket No. 18–155; Report No. 3137; FRS 16323]**

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

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for reconsideration.

**SUMMARY:** A Petition for Reconsideration (Petition) has been filed in the Commission's proceeding listed below by James U. Troup, on behalf of Iowa Network Services, Inc. d/b/a Aureon Network Services.

**DATES:** Oppositions to the Petition must be filed on or before January 7, 2020. Replies to an opposition must be filed on or before January 17, 2020.

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

**FOR FURTHER INFORMATION CONTACT:** Lynne Engledow, Pricing Policy Division, Wireline Competition Bureau, at (202) 418–1540, email: [Lynne.Engledow@fcc.gov](mailto:Lynne.Engledow@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document, Report No. 3137, released December 10, 2019. The full text of the Petition is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW, Room CY–A257, Washington, DC 20554.

It also may be accessed online via the Commission's Electronic Comment Filing System at: <http://apps.fcc.gov/ecfs/>. The Commission will not send a Congressional Review Act (CRA) submission to Congress or the Government Accountability Office pursuant to the CRA, 5 U.S.C. 801 because no rules are being adopted by the Commission.

**Subject:** Updating the Intercarrier Compensation Regime to Eliminate Access Arbitrage, FCC 19–94, published at 84 FR 57629, October 28, 2019, in WC Docket No. 18–155. This document is being published pursuant to 47 CFR 1.429(e). *See also* 47 CFR 1.4(b)(1) and 1.429(f), (g).

**Number of Petitions Filed:** 1.

Federal Communications Commission.

**Marlene Dortch,**

Secretary,

[FR Doc. 2019–27608 Filed 12–20–19; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket Nos. 19–310 and 17–105; FCC 19–122]

### Amendment of the Commission's Rules Regarding Duplication of Programming on Commonly Owned Radio Stations, Modernization of Media Initiative

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document seeks comment on whether the Commission should modify or eliminate its rule (the radio duplication rule) that bars same-service (AM or FM) commercial radio stations from duplicating more than 25% of their total hours of programming in an average broadcast week if the stations have 50% or more contour overlap and are commonly owned or subject to a time brokerage agreement.

#### DATES:

**Comments Due:** January 22, 2020.

**Replies Due:** February 6, 2020.

**ADDRESSES:** Interested parties may submit comments and replies, identified by MB Docket Nos. 19–310 and 17–105, by any of the following methods:

- **Federal Communications Commission Website:** <http://apps.fcc.gov/ecfs/>. Follow the instructions for submitting comments.
- **Mail:** Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or

overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

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

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

**FOR FURTHER INFORMATION CONTACT:** Julie Saulnier, Industry Analysis Division, Media Bureau, [Julie.Saulnier@fcc.gov](mailto:Julie.Saulnier@fcc.gov), (202) 418–1598.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Proposed Rulemaking* (NPRM) in MB Docket Nos. 19–310 and 17–105, FCC 19–122, that was adopted November 22, 2019 and released November 25, 2019. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, 445 12th Street SW, Room CY–A257, Washington, DC 20554, or online at <https://docs.fcc.gov/public/attachments/FCC–18–179A1.pdf>. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format, etc.) and reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) may be requested by sending an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or calling the FCC's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

#### Synopsis

1. **Background.** In 1964, the Commission first limited radio programming duplication by commonly owned stations in the same local area by prohibiting FM stations in cities with populations over 100,000 from duplicating the programming of a co-owned AM station in the same local area for more than 50% of the FM station's broadcast day. Even though the Commission did not consider programming duplication an efficient use of FM spectrum, it was willing to allow limited duplication “as a temporary expedient to help establish the [then-new] FM service.” To minimize the rule's economic impact on radio broadcasters, the Commission

allowed for waivers upon a substantial showing that programming duplication would be in the public interest, and provided that compliance would be monitored through the license renewal process. In 1976, the Commission concluded that “the virtually complete absence of available channels as well as the strengthened economic position of FM” warranted tightening the restriction to limit FM stations to duplicating only 25% of the average program week of a co-owned AM station in the same local area if either the AM or FM station operated in a community of over 25,000 population. The Commission found that fewer available channels in communities of substantial size could inhibit programming diversity and that programming duplication was a wastefully inefficient use of spectrum. In 1986 the Commission eliminated the cross-service radio duplication rule entirely, finding that FM service had developed, and FM stations were fully competitive. The Commission further found that the rule was no longer necessary to promote spectrum efficiency because market forces would lead stations to provide separate programming where economically feasible, and, where separate programming was not economically feasible, duplication was preferable to a station curtailing programming or going off air entirely to comply with the rule.

2. In 1992, as part of a broad review of radio ownership rules, the Commission adopted a new programming duplication rule barring same-service (AM or FM) commercial radio stations from duplicating more than 25% of the total hours of an average broadcast week of programming if the stations have 50% or more contour overlap and are commonly owned or subject to a time brokerage agreement. Principal community contours are defined as “predicted or measured 5 mV/m groundwave for AM stations and predicted 3.16 mV/m for FM stations.” 47 CFR 73.3556. A time brokerage agreement generally involves the sale by one radio licensee of blocks of time to a broker who then supplies programming to fill that time and sells advertising to support it.

3. The Commission saw no public benefit in allowing substantial programming duplication, observing that, “when a channel is licensed to a particular community, others are prevented from using that channel and six adjacent channels at varying distances of up to hundreds of kilometers. The limited amount of available spectrum could be used more efficiently by other parties to serve