

The EPA also reviewed regulatory provisions to control future new sources of nitrogen oxide emissions in Idaho. We note that on April 17, 2014, we approved Idaho's NO₂ infrastructure SIP (79 FR 21669). In that action, we stated that Idaho generally regulates emissions of nitrogen oxides through its SIP-approved new source review permitting programs and operating permit regulations. Idaho's new source review permitting rules are found at IDAPA 58.01.01.200 through 228. These rules help ensure that no new or modified source of nitrogen oxides will cause or contribute to violation of the NO₂ NAAQS. In addition, Idaho's Tier II operating permit regulations at IDAPA 58.01.01.400 through 410 require that to obtain an operating permit, the applicant must demonstrate the source will not cause or significantly contribute to a violation of any ambient air quality standard. These rules state that Idaho DEQ will require a Tier II source operating permit if Idaho DEQ determines emission rate reductions are necessary to attain or maintain any ambient air quality standard or applicable prevention of significant deterioration increment.

Based on our review of the Idaho submittal, air quality monitoring data, and provisions in the current Federally-approved Idaho SIP regulating new sources, we believe it is reasonable to conclude that emissions from Idaho do not significantly contribute to nonattainment of the 2010 NO₂ NAAQS. We also do not expect the monitors in states bordering Idaho, identified in Table 1 above, to have difficulty maintaining the 2010 NO₂ NAAQS. We believe it is reasonable to conclude that emissions from Idaho do not interfere with maintenance of the 2010 NO₂ NAAQS in any other state.

III. Proposed Action

The EPA has reviewed the December 24, 2015 submittal from the Idaho DEQ demonstrating that sources in Idaho do not significantly contribute to nonattainment, or interfere with maintenance, of the NO₂ NAAQS in any other state. We have also reviewed recent monitoring data and regulatory provisions in the Federally-approved Idaho SIP. Based on our review, we are proposing to find that the Idaho SIP meets the CAA section 110(a)(2)(D)(i)(I) interstate transport requirements for the 2010 NO₂ NAAQS.

IV. Statutory and Executive Orders Review

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

CAA and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, the EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this 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 action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- 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 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 this action does not involve technical standards; and
- does not provide the 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, the SIP is not approved to apply on any Indian reservation land or in any other area where the EPA or an Indian Tribe has demonstrated that a Tribe has jurisdiction. In those areas of Indian country, the rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations,

Nitrogen dioxide, Reporting and recordkeeping requirements.

Dated: January 27, 2016.

Dennis J. McLerran,

Regional Administrator, Region 10.

[FR Doc. 2016-02846 Filed 2-11-16; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 15 and 74

[OET Docket Nos. 14-165, 14-166 and 12-268; Report No. 3037]

Petitions for Reconsideration of Action in a Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petition for reconsideration.

SUMMARY: Petitions for Reconsideration (Petitions) have been filed in the Commission's Rulemaking proceeding by Howard S. Shapiro, on behalf of Audio-Technica U.S., Inc., Laura Stefani, on behalf of Sennheiser Electronic Corp., Paul Margie, on behalf of Google Inc., Paula Boyd, on behalf of Microsoft Corporation, Stephen E. Coran, on behalf of Wireless Internet Service Providers Association, Rick Kaplan, on behalf of National Association of Broadcasters, Lawrence J. Movshin, on behalf of WMTS Coalition, Catherine Wang, on behalf of Shure Incorporated, Ari Q. Fitzgerald, on behalf of GE Healthcare, Gordon Moore, on behalf of Lectrosonics, Inc. and Telecommunications Law Professionals PLLC, on behalf of Carlson Wireless Technologies, Inc. and Cal.net, Inc.

DATES: Oppositions to the Petitions must be filed on or before February 29, 2016. Replies to an opposition must be filed on or before March 25, 2016.

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

FOR FURTHER INFORMATION CONTACT:

Hugh Van Tuyl, Policy and Rules Division, Office of Engineering and Technology, (202) 418-7506, email: Hugh.VanTuyl@fcc.gov. Paul Murray, Policy and Rules Division, Office of Engineering and Technology, (202) 418-0688, email: Paul.Murray@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of Commission's document, Report No. 3037, released January 12, 2016. The full text of the Petitions is available for viewing and copying in Room CY-B402, 445 12th Street SW., Washington, DC or may be accessed online via the Commission's Electronic

Comment Filing System at <http://apps.fcc.gov/ecfs/>. 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.

Number of Petitions Filed: 12.

Federal Communications Commission.

Gloria J. Miles,

Federal Register Liaison Officer, Office of the Secretary.

[FR Doc. 2016-02899 Filed 2-11-16; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

Federal Motor Vehicle Safety Standards; Denial of Petition for Rulemaking

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Denial of petition for rulemaking.

SUMMARY: Based on the agency's evaluation, NHTSA denies a petition for rulemaking from Mr. David K. Aberizk, P.E., of Integrated Consultants Incorporated, who requests the development of safety standards for a driver-activated vehicle regenerative braking interface with distinct rear lighting indication. The petitioner claims that the recommended changes to the relevant safety standards would allow vehicle manufacturers to better utilize the regenerator technology to increase vehicle efficiency. NHTSA finds that some features of the suggested concept are not prohibited by existing Federal motor vehicle safety standards (FMVSS) and notes that Mr. Aberizk did not demonstrate how the other features address a motor vehicle safety need. FMVSS Nos. 108 and 135 currently specify performance requirements relevant to certain permitted technologies identified in the petition.

DATES: February 12, 2016.

FOR FURTHER INFORMATION CONTACT: Ms. Lisa Gavin, Office of Crash Avoidance Standards, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

- I. Summary of Petition
- II. Agency Analysis
- III. Agency Decision

I. Summary of Petition

On April 14, 2012, David K. Aberizk, P.E., petitioned NHTSA requesting development of safety standards for a driver-activated vehicle regenerative braking interface with a distinct rear indicator lamp.¹ On July 14, 2013, Mr. Aberizk submitted additional information in the format of a petition for rulemaking. The agency considers these two submissions as one petition for rulemaking because both pertain to the same concept of driver-activated vehicle regenerative braking. Specifically, Mr. Aberizk requests that NHTSA define the location and geometric parameters for a brake control device and the actions required for safe operation. Additionally, Mr. Aberizk requests that NHTSA define the parameters for a rear lamp to signal vehicle slowing.

Mr. Aberizk states that regenerator technology is currently integrated as a component of the conventional friction braking system in electric or hybrid electric motor vehicles, which limits the potential of the device to recover energy. He claims that hybrid and electric vehicles with driver-activated regenerative braking systems (RBS) increases overall efficiency by 6 percent over existing RBS.²

Mr. Aberizk recommends that the agency establish a new safety standard for regenerator engagement to adopt performance requirements, which he believes will interest automakers in embracing increased efficiency concepts, such as his operator-initiated slowing design. Mr. Aberizk provided graphic illustrations showing potential locations for an activation control device on the steering wheel or gear selector, and an expanded center high-mounted stop lamp (CHMSL) assembly. In his first information submission, Mr. Aberizk refers the reader to the Integrated Consultants Incorporated Web site for additional details on the driver-activated RBS empirical test findings and his U.S. patent, Vehicle Regenerative Deceleration Actuator and Indicator System and Method.

In his supplemental submission, Mr. Aberizk states that current RBS technologies underutilize the potential

of brake regenerators to increase vehicle efficiency. With an operator-initiated slowing feature added to existing RBSs, Mr. Aberizk claims that overall efficiency increases by 6 percent in hybrid and electric vehicles, and by at least 2.5 percent for mild-hybrid vehicles. As presented, the slowing concept relies on the driver to manually engage the regenerator to slow the vehicle, independent of the brake pedal application. Finally, Mr. Aberizk included a summary of the comment and the attachment he submitted to NHTSA's notice of proposed rulemaking (NPRM) to establish Corporate Average Fuel Economy (CAFE) Standards for model years 2017 and beyond.³

II. Analysis of Petition

Although the submission met the requirements to be accepted as a rulemaking petition, NHTSA does not endorse specific products, designs, or equipment, as Mr. Aberizk requests. NHTSA develops and issues Federal motor vehicle safety standards in order to reduce crashes, deaths and injuries resulting from motor vehicle crashes.⁴ Motor vehicle safety standards are primarily performance standards, intended to allow manufacturers to choose which products, designs, and equipment best satisfy the requirements. That said, in the interest of completeness, the agency conducted a technical review of Mr. Aberizk's petition. Because the petition involves topics related to multiple FMVSSs, the agency's technical review of the slowing device was separate from its review of the illumination indicator.

Slowing Device

Mr. Aberizk requests that NHTSA define the location and geometric parameters for an operator activated slowing control device with a human-machine interface required for safe operation. Mr. Aberizk offers anecdotal observations and evaluations, but did not submit quantitative data. For vehicles configured with the slowing device, he claims a 'noticeable' increase in range for test distances of 15 miles or greater, as well as a 50 to 75 percent reduction in brake pedal usage. The petition does not, however, assess how these factors, if accurate, would lead to safety benefits attributable to the driver-activated slowing concept. Additionally, NHTSA is not aware of any data that establish a correlation between

¹ Original petition available at <http://www.regulations.gov>, Docket No. NHTSA-2012-0010-0003.

² Mr. Aberizk does not specify whether Graph 1 in Appendix A-1 of the additional data collected and reported July 14, 2013 refers to the overall efficiency of the vehicle at turning power into movement, or to the efficiency of the regenerative braking system in particular. As discussed further below, however, it is irrelevant to the agency's determination of whether to begin rulemaking to establish a new FMVSS.

³ Mr. Aberizk's comment to that NPRM can be viewed at <http://www.regulations.gov>, Docket No. NHTSA-2010-0131-0278.

⁴ See 49 U.S. Code § 30101, Purpose and Policy, section (1).