

EPA evaluated the available toxicological and exposure data on *Pseudomonas fluorescens* strain ACK55 and considered their validity, completeness, and reliability, as well as the relationship of this information to human risk. An explanation of the data upon which EPA relied and its risk assessment based on those data can be found within the document entitled “Federal Food, Drug, and Cosmetic Act (FFDCA) Safety Determination for *Pseudomonas fluorescens* strain ACK55.” This document, as well as other relevant information, is available in the docket for this action as described under **ADDRESSES**. In sum, the available data indicate a lack of toxicity, infectivity, and pathogenicity from exposure to *Pseudomonas fluorescens* strain ACK55. Due primarily to the lack of any toxicity and adverse effects, EPA concludes that there is a reasonable certainty that no harm will result to the U.S. population, including infants and children, from aggregate exposure to residues of *Pseudomonas fluorescens* strain ACK55. Therefore, an exemption from the requirement of a tolerance is established for residues of *Pseudomonas fluorescens* strain ACK55 in or on all food commodities when used in accordance with label directions and good agricultural practices.

B. Analytical Enforcement Methodology

An analytical method is not required because EPA is establishing an exemption from the requirement of a tolerance without any numerical limitation.

IV. Statutory and Executive Order Reviews

This action establishes a tolerance exemption under FFDCA section 408(d) in response to a petition submitted to EPA. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled “Regulatory Planning and Review” (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001), or Executive Order 13045, entitled “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), nor is it considered a regulatory action under Executive Order 13771, entitled “Reducing Regulations and Controlling Regulatory Costs” (82 FR 9339, February 3, 2017). This action does not contain any information

collections subject to OMB approval under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, nor does it require any special considerations under Executive Order 12898, entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance exemption in this action, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or Tribes. As a result, this action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, EPA determined that this action will not have a substantial direct effect on States or Tribal governments, on the relationship between the National Government and the States or Tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, EPA determined that Executive Order 13132, entitled “Federalism” (64 FR 43255, August 10, 1999), and Executive Order 13175, entitled “Consultation and Coordination with Indian Tribal Governments” (65 FR 67249, November 9, 2000), do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require EPA’s consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (15 U.S.C. 272 note).

V. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: September 4, 2020.

Edward Messina,
Acting Director, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. Add § 180.1379 to subpart D to read as follows:

§ 180.1379 *Pseudomonas fluorescens* strain ACK55; exemption from the requirement of a tolerance.

Residues of *Pseudomonas fluorescens* strain ACK55 are exempt from the requirement of a tolerance in or on all food commodities when used in accordance with label directions and good agricultural practices.

[FR Doc. 2020–20622 Filed 9–25–20; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 22, 24, 27, 30, 74, 80, 90, 95, and 101

[WT Docket No. 10–112; FCC 17–105; PS Docket No. 13–229; FCC 15–103; FRS 17076]

Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services; Rules To Facilitate the Use of Vehicular Repeater Units

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection requirements associated with the Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and

Policies for Certain Wireless Radio Services Second Report and Order and the Report and Order on the Commission's Rules to Facilitate the Use of Vehicular Repeater Units. This document is consistent with the Second Report and Order, Report and Order, all of which stated that the Commission would publish a document in the **Federal Register** announcing OMB approval and the effective date of the information collection requirements.

DATES: The rule amendments contained in 47 CFR 1.949, 1.950, 1.953, 22.317, 22.947, 27.14(e), 27.14(q)(7), 27.14(r)(6), 27.14(s)(6), 27.14(t)(6), 27.17, 30.106, and 74.632(g) published at 82 FR 41530, September 1, 2017, and 47 CFR 90.175(b)(4) published at 81 FR 2106, January 15, 2016, are effective on September 28, 2020.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Cathy Williams, *Cathy.Williams@fcc.gov*, (202) 418-2918.

SUPPLEMENTARY INFORMATION: This document announces that, on June 4, 2020, and June 15, 2020, OMB approved the information collection requirements contained in the Commission's Second Report and Order, FCC 17-105, published at 82 FR 41530, September 1, 2017, and the Commission's Report and Order, FCC 15-103, published at 81 FR 2106, January 15, 2016. The OMB Control Numbers are 3060-0798 and 3060-0800. The Commission publishes this document as an announcement of the effective date of the information collection requirements.

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on June 4, 2020, and June 15, 2020, for the information collection requirements contained in the Commission's rules.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid 3060-0798 and 3060-0800. The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060-0798.

OMB Approval Date: June 4, 2020.

OMB Expiration Date: June 30, 2023.

Title: FCC Application for Radio Service Authorization; Wireless Telecommunications Bureau; Public Safety and Homeland Security Bureau.

Form Number: FCC Form 601.

Respondents: Individuals and households; Business or other for-profit entities; Not-for-profit institutions; and State, local or tribal governments.

Number of Respondents: 255,452 respondents and 255,452 responses.

Estimated Time per Response: 0.5-1.25 hours.

Frequency of Response:

Recordkeeping requirement, third party disclosure requirement, on occasion reporting requirement and periodic reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 151, 152, 154, 154(i), 155(c), 157, 201, 202, 208, 214, 301, 302a, 303, 307, 308, 309, 310, 311, 314, 316, 319, 324, 331, 332, 333, 336, 534, 535 and 554.

Total Annual Burden: 223,921 hours.

Total Annual Cost: \$71,906,000.

Privacy Impact Assessment: Yes.

Nature and Extent of Confidentiality:

In general, there is no need for confidentiality with this collection of information.

Needs and Uses: On August 3, 2017, the Commission released the WRS Reform Second Report and Order in which it consolidated the hodgepodge of service-specific renewal and permanent discontinuance rules into consolidated Part 1 rules, 1.949 and 1.953, respectively (See Amendment of Parts 1, 22, 27, 74, 90, 95, and 101. To Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services, Second Report and Order and Further Notice of Proposed Rulemaking, FCC 17-105 (WRS Reform Second Report and Order)). Of relevance to the information collection at issue here, the Commission established a consistent standard for renewing wireless licenses and set forth safe harbors providing expedited renewal for licensees that meet their initial term construction requirement and remain operating at or above that level. In addition, the Commission adopted consistent service continuity rules, which provide for automatic termination of any license on which a licensee permanently discontinues service or operation. This information collection is modified to permit (1) the collection of renewal-related information for Wireless Radio Service (WRS) licenses, and (2) the filing of requests to extend a permanent discontinuance period for good cause.

In addition, on August 10, 2015, the Commission released a Report and Order in Amendment of Sections

90.20(d) and 90.265 of the Commission's Rules to Facilitate the Use of Vehicular Repeater Units, FCC 15-103, in which it decided to adopt certain changes to the rules governing six remote control and telemetry channels in the VHF band. The Commission decided to allow the licensing and operation of vehicular repeater systems (VRS) and other mobile repeaters on these channels. Of significance for this collection, the Commission decided that the only way to accommodate both telemetry and VRS on these frequencies is through frequency coordination to both ensure geographic separation as well as minimizing the risk of commingling voice and data operations. In particular, the Commission adopted new section 90.175(b)(4), which prescribes the obligations of frequency coordinators and the ability of applicants to submit written concurrences from potentially affected incumbent licensees as part of the Form 601 filing.

OMB Control Number: 3060-0800.

OMB Approval Date: June 15, 2020.

OMB Expiration Date: June 30, 2023.

Title: FCC Application for Assignments of Authorization and Transfers of Control: Wireless Telecommunications Bureau and Public Safety and Homeland Security Bureau.

Form Number: FCC Form 603.

Respondents: Business or other for-profit entities, Individuals or households, not-for-profit institutions, and State, Local or Tribal Governments.

Number of Respondents and Responses: 2,547 respondents; 2,547 responses.

Estimated Time per Response: 0.5 hours-1.75 hours.

Frequency of Response:

Recordkeeping requirement, on occasion reporting requirement and periodic reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection is contained in 47 U.S.C. 154, 155, 158, 161, 301, 303(r), 308, 309, 310 and 332.

Total Annual Burden: 2,872 hours.

Annual Cost Burden: \$381,975.

Privacy Act Impact Assessment: Yes.

Nature and Extent of Confidentiality:

In general, there is no need for confidentiality with this collection of information.

Needs and Uses: On August 3, 2017, the Commission released the WRS Reform Second Report and Order in which it consolidated the hodgepodge of service-specific geographic partitioning and spectrum disaggregation rules into a consolidated Part 1 rule, 1.950 (See Amendment of Parts 1, 22, 27, 74, 90, 95, and 101 To

Establish Uniform License Renewal, Discontinuance of Operation, and Geographic Partitioning and Spectrum Disaggregation Rules and Policies for Certain Wireless Radio Services, Second Report and Order and Further Notice of Proposed Rulemaking, FCC 17–105, (WRS Reform Second Report and Order)). Of relevance to the information collection at issue here, the Commission required that when portions of geographic licenses are sold, both parties to the transaction have a clear construction obligation and penalty in the event of failure.

In addition, § 1.950(d) requires applicants for geographic partitioning, spectrum disaggregation, or a combination of both, to include, if applicable, a certification with their partial assignment of authorization application stating which party will meet any incumbent relocation requirements, except as otherwise stated in service-specific rules.

Federal Communications Commission.

Marlene Dortch,

Secretary, Office of the Secretary.

[FR Doc. 2020–20905 Filed 9–25–20; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket Nos. 19–282, 17–105; FCC 20–106; FRS 16995]

Use of Common Antenna Site; Modernization of Media Regulation Initiative

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this *Report and Order*, the Commission repeals two rules regarding access to FM and TV broadcast antenna sites. These rules prohibit the grant or renewal of an FM or TV broadcast license to any person who owns, leases, or controls a particular site which is peculiarly suitable for such broadcasting in a particular area, if: The site is not available for use by other such licensees, no other comparable site is available in the area, and the exclusive use of the site would unduly limit the number of such stations that can be licensed or unduly restrict competition among those stations. After review of the record, the Commission concludes that these rules no longer serve any practical purpose in light of the significant broadcast infrastructure development since the rules were first adopted 75 years ago. Therefore, the

Commission determines that it is in the public interest to eliminate them.

DATES: Effective September 28, 2020.

FOR FURTHER INFORMATION CONTACT: For additional information on this proceeding, contact John Cobb, *John.Cobb@fcc.gov*, of the Policy Division, Media Bureau, (202) 418–2120.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s *Report and Order*, MB Docket Nos. 19–282, 17–105; FCC 20–106, adopted on August 4, 2020 and released on August 5, 2020. The full text of this document is available via ECFS (<http://www.fcc.gov/cgb/ecfs/>). (Documents will be available electronically in ASCII, Word, and/or Adobe Acrobat.) To request these documents in accessible formats (computer diskettes, large print, audio recording, and Braille), send an email to *fcc504@fcc.gov* or call the Commission’s Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis

In this *Report and Order*, we eliminate §§ 73.239 and 73.635 of the Commission’s rules regarding access to FM and TV broadcast antenna sites. We conclude that these rules no longer serve any practical purpose in light of the significant broadcast infrastructure development that has taken place since they were first adopted 75 years ago. With this proceeding, we continue our efforts to modernize our media regulations by removing outdated and unnecessary requirements.

Background. Sections 73.239 and 73.635 of our rules prohibit the grant or renewal of an FM or TV broadcast license “to any person who owns, leases, or controls a particular site which is peculiarly suitable” for such broadcasting in a particular area, if the site is not available for use by other such licensees, no other comparable site is available in the area, and the exclusive use of the site would unduly limit the number of such stations that can be licensed or unduly restrict competition among those stations. These rules were adopted 75 years ago, at a time when FM and TV broadcasting were emerging industries, and the need to preserve materials for the U.S. military effort in World War II had led the Commission to freeze new broadcast station construction. At that time, there were also far fewer outlets serving emerging local broadcast markets. Since that time, the broadcast market has grown significantly with a corresponding increase in the number of antenna sites available. This is made

possible, in part, by the ability to co-locate broadcasters and other providers at a single site and a mature independent communications tower industry that owns and leases tower space to broadcasters.

In October 2019, the Commission issued a *Notice of Proposed Rulemaking (NPRM)* in this proceeding as a part of our continuing Modernization of Media Regulation Initiative. In the *NPRM*, we sought comment on whether the common antenna site rules should be eliminated or revised. Specifically, we sought comment on to what extent broadcasters own their own towers, whether any data suggests the rules remain necessary, whether any broadcasters ever request use of common antenna sites pursuant to these rules, and what effect elimination of these rules would have on the broadcast tower landscape and on FM and TV broadcasting. We only received two comments in response to these inquiries, both of which were filed by consumers.

Discussion. In this *Report and Order*, we repeal §§ 73.239 and 73.635 of our rules. Notably, we received no comment in the record from any broadcast licensees that would be affected most directly by repealing these 75-year-old rules. As a result, there is no evidence in the record that any broadcaster believes that these rules remain necessary for it to secure an antenna site. As mentioned above, the only two comments we received were filed by consumers. Rojas agrees the rules are “outdated,” and notes the importance of broadcast services to consumers. Mullik expresses concerns about repealing the rules, emphasizing the importance of preserving the widespread availability of FM and TV broadcasting. We agree that we should ensure that any rule changes do not negatively impact the widespread availability of FM and TV broadcasting. For the reasons stated below, we believe that eliminating these rules is consistent with this goal.

We conclude that eliminating these rules is appropriate for four reasons. First, the apparent rationale for these rules—promoting a fledgling broadcast industry and preserving scarce industrial resources—no longer applies in today’s marketplace. FM and TV broadcasting are firmly established industries, and there is no evidence in the record of any shortage of materials and equipment for the construction of new infrastructure. Additionally, the current trend toward co-location of communications towers on antenna farms and the widespread availability of tower capacity for lease from numerous tower companies make it less likely that