

include, but are not limited to, questions relating to the timely filing and adequacy of the Notice of Disagreement and the Substantive Appeal.

(d) *Authority to determine jurisdiction.* The Board may address questions pertaining to its jurisdictional authority to review a particular case, including, but not limited to, determining whether Notices of Disagreement and Substantive Appeals are adequate and timely, at any stage in a proceeding before it, regardless of whether the agency of original jurisdiction addressed such question(s). When the Board, on its own initiative, raises a question as to a potential jurisdictional defect, all parties to the proceeding and their representative(s), if any, will be given notice of the potential jurisdictional defect(s) and granted a period of 60 days following the date on which such notice is mailed to present written argument and additional evidence relevant to jurisdiction and to request a hearing to present oral argument on the jurisdictional question(s). The date of mailing of the notice will be presumed to be the same as the date stamped on the letter of notification. The Board may dismiss any case over which it determines it does not have jurisdiction.

(e) *Application of 38 CFR 19.9 and 20.1304.* The provisions of § 19.9 of this chapter requiring remand in certain instances shall not apply to proceedings to determine the Board's own jurisdiction. However, the Board may remand a case to an agency of original jurisdiction in order to obtain assistance in securing evidence of jurisdictional facts. The time restrictions on requesting a hearing and submitting additional evidence in § 20.1304 of this part do not apply to a hearing requested, or evidence submitted, under paragraph (d) of this section.

(Authority: 38 U.S.C. 511(a), 7104, 7105, 7108)

#### **§ 20.203 [Removed and Reserved]**

5. Section 20.203 is removed and reserved.  
[FR Doc. 01-8302 Filed 4-3-01; 8:45 am]  
BILLING CODE 8320-01-P

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 52**

[MO 115-1115b; FRL-6961-8]

#### **Approval and Promulgation of Implementation Plans; State of Missouri**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the state of Missouri for the purpose of consolidating the particulate matter emissions rules. In the final rules section of the **Federal Register**, EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments to this action. A detailed rationale for the approval is set forth in the direct final rule. If no relevant adverse comments are received in response to this action, no further activity is contemplated in relation to this action. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed action. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed action must be received in writing by May 4, 2001.

**ADDRESSES:** Comments may be mailed to Wayne Kaiser, Environmental Protection Agency, Air Planning and Development Branch, 901 North 5th Street, Kansas City, Kansas 66101.

**FOR FURTHER INFORMATION CONTACT:** Wayne Kaiser at (913) 551-7603.

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule which is located in the rules section of the **Federal Register**.

Dated: January 17, 2001.

**Dennis Grams,**

*Regional Administrator, Region 7.*

[FR Doc. 01-8126 Filed 4-3-01; 8:45 am]

BILLING CODE 6560-50-P

## **ENVIRONMENTAL PROTECTION AGENCY**

### **40 CFR Part 420**

[FRL-6961-7]

RIN 2040-AC90

#### **Reopening of Comment Period for the Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Iron and Steel Manufacturing Point Source Category**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Reopening of comment period on proposed rule.

**SUMMARY:** On December 27, 2000 (65 FR 81963), EPA proposed revisions to the effluent limitations guidelines and standards for the iron and steel industry. The comment period closed on March 26, 2001. This action announces that EPA will reopen the comment period on the proposed rule until April 25, 2001.

**DATES:** Comments will be accepted through April 25, 2001.

**ADDRESSES:** Send written comments to Mr. George Jett at the following address: Office of Water, Engineering and Analysis Division (4303), U.S. EPA, 1200 Pennsylvania Avenue, NW., Washington, DC 20460. EPA requests an original and three copies of your comments and enclosures (including references). Commenters who want EPA to acknowledge receipt of their comments should enclose a self-addressed, stamped envelope. No facsimiles (faxes) will be accepted. Please submit any references cited in your comments.

Comments may also be sent via e-mail to [jett.george@epa.gov](mailto:jett.george@epa.gov). Electronic comments must specify docket number W-00-25 and must be submitted as an ASCII, Word, or WordPerfect file avoiding the use of special characters and any form of encryption. Electronic comments on this action may be filed online at many Federal Depository Libraries. No confidential business information (CBI) should be sent via e-mail.

**FOR FURTHER INFORMATION CONTACT:** Mr. George Jett at (202) 260-7151 or Mr. Kevin Tingley at (202) 260-9843.

**SUPPLEMENTARY INFORMATION:** If you already submitted comments to EPA in response to the proposed revisions to the effluent limitations guidelines and standards for the iron and steel industry (i.e., the documents published December 27, 2000, or February 14,

2001), and wish to submit additional comments per today's reopening, EPA requests that the later set of comments clearly specify whether they supplement or supersede the earlier-filed comments.

Dated: March 27, 2001.

**Diane C. Regas,**

*Acting Assistant Administrator for Water.*

[FR Doc. 01-8278 Filed 4-3-01; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-745; MM Docket No. 01-79; RM-10088]

#### Radio Broadcasting Services; Lordsburg and Deming, NM

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of Runnels Broadcasting System, LLC, licensee of Station KQTN, Lordsburg, New Mexico, requesting the reallocation of Channel 250C to Deming, New Mexico, and modification of its authorization accordingly, pursuant to the provisions of Section 1.420(i) of the Commission's Rules. Petitioner is requested to provide additional information to demonstrate how its proposal will result in a preferential arrangement of allotments, and to provide reception area gain and loss showings. Coordinates used for this proposal are 32-21-00 NL and 108-24-30 WL. As Deming is located within 320 kilometers (199 miles) of the U.S.-Mexico border, concurrence of the Mexican government to the requested allotment of Channel 250C at that community is required.

**DATES:** Comments must be filed on or before May 14, 2001, and reply comments on or before May 29, 2001.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: James K. Edmundson, Esq., Smithwick & Belendiuk, P.C., 5028 Wisconsin Avenue, NW., Suite 301, Washington, DC 20016.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of

Proposed Rule Making, MM Docket No. 01-79, adopted March 14, 2001, and released March 23, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 Twelfth Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

##### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under New Mexico, is amended by adding Channel 250C at Deming.

3. Section 73.202(b), the Table of FM Allotments under New Mexico, is amended by removing Channel 250C at Lordsburg.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 01-8239 Filed 4-3-01; 8:45 am]

**BILLING CODE 6712-01-U**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-693; MM Docket No. 01-69, RM-10081; MM Docket No. 01-70, RM-10082; MM Docket No. 01-71, RM-10083]

#### Radio Broadcasting Services; Parker, AZ; Quartzsite, AZ; Leesville, LA.

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes new allotments to Parker, AZ; Quartzsite, AZ; and Leesville, LA. The Commission requests comments on a petition filed by McMullen Valley Broadcasting Company proposing the allotment of Channel 247C3 at Parker, Arizona, as the community's fourth local aural transmission service. Channel 247C3 can be allotted to Parker in compliance with the Commission's minimum distance separation requirements with a site restriction of 10.8 kilometers (6.7 miles) south of Parker. The coordinates for Channel 247C3 at Parker are 34-03-11 North Latitude and 114-17-18 West Longitude. Since Parker is located within 320 kilometers (199 miles) of the U.S.-Mexico border, concurrence of the Mexican government has been requested. See Supplementary Information.

**DATES:** Comments must be filed on or before May 7, 2001, and reply comments on or before May 22, 2001.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Mark N. Lipp and James E. Morgan, Shook Hardy & Bacon, L.L.P., 600 14th Street, NW, Suite 800, Washington, DC 20005 (Counsel for McMullen Valley Broadcasting Company); and Stargazer Broadcasting, Inc., P.O. Box 519, Woodville, Texas 75979 (Petitioner for the Leesville, LA proposal).

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-69; MM Docket No. 01-70; and MM Docket No. 01-71, adopted March 07, 2001, and released March 16, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW.,