

has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. This proposed rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 30, 2001.

**Charles E. Findley,**

*Acting Regional Administrator, Region 10.*

[FR Doc. 01-12357 Filed 5-15-01; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 81

[WV057-6016b; FRL-6979-9]

#### Determination of Attainment of the NAAQS for PM-10 in the Weirton, WV Nonattainment Area

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to determine that the Weirton, West Virginia PM-10 Moderate nonattainment area (comprised of the City of Weirton) attained the National Ambient Air Quality Standards (NAAQS) for Particulate Matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM-10) by its applicable December 31, 2000 attainment date. In the Final Rules section of this **Federal Register**, EPA is making this determination as a direct final rule without prior proposal because the Agency views this as a noncontroversial determination and anticipates no adverse comments. A more detailed description of EPA's evaluation is included in a Technical Support Document (TSD) prepared in support of this action. A copy of the TSD is available, upon request, from the EPA Regional Office listed in the **ADDRESSES** section of this document. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public

comments received will be addressed in a subsequent final notice based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing by June 15, 2001.

**ADDRESSES:** Written comments should be addressed to David Arnold, Chief, Air Quality Planning and Information Services Branch Name, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

**FOR FURTHER INFORMATION CONTACT:** Ruth E. Knapp, (215) 814-2191, at the EPA Region III address above or by e-mail at [knapp.ruth@epa.gov](mailto:knapp.ruth@epa.gov).

**SUPPLEMENTARY INFORMATION:** For further information on the determination that Weirton, West Virginia has attained the PM-10 NAAQS, please see the information provided in the direct final action, with the same title, that is located in the "Rules and Regulations" section of this **Federal Register** publication.

Dated: May 1, 2001.

**William C. Early,**

*Acting Regional Administrator, Region III.*

[FR Doc. 01-12350 Filed 5-15-01; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-1152, MM Docket No. 01-107, RM-10057]

#### Radio Broadcasting Services; Hemlock and Mount Pleasant, MI

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Wilks Broadcasting LLC requesting the reallocation of Channel 233C1 from Mount Pleasant, Michigan, to Hemlock, Michigan, and modification of the license for Station WCEN-FM to specify Hemlock, Michigan, as the community of license. The coordinates for Channel 233C1 at Hemlock are 43-43-36 and 84-36-16. In accordance with section

1.420(i) of the Commission's Rules, we shall not accept competing expressions of interest in the use of Channel 233C1 at Hemlock.

**DATES:** Comments must be filed on or before June 25, 2001, and reply comments on or before July 10, 2001.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Richard R. Zaragoza, Veronica D. McLaughlin, Shaw Pittman, 2300 N Street, NW., Washington, DC 20037-1128.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-107, adopted April 25, 2001 and released May 4, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805. 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* contact. 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 Michigan, is amended

by removing Channel 233C1 at Mount Pleasant and adding Hemlock, Channel 233C1.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 01-12268 Filed 5-15-01; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA No. 01-1015, MM Docket No. 01-93, RM-10076]

#### Radio Broadcasting Services; McCall, ID and Pinesdale, MT

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Idaho Broadcasting Consortium, Inc. requesting the substitution of Channel 294C1 for Channel 294C2 at McCall, Idaho, and reallocation of Channel 294C1 from McCall, Idaho, to Pinesdale, Montana, and modification of the construction permit for Channel 294C2 to specify operation on Channel 294C1 at Pinesdale, Montana, as its community of license. Channel 294A was allotted to McCall, Idaho, in MM Docket No. 86-350, 52 FR 42438, November 5, 1987. Idaho Broadcasting Consortium, Inc. filed a first-come/first-serve and one-step application for the allotment at McCall as a C2 allotment in lieu of a Class A allotment. Idaho Broadcasting Consortium, Inc. was granted a construction permit for Channel 294C2 at McCall on December 8, 1999 (BPH-19971023MD) (not published in the **Federal Register**). The coordinates for Channel 294C1 at Pinesdale are 46-10-07 and 114-17-06. Canadian concurrence will be requested for this allotment. In accordance with section 1.420(i) of the Commission's Rules, we shall not accept competing expressions of interest in the use of Channel 294C1 at Pinesdale.

**DATES:** Comments must be filed on or before June 11, 2001, and reply comments on or before June 26, 2001.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Laura A. Otis, Rosenman & Colin LLP, 805

15th Street, NW., 9th Floor, Washington, DC 20005-2212.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-93, adopted April 11, 2001, and released April 20, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805. 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* contact.

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 Idaho, is amended by removing Channel 294A at McCall.

3. Section 73.202(b), the Table of FM Allotments under Montana, is amended by adding Pinesdale and Channel 294C1.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 01-12267 Filed 5-15-01; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### 49 CFR Parts 365, 385, and 387

[Docket No. FMCSA 97-2709 (formerly FHWA-97-2709)]

RIN 2126-AA26 (formerly RIN 2125-AE01)

#### Registration of For-Hire Motor Carriers, Property Brokers, and Freight Forwarders; Withdrawal

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); withdrawal.

**SUMMARY:** The FMCSA withdraws the notice of proposed rulemaking (NPRM) relating to proposed interim rules on the registration of for-hire motor property and passenger carriers, property brokers, and freight forwarders published in the **Federal Register** at 63 FR 7362 on February 13, 1998. This NPRM will be superseded by three rulemaking proceedings now in development that will impact the registration process: registration rules for new entrants as required by the Motor Carrier Safety Improvement Act of 1999 (MCSIA); registration rules for Mexican motor carriers operating in the United States under the North American Free Trade Agreement (NAFTA); and rules implementing a unified carrier registration system as required by the Interstate Commerce Commission Termination Act of 1995 (ICCTA). Maintaining an open docket on the proposed interim registration rules would be inconsistent with changes that FMCSA will propose in these proceedings.

**DATES:** The notice of proposed rulemaking published on February 13, 1998 at 63 FR 7362 is withdrawn as of June 15, 2001.

#### FOR FURTHER INFORMATION CONTACT:

Angeli Sebastian, Chief, Driver and Carrier Operations, MC-PSD, (202) 366-4001, Federal Motor Carrier Safety Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** The Interstate Commerce Commission Termination Act of 1995 (ICCTA) (Pub. L. 104-88, 109 Stat. 803) required the Secretary of Transportation to issue regulations replacing: (1) the current DOT identification number system, (2) the single State registration system under 49 U.S.C. 14504, (3) the registration system for for-hire motor carriers, property brokers and freight