

Rule 74.30 Wood Products Coatings (Adopted 9/10/96)  
 Rule 75 Circumvention (Adopted 11/27/78)  
 Rule 100 Analytical Methods (Adopted 7/18/72)  
 Rule 101 Sampling and Testing Facilities (Adopted 5/23/72)  
 Rule 102 Source Tests (Adopted 11/21/78)  
 Rule 103 Continuous Monitoring Systems (Adopted 2/9/99)  
 Rule 154 Stage 1 Episode Actions (Adopted 9/17/91)  
 Rule 155 Stage 2 Episode Actions (Adopted 9/17/91)  
 Rule 156 Stage 3 Episode Actions (Adopted 9/17/91)  
 Rule 158 Source Abatement Plans (Adopted 9/17/91)  
 Rule 159 Traffic Abatement Procedures (Adopted 9/17/91)  
 Rule 220 General Conformity (Adopted 5/9/95)  
 Rule 230 Notice to Comply (Adopted 11/9/99)

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[FR Doc. 01-16290 Filed 6-27-01; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-1465, MM Docket No. 01-128, RM-10133]

#### Digital Television Broadcast Service; Charleston, SC

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by WCSC Inc., licensee of station WCSC-TV, NTSC channel 5, Charleston, South Carolina, requesting the substitution of DTV channel 47 for station WCSC-TV's assigned DTV channel 52. DTV Channel 47 can be allotted to Charleston, South Carolina, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (32-55-28 N. and 79-41-58 W.). As requested, we propose to allot DTV Channel 47 to Charleston with a power of 1000 and a height above average terrain (HAAT) of 597 meters.

**DATES:** Comments must be filed on or before August 9, 2001, and reply comments on or before August 24, 2001.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: James R. Bayes, E. Joseph Knoll III, Wiley, Rein &

Fielding, 1776 K Street, NW, Washington, DC 20006 (Counsel for WCSC, Inc.).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-128, adopted June 22, 2001, and released June 25, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center 445 12th Street, S.W., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

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

Television, Digital television broadcasting.

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

#### PART 73—TELEVISION BROADCAST SERVICES

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

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

##### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under South Carolina is amended by removing DTV Channel 52 and adding DTV Channel 47 at Charleston.

Federal Communications Commission.

**Barbara A. Kreisman,**  
 Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 01-16238 Filed 6-27-01; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-1464, MM Docket No. 01-127, RM-10132]

#### Digital Television Broadcast Service; Pittsburg, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Saga Quad States Communications, Inc., licensee of station KOAM-TV, NTSC channel 7, Pittsburg, Kansas, requesting the substitution of DTV 13 for station KOAM-TV's assigned DTV channel 30. DTV Channel 13 can be allotted to Pittsburg, Kansas, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (37-13-15 N. and 94-42-23 W.). As requested, we propose to allot DTV Channel 13 to Pittsburg with a power of 4.2 and a height above average terrain (HAAT) of 336 meters.

**DATES:** Comments must be filed on or before August 9, 2001, and reply comments on or before August 24, 2001.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Gary S. Smithwick, Smithwick & Belendiuk, PC, 5028 Wisconsin Avenue, NW, Suite 301, Washington, DC 20016 (Counsel for Saga Quad States Communications).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-127, adopted June 22, 2001, and released June 25, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

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

Television, Digital television broadcasting.

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

#### PART 73—TELEVISION BROADCAST SERVICES

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

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

##### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Kansas is amended by removing DTV Channel 30 and adding DTV Channel 13 at Pittsburg.

Federal Communications Commission.

**Barbara A. Kreisman,**

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 01-16239 Filed 6-27-01; 8:45 am]

BILLING CODE 6712-01-P

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Parts 600, 635, and 648

[Docket No. 010612153-1153-01; I.D. 041901A]

RIN 0648-AP21

##### Fisheries Off West Coast States and in the Western Pacific; Atlantic Highly Migratory Species; Fisheries of the Northeastern United States

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes a rule that would implement the provisions of the Shark Finning Prohibition Act (Act) that prohibit any person under U.S. jurisdiction from engaging in shark

finning in waters seaward of the inner boundary of the U.S. exclusive economic zone (EEZ), possessing shark fins harvested in waters seaward of the inner boundary of the U.S. EEZ on board a fishing vessel without corresponding shark carcasses, or landing shark fins harvested in waters seaward of the inner boundary of the U.S. EEZ without corresponding carcasses. The Act requires the Secretary of Commerce to issue regulations to implement it and the intent of this action is to propose such regulations.

**DATES:** Comments must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific daylight time on July 30, 2001. Comments may also be submitted at a public hearing to be held on the proposed rule on July 11, 2001, NOAA Auditorium, 1301 East-West Highway, Silver Spring, MD, 5 p.m. EDT.

**ADDRESSES:** Written comments should be sent to Dr. Rebecca Lent, Regional Administrator, Southwest Region, NMFS, 501 W. Ocean Boulevard, Suite 4200, Long Beach, CA 90802. Comments may also be sent via facsimile at 562-980-4047. Comments will not be accepted if submitted by email or Internet. For copies of the draft environmental Assessment (EA) or regulatory impact review/initial regulatory flexibility analysis (RIR/IRFA), contact Svein Fougner at 562-980-4040.

##### FOR FURTHER INFORMATION CONTACT:

Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, Southwest Region, NMFS, at 562-980-4040; or Charles Karnella, Administrator, Pacific Island Area Office, NMFS, at 808-973-2935; or Karyl Brewster-Geisz, NMFS headquarters, at 301-713-2347.

**SUPPLEMENTARY INFORMATION:** Due to concerns about the status of shark populations and the effects of heavy fishing on such populations, the Congress passed, and the President signed, on December 21, 2000, the Shark Finning Prohibition Act. This Act amends the Magnuson-Stevens Fishery Management and Conservation Act (Magnuson-Stevens Act). The Act prohibits any person subject to U.S. jurisdiction from: (1) Engaging in shark finning (finning is the practice of removing the fin or fins from a shark and discarding the remainder of the shark) at sea; (2) possessing shark fins aboard a fishing vessel without the corresponding carcass; and (3) landing shark fins without a corresponding carcass.

By becoming a signatory nation to the United Nations Food and Agriculture Organization's International Plan of Action on Sharks, the United States has agreed that shark conservation is a concern, both domestically and internationally. The United States has also agreed that all nations and international fishery organizations should take action to ensure that shark populations are monitored, and fishery conservation measures are implemented, to protect sharks from over-exploitation. The strong international market for shark fins has increased the potential for fishing shark stocks at unsustainable levels. Uncontrolled shark finning may lead to unsustainable shark harvests, as well as the waste of usable (but often relatively lower value) shark meat. In addition, the species of shark often cannot be determined from the fins alone. Thus, when finning is practiced, the effects of fisheries on specific shark species is difficult to discern because appropriate mortality data are not available for stock assessments. The intent of the Act is to eliminate the wasteful and unsportsmanlike practice of shark finning. The intent of this proposed rule is to achieve the intent of the Act.

The practice of shark finning has been prohibited in the Federal waters of the Atlantic Ocean, Gulf of Mexico, and Caribbean Sea since 1993 for 39 species of sharks contained in the management unit of the Fishery Management Plan (FMP) for Sharks of the Atlantic Ocean. In 1999, the FMP for Sharks of the Atlantic Ocean was replaced, and the prohibition on shark finning expanded to an additional 33 species of sharks, by the FMP for Atlantic Tunas, Swordfish, and Sharks (HMS FMP). The only species of shark for which finning was not expressly prohibited by the HMS FMP was spiny dogfish; however, the Spiny Dogfish FMP prohibited the finning of spiny dogfish in Federal waters in January 2000. This proposed rule would not affect any of the regulations implementing the HMS and Spiny Dogfish FMPs, including those prohibiting finning or imposing reporting requirements.

To implement the Act, the proposed rule would prohibit: (1) Any person on a U.S. fishing vessel from engaging in shark finning in waters seaward of the inner boundary of the U.S. EEZ; however, a U.S. fisher would not be prohibited from removing and retaining fins from a shark on a vessel, providing the corresponding carcass is retained on board the vessel; (2) any person on a U.S. fishing vessel from possessing shark fins harvested in waters seaward of the inner boundary of the U.S. EEZ