

model years with unset readiness codes which also have diagnostic trouble codes (DTCs) stored resulting in a lit malfunction indicator light (MIL) should be failed, though setting the unset readiness flags in question shall not be a prerequisite for passing the retest.

(d) \* \* \*

(1) If the malfunction indicator status bit indicates that the malfunction indicator light (MIL) has been commanded to be illuminated the test system shall send a Mode \$03 request to determine the stored diagnostic trouble codes (DTCs). The system shall repeat this cycle until the number of codes reported equals the number expected based on the Mode 1 response. All DTCs resulting in MIL illumination shall be recorded in the vehicle test record and the vehicle shall fail the on-board diagnostic inspection.

(2) If the malfunction indicator light bit is not commanded to be illuminated the vehicle shall pass the on-board diagnostic inspection, even if DTCs are present.

\* \* \* \* \*

(4) If the malfunction indicator light (MIL) does not illuminate at all when the vehicle is in the key-on/engine-off (KOEO) condition, the vehicle shall fail the on-board diagnostic inspection, even if no DTCs are present and the MIL has not been commanded on.

12. Section 85.2223 is amended by revising paragraph (a) and removing and reserving paragraph (b) to read as follows:

**§ 85.2223 On-board diagnostic test report.**

(a) Motorists whose vehicles fail the on-board diagnostic test described in § 85.2222 shall be provided with the on-board diagnostic test results, including the codes retrieved, the name of the component or system associated with each fault code, the status of the MIL illumination command, and the customer alert statement as stated in paragraph (c) of this section.

(b) [Reserved]

\* \* \* \* \*

**§ 85.2231 {Removed}**

13. Section 85.2231 is amended by removing and reserving paragraph (d).

[FR Doc. 00-24048 Filed 9-19-00; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Parts 52**

[TN-233-1-20021b; FRL-6872-3]

**Approval and Promulgation of the Implementation Plan for the Shelby County, Tennessee Lead Nonattainment Area**

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) proposes to approve the lead state implementation plan (SIP) for the Shelby County, Tennessee lead nonattainment area. The Memphis and Shelby County Health Department through the Tennessee Department of Environment and Conservation submitted the lead SIP on March 17, 2000, pursuant to sections 110(a)(2) and 172(c) of the Clean Air Act (CAA). In the final rules section of this **Federal Register**, the EPA is approving Tennessee's SIP revision as a direct final rule without a prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to the direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives 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 rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments must be received by October 20, 2000.

**ADDRESSES:** Written comments should be addressed to Kimberly Bingham, at the EPA Regional Office listed below. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. U.S. Environmental Protection Agency, Region 4, Sam Nunn Atlanta Federal Center, Air, Pesticides, and Toxics Management Division, Air Planning Branch, 61 Forsyth Street, Atlanta, 30303-3104. Tennessee Air Pollution Control Board, 9th Floor, L &

C Annex, 401 Church Street, Nashville, Tennessee 37243-1531.

**FOR FURTHER INFORMATION CONTACT:**

Kimberly Bingham of the EPA Region 4, Air Planning Branch at the above address. Ms. Bingham can be reached at (404) 562-9038 and Bingham.Kimberly@epa.gov.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final rule which is published in the rule's section of this **Federal Register**.

Dated: September 5, 2000.

**Mike V. Peyton,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 00-24043 Filed 9-19-00; 8:45 am]

BILLING CODE 6560-50-P

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[AL-051-200026(b); FRL-6872-5]

**Approval and Promulgation of Implementation Plans: Revisions to the Alabama Department of Environmental Management (ADEM) Administrative Code for the Air Pollution Control Program**

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing approval of revisions to the Alabama Department of Environmental Management's (ADEM) Administrative Code submitted on January 10, 2000, by the State of Alabama. The revisions comply with the regulations set forth in the Clean Air Act (CAA). Included in this document are revisions to Chapter 335-3-14—Air Permits. ADEM is revising this rule to delete outdated accommodative state implementation plan (SIP) rules. In the Final Rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. 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 rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in

commenting on this document should do so at this time.

**DATES:** Written comments must be received on or before October 20, 2000.

**ADDRESSES:** Written comments should be addressed to Kimberly Bingham, at the EPA Regional Office listed below. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

U.S. Environmental Protection Agency, Region 4, Atlanta Federal Center, Air, Pesticides, and Toxics Management Division, 61 Forsyth Street, Atlanta, Georgia 30303-3104.

**FOR FURTHER INFORMATION CONTACT:** Kimberly Bingham of the EPA Region 4, Air Planning Branch at (404) 562-9038 and at the above address.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the Final Rules section of this **Federal Register**.

Dated: September 5, 2000.

**Mike V. Peyton,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 00-24041 Filed 9-19-00; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-2069; MM Docket No. 00-166; RM-9951]

#### Radio Broadcasting Services; Wickenburg, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of Wickenburg Broadcasting, requesting the allotment of Channel 242C3 to Wickenburg, Arizona, as that community's third local FM transmission service. Coordinates used for this proposal are 34-01-01 NL and 112-41-46 WL. Additionally, Wickenburg, Arizona, is located within 320 kilometers (199 miles) of the

Mexico border, and therefore, the Commission must obtain concurrence of the Mexican government to this proposal.

**DATES:** Comments must be filed on or before October 30, 2000, and reply comments on or before November 14, 2000.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: A. Wray Fitch III, Esq., Gammon & Grange, P.C., 8280 Greensboro Drive, 7th Floor, McLean, VA 22101-3807.

**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. 00-166, adopted August 30, 2000, and released September 8, 2000. 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.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 00-24073 Filed 9-19-00; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA No. 00-2058; MM Docket No. 00-27; RM-9820, RM-9875 & RM-9876]

#### Radio Broadcasting Services; Valley Mills, Gorman, Hico and Walnut Springs, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal.

**SUMMARY:** Valley Mills Radio Broadcasting Company proposed the allotment of Channel 237C2 at Valley Mills, Texas. See 65 FR 11537, March 3, 2000. Counterproposals were filed by Valley Mills Radio Broadcasting Company requesting the allotment of Channel 237C2 at Hico, TX and by Gorman Community Broadcasting Company requesting the allotment of Channel 238C3 at Gorman, TX and Channel 237A at Walnut Springs, TX. On June 14, 2000, a Joint Motion to Dismiss was filed by Valley Mills Radio Broadcasting Company and Gorman Community Broadcasting Company. Therefore, the petition and counterproposals have been dismissed, as requested, with no action taken with regard to allotments at Valley Mills, Hico, Gorman and Walnut Springs, TX.

**ADDRESSES:** Federal Communications Commission, Washington, D.C. 20554.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 00-27, adopted August 30, 2000, and released September 8, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW., 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.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 00-24072 Filed 9-19-00; 8:45 am]

**BILLING CODE 6712-01-P**