

as a direct final rule without prior proposal because the EPA views this as a noncontroversial revision and anticipates no adverse comment. The EPA has explained its reasons for this approval in the preamble to the direct final rule. If EPA receives relevant adverse comment, EPA will withdraw the direct final rule and it will not take effect. The based on this proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting must do so at this time.

DATES: Written comments must be received by January 19, 2000.

ADDRESSES: You should address comments on this action to Mr. Thomas Diggs, EPA Region 6, Air Planning Section (6PD-L), 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202.

Copies of documents relevant to this action are available for public inspection during normal business hours at the following locations: EPA Region 6 offices, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202, and the Albuquerque Environmental Health Department, Air Pollution Control Division, One Civic Plaza Room 3023, Albuquerque, New Mexico 87102. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Matthew Witosky at (214) 665-7214, or WITOSKY.MATTHEW@EPA.GOV

SUPPLEMENTARY INFORMATION: This document concerns a carbon monoxide maintenance plan, an emission inventory, and a motor vehicle emissions budget. For further information, please see the information provided in the direct final action that is located in the "Rules and Regulations" section of this **Federal Register** publication.

Authority: 42 U.S.C. 7401 *et seq.*

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Emission inventory, Maintenance plans, Carbon monoxide.

Dated: November 26, 1999.

Carl E. Edlund,

Acting Regional Administrator,

[FR Doc. 99-32175 Filed 12-17-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MO 090-1090a; FRL-6508-3]

Approval and Promulgation of Implementation Plans and Part 70 Operating Permits Program; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve two State Implementation Plan (SIP) revisions submitted by the state of Missouri. These revisions provide changes to rule 10 CSR 10-3.050, Restriction of Emission of Particulate Matter From Industrial Processes. Approval of these revisions will make them Federally enforceable.

In the final rules section of the **Federal Register**, EPA is approving the state's SIP revisions as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no relevant adverse comments. 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 rule. 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 rule. EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by January 19, 2000.

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: November 29, 1999.

Dennis Grams,

Regional Administrator, Region VII.

[FR Doc. 99-32376 Filed 12-17-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[IN114-1b; FRL-6501-1]

Approval and Promulgation of Implementation Plan; Indiana Volatile Organic Compound Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve the August 18, 1999, Indiana State Implementation Plan (SIP) revision request concerning amendments to Indiana's automobile refinishing rules for Lake, Porter, Clark, and Floyd Counties, and new rules for Stage I gasoline vapor recovery and automobile refinishing spray-gun requirements for Vanderburgh County.

In the final rules section of this **Federal Register**, the EPA is approving the State's request as a direct final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. A detailed rationale for approving the State's request is set forth in the direct final rule. The direct final rule will become effective without further notice unless the Agency receives relevant adverse written comment on this action. Should the Agency receive such comment, it will publish a final rule informing the public that the direct final rule will not take effect and such public comment received will be addressed in a subsequent final rule based on this proposed rule. If no adverse written comments are received, the direct final rule will take effect on the date stated in that document and no further activity will be taken on this proposed rule. EPA does not plan to institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before January 19, 2000.

ADDRESSES: Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal are available for inspection at: Regulation Development Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Mark J. Palermo, Environmental

Protection Specialist, Regulation Development Section, Air Programs Branch (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6082.

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

Dated: November 4, 1999.

Jerri-Anne Garl,

Acting Regional Administrator, Region 5.

[FR Doc. 99-32372 Filed 12-17-99; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2, and 101

[WT Docket No. 99-327; FCC 99-333]

Commission's Rules To License Fixed Services at 24 GHz

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this Notice of Proposed Rulemaking (NPRM), the Commission proposes licensing and service rules to govern the 24 GHz band generally. Specifically, the Commission proposes that future licensees in the 24 GHz band, as well as licensees relocated to the 24 GHz band from the 18 GHz band, will be generally subject to part 101, as modified to reflect the particular characteristics and circumstances of this band. The Commission also proposes to apply competitive bidding procedures under the Commission's part 1 competitive bidding rules for future licensing in the band.

DATES: Comments are due on or before January 19, 2000. Reply comments are due on or before February 7, 2000.

ADDRESSES: Federal Communications Commission, Secretary, 445 12th Street, SW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Howard Davenport, Wireless Telecommunications Bureau, Auctions and Industry Analysis Division, Legal Branch, at (202) 418-0585. Media Contact: Meribeth McCarrick at (202) 419-0654.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking in the matter of Amendments to parts 1, 2, and 101 of the Commission's Rules To License Fixed Services at 24 GHz, WT Docket No. 99-327, adopted November 4, 1999 and released November 10, 1999. The

complete text of this NPRM is available for inspection and copying during normal business hours in the Commission's Reference Center (Room CY-A257), 445 12th Street, SW, Washington, DC and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc. (ITS, Inc.), 1231 20th Street, NW, Washington, DC 20036, (202) 857-3800. It is also available through the Internet at <http://www.fcc.gov>.

Synopsis of Notice of Proposed Rulemaking

1. In 1983, the Commission adopted rules for Digital Electronic Message Service ("DEMS"), which was envisioned as a high-speed, two-way, point-to-multipoint terrestrial microwave transmission system. *See*, Amendment of the Commission's Rules to Relocate the Digital Electronic Message Service From the 18 GHz Band to the 24 GHz Band and to Allocate the 24 GHz Band for Fixed Service, *Memorandum Opinion and Order*, 63 FR 50538, (September 22, 1998), ("DEMS MO&O"). The service was allocated spectrum in the 18.36-18.46 GHz band paired with the 18.94-19.04 GHz band. Subsequently, the Commission modified the initial DEMS allocation, instead designating spectrum in the 18.82-18.92 GHz and 19.16-19.26 GHz bands. The Commission began to grant DEMS licenses in the early 1980's, but the service was not initially commercially successful. Frequently, licensees had to return their licenses because they had not met construction requirements. The high cost of equipment appears to have been one of the many issues involved in the service's lack of early success. In the early 1990s, a small number of companies began acquiring licenses in approximately 30 of the country's largest markets.

2. In January 1997, and again in March 1997, the National Telecommunications and Information Administration ("NTIA"), on behalf of the United States Department of Defense ("DoD"), formally requested that the Commission take action to protect military satellite system operations in the 18 GHz band. NTIA stated that DEMS use of frequencies in the 17.8-20.2 GHz bands within 40 kilometers of existing Government Fixed-Satellite Service ("FSS") earth stations "will not be possible." As a result, NTIA asked the Commission to protect those government satellite earth stations operating in the 18 GHz band in Washington, DC and Denver, and "[e]xpeditiously undertake any other

necessary actions, such as amending the Commission's rules and modifying Commission issued licenses." Specifically, in its January 1997 letter, NTIA stated:

We are asking that these actions be undertaken on an expedited basis. As we have previously indicated, this matter involves military functions, as well as specific sensitive national security interests of the United States. These actions are essential to fulfill requirements for Government space systems to perform satisfactorily.

The Commission is permitted to amend its Rules without complying with the notice provisions of the Administrative Procedure Act (APA) in cases involving any "military, naval of [sic] foreign affairs function of the United States" or where the agency for good cause finds "notice and public procedure * * * are impracticable, unnecessary, or contrary to the public interest." To protect the two government earth stations from interference, NTIA proposed to make 400 MHz of spectrum available in the 24 GHz band so that the Commission could relocate DEMS licensees. Recognizing the Commission's objective of maintaining DEMS on a uniform, nationwide frequency band, NTIA stated that "[t]aking into account our common interests, [NTIA] could make available spectrum in the region of 24.25-24.65 GHz" and suggested that "the Commission take such steps as may be necessary to license DEMS stations in this spectrum * * *"

3. For its part, the Commission had before it sharing issues between 18 GHz non-Government satellite services and DEMS. *See* Amendment of the Commission's Rules to Relocate the Digital Electronic Message Service from the 18 GHz Band to the 24 GHz Band and To Allocate the 24 GHz Band For Fixed Service, *Order*, 62 FR 24576 (May 6, 1997) ("Reallocation Order"). In July 1996, the Commission designated 500 MHz of spectrum in the 18.8-19.3 GHz band for non-geostationary satellite orbit, fixed satellite service (NGSO/FSS) downlinks to help meet increasing demand for spectrum for this service. *See*, Rulemaking to Amend parts 1, 2, 21, and 25 of the Commission's Rules to Redesignate the 27.5-29.5 GHz Frequency Band, to Reallocate the 29.5-30.0 GHz Frequency Band, to establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services, 61 FR 39425 (July 29, 1996). Initially, it appeared that sharing between NGSO/FSS and DEMS would be possible. However, subsequent to that allocation, the only applicant for an NGSO/FSS system in the 18 GHz band