

prior years, as well as suffer the potentially price depressing consequence that a release of over a million pounds of spearmint oil reserves would have on the market. According to the Committee, levels for the salable quantities and allotment percentages either higher or lower than those recommended would not achieve the intended goals of market and price stability.

As stated earlier, annual salable quantities and allotment percentages have been issued for both classes of spearmint oil since the order's inception. Reporting and recordkeeping requirements have remained the same for each year of regulation. These requirements have been approved by the Office of Management and Budget under OMB Control No. 0581-0065. Accordingly, this action would not impose any additional reporting or recordkeeping requirements on either small or large spearmint oil producers and handlers. All reports and forms associated with this program are reviewed periodically in order to avoid unnecessary and duplicative information collection by industry and public sector agencies. The Department has not identified any relevant Federal rules that duplicate, overlap, or conflict with this proposed rule.

The Committee's meeting was widely publicized throughout the spearmint oil industry and all interested persons were invited to attend and participate on all issues. In addition, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab.html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 15-day comment period is provided to allow interested persons the opportunity to respond to the proposal, including any regulatory and informational impacts of this action on small businesses. Fifteen days is deemed appropriate because this rule would need to be effective as soon as possible to provide producers sufficient time prior to the beginning of the 2001-2002 marketing year to adjust their cultural and marketing plans accordingly. All written comments received within the comment period will be considered before a final determination is made on this matter.

List of Subjects in 7 CFR Part 985

Marketing agreements, Oils and fats, Reporting and recordkeeping requirements, Spearmint oil.

For the reasons set forth in the preamble, 7 CFR Part 985 is proposed to be amended as follows:

PART 985—MARKETING ORDER REGULATING THE HANDLING OF SPEARMINT OIL PRODUCED IN THE FAR WEST

1. The authority citation for 7 CFR Part 985 continues to read as follows:

Authority: 7 U.S.C. 601-674.

2. A new § 985.220 is added to read as follows:

Note: This section will not appear in the Code of Federal Regulations.

§ 985.220 Salable quantities and allotment percentages—2001-2002 marketing year.

The salable quantity and allotment percentage for each class of spearmint oil during the marketing year beginning on June 1, 2001, shall be as follows:

(a) Class 1 (Scotch) oil—a salable quantity of 900,208 pounds and an allotment percentage of 48 percent.

(b) Class 3 (Native) oil—a salable quantity of 938,944 pounds and an allotment percentage of 45 percent.

Dated: April 18, 2001.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 01-10115 Filed 4-23-01; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD13-00-029]

RIN 2115-AE87

Drawbridge Operations Regulations; Duwamish River, WA

AGENCY: Coast Guard, DOT.

ACTION: Withdrawal of proposed rule.

SUMMARY: The Coast Guard is withdrawing the proposed rulemaking to amend the operating regulations of the dual bascule drawbridges on First Avenue South across the Duwamish River, mile 2.5, at Seattle, Washington. This rulemaking is being withdrawn because of the insufficient road traffic volume and congestion data provided by the bridge owner to justify the proposed change and because of objections made by navigational

interests. Three marine transport companies objected to the proposed addition of one hour to the existing afternoon closed period. The bridge currently is closed to vessels of less than 5000 gross tons for six hours each day Monday through Friday. These objectors are major commercial users of the Duwamish Waterway and all are engaged in various degrees with major shipping to Alaska from Seattle. One of these also observed that the dual drawspans are not operated simultaneously. Simultaneous operation could reduce the length of the operating cycle and therefore reduce the time that roadway traffic is obstructed by draw span operations.

DATES: The proposed rulemaking is withdrawn effective April 24, 2001.

FOR FURTHER INFORMATION CONTACT:

Austin Pratt, Chief, Bridge Section, Aids to Navigation and Waterways Management Branch, Thirteenth Coast Guard District, (206) 220-7282.

SUPPLEMENTARY INFORMATION: This notice withdraws the notice of proposed rulemaking for the amendment of drawbridge operations regulations, published in the **Federal Register**, August 18, 2000 (65 FR 50480, CGD13-00-029).

Dated: 10 April 2001.

Erroll Brown,

Rear Admiral, U.S. Coast Guard, Commander, Thirteenth Coast Guard District

[FR Doc. 01-10138 Filed 4-23-01; 8:45 am]

BILLING CODE 4910-15-U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-860, MM Docket No. 01-83, RM-10085]

Digital Television Broadcast Service; Lexington, KY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by WLEX Communications, LLC, licensee of station WLEX-TV, NTSC channel 18, Lexington, Kentucky, requesting the substitution of DTV channel 39 for DTV channel 22. DTV Channel 39 can be allotted to Lexington, Kentucky, in compliance with the principle community coverage requirements of section 73.625(a) at reference coordinates (38-02-03 N. and 84-23-39 W.). As requested, we propose to allot DTV Channel 39 to Lexington with a

power of 1000 and a height above average terrain (HAAT) of 288 meters.

DATES: Comments must be filed on or before May 31, 2001, and reply comments on or before June 15, 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: Scott S. Patrick, Dow, Lohnes & Albertson, PLLC, 1200 New Hampshire Avenue, NW, Suite 800, Washington, DC 20036-6802 (Counsel for WLEX Communications, L.L.C.).

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. 01-83, adopted April 6, 2001, and released April 9, 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 Kentucky is amended by removing DTV Channel 22 and adding DTV Channel 39 at Lexington.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 01-10107 Filed 4-23-01; 8:45 am]

BILLING CODE 6712-01-P