Region, Los Angeles Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California 90808, telephone (213) 548-2831.

SUPPLEMENTARY INFORMATION: One operator reported two incidents in which all voice transmission communication capability between flight crew and ground was lost due to the inability of the flight crew to transmit on HF, VHF, UHF radios, and on the flight interphone. The problem is caused by the use of a common (single) ground point for all microphone returns which can become loose or break.

Providing separate electrical ground points for each communication system in accordance with the Accomplishment Instructions in McDonnell Douglas DC-10 Service Bulletin 23-46, dated May 12, 1983, will minimize the potential for a complete loss of voice communication transmission capability from airplane to ground.

Since this situation is likely to exist or develop on other airplanes of the same type design, this AD requires modification of the service and flight interphone audio system wiring to provide for two electrical ground points instead of one.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

Lists of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by adding the following new airworthiness directive:

McDonnell Douglas: Applies to McDonnell Douglas DC-10-15, DC-10-30, and all KC-10A (military) airplanes, fuselage numbers 75 through 337, 341 through 345, and 352 through 378, certificated in all categories. Compliance required within 30 days from the effective date of this AD, unless already accomplished.

To prevent loss of communication transmission capability from airplane to ground, accomplish the following:

A. Modify the service and flight interphone audio system wiring in accordance with the Accomplishment Instructions in McDonnell Douglas DC-10 Service Bulletin No. 23-46, dated May 12, 1983, or later revisions approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

B. Alternate means of compliance which provide an equivalent level of safety may be used when approved by the Manager, Los Angeles Aircraft Certification Office, FAA, Northwest Mountain Region.

C. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of modifications required by this AD.

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Director, Publications and Training, C1-750 (54-60). These documents also may be examined at FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or Los Angeles Aircraft Certification Office, 4344 Donald Douglas Drive, Long Beach, California.

This amendment becomes effective July 18, 1983.

(Sec. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423; sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.89)

Note.—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption **"FOR FURTHER INFORMATION CONTACT."**

Issued in Seattle, Washington on June 27, 1983.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 83-18464 Filed 7-8-83; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-AGL-11]

Designation of Control Zone

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Correction to final rule.

SUMMARY: This action is to correct the description of the Grand Rapids, Minnesota, control zone. A final rule was published in the **Federal Register** dated April 21, 1983 (48 FR 17063), to establish a new part-time control zone at Grand Rapids, Minnesota. When the control zone was initially defined, a portion of the description was inadvertently omitted. The purpose of this amendment is to correct the published final rule. Since this action is editorial in nature, further notice and public procedure are not necessary. The effective date of this correction coincides with that of the original amendment. The complete description of the new control zone is presented in the text of this amendment.

EFFECTIVE DATE: June 9, 1983.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace, Procedures, and Automation Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: List of subjects in 14 CFR Part 71, Aviation Safety, Control Zones.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.171 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is further amended, effective 0901 G.m.t., June 9, 1983, as follows:

Grand Rapids, MN

Within a 5-mile radius of the Grand Rapids-Itasca County Airport (latitude 47°12'45" N., longitude 93°31'00" W.). The control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

(Secs. 313(a), 314(a), 601 through 610, and 1102, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421 through 1430, and 1502); 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983.)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, it is certified that this—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on June 20, 1983.

Paul K. Bohr,

Director, Great Lakes Region.

[FR Doc. 83-16480 Filed 7-7-83; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 23684; Amdt. No.1246]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATE: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

FOR FURTHER INFORMATION CONTACT: Donald K. Funai, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

List of Subjects in 14 CFR Part 97

Approaches, Standard instrument, Aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.m.t. on the dates specified, as follows:

1. By amending § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN SIAPs identified as follows:

* * * *Effective September 1, 1983*

Shreveport, LA—Shreveport Downtown, VOR Rwy 14, Amdt. 11

* * * *Effective August 18, 1983*

Fort Smith, AR—Fort Smith Muni, VOR or TACAN Rwy 25, Amdt. 18
Fort Smith, AR—Fort Smith Muni, VOR/DME or TACAN Rwy 7, Amdt. 8
Madera, CA—Madera Muni, VOR Rwy 30, Amdt. 2
Fort Myers, FL—Southwest Florida Regl, VOR Rwy 24, Original
Winter Haven, FL—Winter Haven's Gilbert VOR/DME-A, Amdt. 3
Goshen, IN—Goshen Muni, VOR Rwy 27, Amdt. 3
Goshen, IN—Goshen Muni, VOR Rwy 9, Amdt. 9
Lake Charles, LA—Lake Charles Muni, VOR-A, Amdt. 10
Lake Charles, LA—Lake Charles Muni, VOR/DME-B, Amdt. 5
Ionia, MI—Ionia County, VOR Rwy 27, Amdt. 5
Oneonta, NY—Oneonta Muni, VOR Rwy 6, Amdt. 4
Saranac Lake, NY—Adirondack, VOR Rwys 5 & 9, Amdt. 10
Greensboro, NC—May, VOR/DME-A, Original
Cleveland, OH—Cuyahoga County, VOR-A, Original
Cleveland, OH—Cuyahoga County, VOR Rwy 23, Amdt. 3, Cancelled
Ponca City, OK—Ponca City Muni, VOR-A, Amdt. 7
Charleston, SC—Charleston Executive, VOR A, Amdt. 5
Dillon, SC—Dillon County, VOR-DME Rwy 6, Amdt. 3
Manning, SC—Clarendon County, VOR/DME-A, Amdt. 3

Manning, SC—Clarendon County, VOR-B, Amdt. 4, Cancelled
Clarksville, TN—Outlaw Field, VOR Rwy 34, Amdt. 12
Austin, TX—Tims Airpark, VOR/DME Rwy 18, Amdt. 1
Laredo, TX—Laredo Intl, VOR/DME or TACAN Rwy 14, Amdt. 3
Laredo, TX—Laredo Intl, VOR OR TACAN Rwy 32, Amdt. 3

** * * Effective June 24, 1983*

Russell, KS—Russell Muni, VOR/DME-A, Amdt. 3

2. By amending § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, and SDF/DME SIAPs identified as follows:

** * * Effective September 1, 1983*

Shreveport, LA—Shreveport Downtown, LOC Rwy 14, Amdt. 1

** * * Effective August 18, 1983*

Fort Smith, AR—Fort Smith Muni, LOC BC Rwy 7, Amdt. 7
South Lake Tahoe, CA—Lake Tahoe, LDA/DME Rwy 18, Original
Goshen, IN—Goshen Muni, LOC Rwy 27, Amdt. 1
Garden City, KS—Garden City Muni, LOC Rwy 35, Amdt. 1
Lake Charles, LA—Lake Charles Muni, LOC BC Rwy 33, Amdt. 13
Farmingdale, NY—Republic, LOC BC Rwy 32, Amdt. 4
Ponca City, OK—Ponca City Muni, LOC Rwy 17, Amdt. 1
Philadelphia, PA—Northeast Philadelphia, LOC BC Rwy 6, Amdt. 5
Clarksville, TN—Outlaw Field, LOC Rwy 34, Amdt. 3
Tyler, TX—Tyler Pounds Field, LOC BC Rwy 31, Amdt. 15

3. By amending § 97.27 NDB and NDB/DME SIAPs identified as follows:

** * * Effective August 18, 1983*

Fort Smith AR—Fort Smith Muni, NDB Rwy 7, Amdt. 6
Fort Smith, AR—Fort Smith Muni, NDB Rwy 25, Amdt. 23
Tucson, AZ—Ryan Field, NDB-D, Original
Tucson, AZ—Tucson Intl, NDB-C, Amdt. 2, Cancelled
Vinton, IA—Vinton Veterans Meml Arpk, NDB Rwy 16, Amdt. 2
Vinton, IA—Vinton Veterans Meml Arpk, NDB Rwy 27, Original
Garden City, KS—Garden City Muni, NDB Rwy 12, Amdt. 8, Cancelled
Lake Charles, LA—Lake Charles Muni, NDB Rwy 15, Amdt. 16
Worcester, MA—Worcester Muni, NDB Rwy 11, Amdt. 15
Worcester, MA—Worcester Muni, NDB Rwy 29, Amdt. 7
Potsdam, NY—Potsdam Muni/Damon Fld, NDB Rwy 24, Amdt. 2
Wadesboro, NC—Anson County, NDB Rwy 16, Original
Wilson, NC—Wilson Muni, NDB Rwy 3 Amdt. 2
Bellefontaine, OH—Bellefontaine Muni, NDB Rwy 22, Amdt. 3
Ponca City, OK—Ponca City Muni, NDB Rwy 17, Amdt. 2
Ponca City, OK—Ponca City Muni, NDB Rwy 35, Amdt. 1
Bradford, PA—Bradford Regional, NDB Rwy 32, Amdt. 13
Dillon, SC—Dillon County, NDB Rwy 6, Amdt. 2
Rock Hill, SC—Bryant Field, NDB-C, Original
Chattanooga, TN—Lovell Field, NDB Rwy 20, Amdt. 27
Clarksville, TN—Outlaw Field, NDB Rwy 34, Amdt. 3
Laredo, TX—Laredo Intl, NDB Rwy 17L, Original, Cancelled
Laredo, TX—Laredo Intl, NDB Rwy 17C, Amdt. 4
Tyler, TX—Tyler Pounds Field, NDB Rwy 13, Amdt. 13
Abingdon, VA—Virginia Highlands, NDB-A, Amdt. 1, Cancelled

4. By amending § 97.29 ILS ILS/DME, ISMLS, MLS, MLS/DME and MLS/RNAV SIAPs identified as follows:

** * * Effective August 18, 1983*

Fort Smith, AR—Fort Smith Muni, ILS Rwy 25, Amdt. 18
Lake Charles, LA—Lake Charles Muni, ILS Rwy 15, Amdt. 16
Worcester, MA—Worcester Muni, ILS Rwy 11, Amdt. 15
Philadelphia, PA—Northeast Philadelphia, ILS Rwy 24, Amdt. 9
Chattanooga, TN—Lovell Field, ILS Rwy 20, Amdt. 32
Laredo, TX—Laredo Intl, ILS Rwy 17C, Amdt. 5
Tyler, TX—Tyler Pounds Field, ILS Rwy 13, Amdt. 15

5. By amending § 97.31 RADAR SIAPs identified as follows:

** * * Effective August 18, 1983*

Fort Smith, AR—Fort Smith Muni, RADAR-1, Amdt. 5
Lake Charles, LA—Lake Charles Muni, RADAR-1, Amdt. 2
White Plains, NY—Westchester County, RADAR-1, Amdt. 3

6. By amending § 97.33 RNAV SIAPs identified as follows:

** * * Effective August 18, 1983*

Lake Charles, LA—Lake Charles Muni, RNAV Rwy 5, Amdt. 1
Lake Charles, LA—Lake Charles Muni, RNAV Rwy 23, Amdt. 1
Bellefontaine, OH—Bellefontaine Muni, RNAV Rwy 22, Amdt. 2
Ponca City, OK—Ponca City Muni, RNAV Rwy 35, Amdt. 1

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421, and 1510); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.49(b)(3))

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrent preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C. on July 8, 1983.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

John M. Howard,

Manager, Aircraft Programs Division.

[FR Doc. 83-18403 Filed 7-8-83; 8:45 am]

BILLING CODE 4910-13-M

CIVIL AERONAUTICS BOARD

14 CFR Part 222

[Reg. ER-1348; Economic Regulations; Amdt. No. 1 to Part 222]

Intermodal Cargo Services by Foreign Air Carriers

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: This final rule gives notice that the Office of Management and Budget (OMB) has approved the extension of CAB Form 222, "Foreign Air Carrier Application for Statement of Authorization for Intermodal Cargo Services," filed pursuant to Part 222 of the Board's Economic Regulations (ER-1228, 46 FR 32552, June 24, 1981). This approval has been extended through June 30, 1986. OMB approval is required under the Paperwork Reduction Act of 1980.

DATES: Adopted: July 5, 1983. Effective: June 15, 1983.

FOR FURTHER INFORMATION CONTACT: Linda K. Koman, Data Requirements Section, Information Management Division, Office of Comptroller, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, (202) 673-6042.

List of Subjects in Part 222

Air transportation-foreign, Freight, and Intemodal transportation.

PART 222—[AMENDED]

Accordingly, the Civil Aeronautics Board amends Part 222 of its Economic Regulations (14 CFR Part 222) by adding a note at the end of the table of contents to Part 222 to read:

Note.—The application requirements contained in § 222.3 have been approved by the Office of Management and Budget under number 3024-0045.

This amendment is issued by the undersigned pursuant to delegation of authority from the Board to the Secretary in 14 CFR 385.24(b). (Sec. 204 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324).

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 83-18612 Filed 7-8-83; 8:45 am]

BILLING CODE 6320-0-M

DEPARTMENT OF COMMERCE

Office of the Secretary

15 CFR Part 2

[Docket No. 30630-119]

Procedures for Handling and Settlement of Claims Under the Federal Tort Claims Act

AGENCY: Office of the Secretary, Commerce.

ACTION: Final rule.

SUMMARY: This rule will revise and update the regulations for handling claims under the Federal Tort Claims Act. The revision reflects a change of responsibility for the subject matter from the Assistant Secretary for Administration to the General Counsel.

EFFECTIVE DATE: July 11, 1983.

FOR FURTHER INFORMATION CONTACT: Christina M. Gattuso, Office of the Assistant General Counsel for Administration, Office of the General Counsel, United States Department of Commerce, Washington, D.C. 20230, (202) 377-0386.

SUPPLEMENTARY INFORMATION: This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect thereto are impractical and contrary to the public interest, and good cause is found for making this rule effective less than 30 days after publication in the **Federal Register.** Since this rule, which relates to agency organization and management, is not a major rule as defined in Executive Order No. 12291, it has not been submitted to the Director of the Office of Management and the Budget. This rule does not fall within the provisions of the Regulatory Flexibility Act, nor will it create any information collection burdens on the public because of its subject matter, so as to be governed by the Paperwork Reduction Act.

List of Subjects in 15 CFR Part 2

Federal Tort Claims Act.

Irving P. Margulies,

Deputy General Counsel.

PART 2—[AMENDED]

Accordingly, Part 2, Title 15, Code of Federal Regulations, is amended as follows:

§ 2.1 [Amended]

1. In § 2.1, paragraph (b) is removed.

2. Section 2.3 is revised to read as follows:

§ 2.3 Delegation of authority.

(a) The General Counsel is hereby named as the designee of the Secretary of Commerce with respect to tort claims filed under Section 2672 of Title 28, U.S. Code, as described in § 2.2, with authority to act on such claims as provided in said section 2672, including denial thereof.

(b) Authority delegated under this section may, with the approval of the General Counsel, be redelegated to other designees.

(c) Settlement or denial of any claim under this part is final for the Department of Commerce.

§ 2.4 [Amended]

3. Section 2.4 (b) and (c) are amended by removing the words "Assistant Secretary for Administration" and inserting, in their place, the words "Assistant General Counsel for Administration."

4. Section 2.5 is amended by revising paragraphs (a) and (b) as follows:

§ 2.5 Adjudication and settlement of claims.

(a) Upon receipt of a claim by the Assistant General Counsel for Administration, the time and date of receipt shall be recorded. The Assistant General Counsel may, after recording the claim, transmit it to the Departmental office or primary operating unit involved in the claim and request that an investigation be conducted. The appropriate Departmental office or primary operating unit shall designate an official to conduct the investigation, who shall prepare a file, obtain additional information as necessary, and prepare for the Assistant General Counsel's signature a proposed award or denial of the claim. If the investigation capabilities of the office or unit are insufficient for a proper and complete investigation, the office or unit shall consult with the Departmental Office of Investigations and Security to: (1) Have that Office conduct the investigation or (2) request another Federal agency to conduct the investigation as necessary, pursuant to § 14.8 of the Regulations (28 CFR Part 14), all on a reimbursable basis.

(b) If the amount of the proposed award exceeds $25,000 (in which case, approval by the Attorney General is required), or if consultation with the Department of Justice is desired or required pursuant to § 14.6 of the Regulations, the Assistant General Counsel for Administration will prepare and compile the material required by the Department of Justice under § 14.7 of the Regulations.

* * * * *

5. Section 2.7 is revised to read as follows:

§ 2.7 Annual Report.

The Assistant General Counsel for Administration shall compile an annual report covering the preceding fiscal year, describing actions, including denials, taken under this part, name of claimant, amount claimed, amount of any award, and a brief description of the claim. The report shall be prepared by November 15 of each year.

§ 2.8 [Amended]

6. Section 2.8(a) is amended by removing the words "Assistant Secretary for Administration" and inserting, in their place, the words "Assistant General Counsel for Administration."

7. Section 2.8(b) is amended by removing the words "Assistant Secretary for Administration and the General Counsel" and inserting, in their place, the words "Assistant General Counsel for Administration."

APPENDIX A—[REMOVED]

8. Appendix A is removed.

[FR Doc. 83-18576 Filed 7-8-83; 8:45 am]

BILLING CODE 3510-BW-M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 720

Appraisal Function; Reimbursement

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: The purpose of the amendment is to increase the minimum allowable payment for the acquisition of a parcel from $100 to $500 to reflect inflation and increased property values. This change is intended to reduce the administrative burden on the States.

EFFECTIVE DATE: July 11, 1983.

FOR FURTHER INFORMATION CONTACT: Richard Moeller, Real Estate Division, Office of Right-of-Way (202-426-0142).

or Virginia Cherwek, Office of the Chief Counsel (202–426–0791), Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours: Monday–Friday from 7:45 a.m. to 4:15 p.m. ET.

SUPPLEMENTARY INFORMATION: Paragraph (d)(2) of 23 CFR 720.201 provides that States may prescribe a minimum payment for the acquisition of a parcel even though the approved appraisal estimate of just compensation reflects an amount less than the prescribed minimum, or even a zero amount. The current maximum amount for a minimum payment is $100.

In recent years inflation and rapidly rising real estate values have effectively eliminated utilization of the minimum payment provision. Further, increasing State activity in the upgrading and maintenance of existing roadways, as opposed to the creation of new highways, will result in the necessity to acquire a great number of smaller parcels, many of which could more easily be acquired if the minimum payment were raised to $500.

The increase from $100 to $500 for a minimum payment recognizes inflation, increased property values and the drastic changes in the economic environment which have occurred since the $100 limit was established in 1973. An increase to $500 would increase program efficiency and reduce "redtape" burdens on the States by allowing them to expedite small acquisitions.

The FHWA had determined that this document contains neither a major rule under Executive Order 12291 nor a significant regulation under DOT regulatory policies and procedures. The FHWA has also determined that the changes will have only minimal impact on the affected States and the public. Accordingly, a full regulatory evaluation is not required, and for the foregoing reasons and under the criteria of the Regulatory Flexibility Act it is certified that this action will not have a significant economic impact on a substantial number of small entities.

Since the change being adopted in this document is administrative in nature and makes no substantive changes in the regulations, the FHWA finds good cause to make this amendment final without prior notice and opportunity for comment and without a 30-day delay in effective date required by the Administrative Procedure Act. Notice and opportunity for comment are not required under the regulatory policies and procedures of the Department of Transportation because it is not anticipated that such action would result in the receipt of useful information.

List of Subjects in 23 CFR Part 720

Appraisal of real property, Government contracts, Grant programs—transportation, Highways and roads, Rights-of-way—appraisal.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning, and Construction. The procedures provided in OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued on: June 29, 1983.

Ray A. Barnhart,

Federal Highway Administrator, Federal Highway Administration.

PART 720—[AMENDED]

In consideration of the foregoing, Part 720, Subpart B of Chapter 1 of Title 23, Code of Federal Regulations, is amended as set forth below:

In § 720.201, paragraph (d)(2) is revised to read as follows:

§ 720.201 Appraisal and specialty reports.

* * * * *

(d) * * *

(2) Where the State prescribes a minimum payment, not to exceed $500, for the acquisition of a parcel, although the approved appraisal estimate of just compensation reflects a lesser or even a zero consideration, Federal participation shall be allowed if such payment is otherwise eligible.

(23 U.S.C. 315; 42 U.S.C. 4633; 23 CFR 1.32)

[FR Doc. 83-18467 Filed 7-8-83; 8:45 am]

BILLING CODE 4910-22-M

Coast Guard

33 CFR Part 157

[CGD 83-019b]

Disestablishment of Merchant Marine Technical Branch; Ninth Coast Guard District, Cleveland, Ohio

AGENCY: Coast Guard, DOT.

ACTION: Final Rule.

SUMMARY: The U.S. Coast Guard is disestablishing the Merchant Marine Technical Branch of the Ninth Coast Guard District in Cleveland, Ohio. As of July 1, 1983, the plan review duties for the geographical area served by the Ninth Coast Guard District will be assumed by the Merchant Marine Technical Branch, Third Coast Guard District, New York, New York. This reorganization is necessary to increase the overall efficiency, quality and consistency of plan review. This document makes the necessary changes in plan submittal procedures and updates the mailing addresses for each of the field merchant marine technical offices.

EFFECTIVE DATE: July 1, 1983.

FOR FURTHER INFORMATION CONTACT: LT Randall R. Fiebrandt, Marine Technical and Hazardous Materials Division, [G–MTH–4/13], Room 1304, Coast Guard Headquarters, 2100 Second St., SW., Washington, D.C. 20593 [202–426–2197].

SUPPLEMENTARY INFORMATION: The Coast Guard has completed an evaluation of its Merchant Marine Technical Branch field organization, taking into account many factors including personnel considerations and system efficiency. As a result, the Commandant concluded that a consolidation of the Merchant Marine Technical Branches of the Third and Ninth Coast Guard Districts was necessary for improved overall plan review efficiency, quality and consistency. Accordingly, the workload previously assigned to the Ninth District's Merchant Marine Technical Branch will be reassigned to the Third Coast Guard District Technical office.

Shipyards, designers and other businesses and persons within the geographical area of the Ninth Coast Guard District who are directly affected by this action have been informed of the consolidation by letter from the Commander, Ninth Coast Guard District (mmt).

The purpose of this notice is to provide the revised plan submittal procedure and to update mailing addresses for each of the district merchant marine technical offices.

This rule has been evaluated under Executive Order 12291 and DOT Order 2100.5 and has been determined to be non-major and non-significant. This rule reflects a change in agency organization with no economic impact upon the public. Notice of proposed rulemaking and opportunity for public comment are not required by 5 U.S.C. 553, and this rule may be effective less than 30 days after its publication date. Since no economic impact is expected, an economic evaluation has not been conducted.

In accordance with Section 605(b) of the Regulatory Flexibility Act (30 Stat. 1164), it is certified that these regulations will not have a significant economic impact on a substantial number of small entities for the reasons stated above.

Drafting Information

The principal persons involved in drafting this document are LT Randall R. Fiebrandt, Project Manager, Office of Merchant Marine Safety, and LT Mark Hanlon, Project Attorney, Office of Chief Counsel.

List of Subjects in 33 CFR Part 157

Environmental protection, Oil pollution, Tank vessels, Water pollution control, Cargo vessels.

In consideration of the foregoing, Chapter I of Title 33, Code of Federal Regulations, is amended as follows:

PART 157—RULES FOR THE PROTECTION OF THE MARINE ENVIRONMENT RELATING TO TANK VESSELS CARRYING OIL IN BULK

1. In § 157.100 by removing and reserving paragraph (b)(4) and revising paragraphs (b)(1), (b)(3), and (b)(5) to read as follows:

§ 157.100 Plans for U.S. tank vessels: Submission.

* * * * *

(b) * * *

(1) Commander, 3rd Coast Guard District (mmt), Governors Island, New York, N.Y. 10004, if the COW system is installed in the area under the 1st, 3rd, 5th or 9th Coast Guard Districts.

(2) * * *

(3) Commander, 8th Coast Guard District (mmt), F. Edward Hebert Building, Room 845, 600 South St., New Orleans, LA 70130, if the COW system is installed in the area under the 2nd, 7th or 8th Coast Guard Districts.

(4) [Reserved]

(5) Commander, 12th Coast Guard District (mmt), Government Island, Building 51, Alameda, CA 94501, if the COW system is installed in the area under the 11th, 12th, 13th, 14th, or 17th Coast Guard Districts.

2. In § 157.200, by removing and reserving paragraph (b)(4) and revising paragraphs (b)(1), (b)(3), and (b)(5) to read as follows:

§ 157.200 Plans for U.S. tank vessels: Submission.

* * * * *

(b) * * *

(1) Commander, 3rd Coast Guard District (mmt), Governors Island, New York, N.Y. 10004, if the dedicated clean ballast tank system is installed in the area under the 1st, 3rd, 5th or 9th Coast Guard Districts.

(2) * * *

(3) Commander, 8th Coast Guard District (mmt), F. Edward Hebert Building, Room 845, 600 South St., New Orleans, LA 70130, if the dedicated clean ballast tank system is installed in the area under the 2nd, 7th or 8th Coast Guard Districts.

(4) [Reserved]

(5) Commander, 12th Coast Guard District (mmt), Government Island, Building 51, Alameda, CA 94501, if the dedicated clean ballast tank system is installed in the area under the 11th, 12th, 13th, 14th, or 17th Coast Guard Districts.

* * * * *

(46 U.S.C. 391a, 49 U.S.C. 1655(b), 49 CFR 1.46(n)(4))

Dated: June 30, 1983.

Clyde T. Lusk, Jr.,

Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc. 83-18512 Filed 7-8-83; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-3-FRL 2396-5]

Full Delegation of Authority for the Prevention of Significant Deterioration of Air Quality; Pennsylvania

AGENCY: Environmental Protection Agency.

ACTION: Rule related notice.

SUMMARY: Section 301 in conjunction with Sections 101 and 110 of the Clean Air Act Amendments of 1977 authorizes the Administrator to delegate his authority to implement and enforce the Prevention of Significant Deterioration of Air Quality (PSD) regulations to any State which has submitted adequate implementation and enforcement procedures. The City of Philadelphia, Pennsylvania submitted to the EPA Region III office a request that EPA delegate to them its responsibility for implementing and enforcing the PSD program. After a thorough review of the request and available information, the Regional Administrator determined that such delegation is appropriate with the conditions set forth in the letter reproduced below.

The rule published elsewhere in this issue of the **Federal Register** institutes an address change for the implementation of the technical and administrative review and enforcement of the PSD provisions.

EFFECTIVE DATE: July 11, 1983.

ADDRESSES: Copies of the delegation of authority request and accompanying support documents are available for inspection during normal business hours at the following offices:

U.S Environmental Protection Agency, Region III, Curtis Building, Second Floor, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106, Attn: Vernon Butler (3AW11), (215) 597-3697 or FTS 597-3697

Philadelphia Department of Public Health, Air Management Services, 500 S. Broad Street, Philadelphia, PA 19112, Attn: William Reilly.

FOR FURTHER INFORMATION CONTACT: Vernon Butler at the address indicated above, (215) 597-3697.

SUPPLEMENTARY INFORMATION: The Regional Administrator finds good cause for making this delegation of authority effective immediately in that it is an administrative change and not one of substantive content. On July 11, 1979, EPA Region III received a letter from the City of Philadelphia, Pennsylvania which requested full delegation of authority for the implementation and enforcement of the PSD program. After a thorough review of the request for full PSD program delegation, the Regional Administrator has determined that such delegation is appropriate subject to the conditions set forth in the following official letter to the City of Philadelphia, Pennsylvania. Therefore, pursuant to the authority delegated to him by the Administrator, on April 20, 1983, the Regional Administrator formally notified the City of Philadelphia by the following letter that he delegates full PSD regulatory authority to the City of Philadelphia, Pennsylvania as of the publication date of this notice. The Regional Administrator finds good cause for making this delegation of authority effective immediately in that it is an administrative change and not one of substantive content.

Stuart H. Shapiro, M.D., M.P.H.,
Health Commissioner, Department of Public Health, Room 540, Municipal Services Building, Philadelphia, Penna. 19107

Dear Dr. Shapiro: Thank you for your request for delegation of authority to implement the Prevention of Significant Air Quality Deterioration (PSD) regulations. The intent of the request and the following delegation is to reduce duplicate PSD permit reviews by our respective agencies and to provide prospective applicants with only one agency to deal with in obtaining a construction permit.

We have reviewed the pertinent laws of the City of Philadelphia and the rules and regulations thereof and have determined that they provide an adequate and effective procedure for full implementation of PSD.

We have also reviewed the procedures for new source review of the City of Philadelphia and have determined that they provide an adequate and effective procedure for the implementation of all the portions of the PSD program. Therefore, pursuant to 40 CFR 52.21(u), we hereby delegate our authority for

all portions of the Federal PSD program, as described in 40 CFR 52.21, as amended August 7, 1980, to the City of Philadelphia as follows:

1. Authority is delegated for all sources located in the City of Philadelphia subject to review for the Prevention of Significant Air Quality Deterioration. This includes all source categories listed in 40 CFR 52.21 for each pollutant regulated by the Clean Air Act.

2. If at any time there is a conflict between a City regulation and a Federal regulation, the Federal regulation must be applied if it is more stringent than that of the City. If the City does not have the authority to implement a Federal regulation that is more stringent than the applicable City regulation, the pertinent portion of the authority may be revoked.

3. In processing applications for PSD permits pursuant to 40 CFR 52.21, the City shall follow all procedural requirements which the Administrator would be required to follow in processing such applications, whether these procedural requirements are set forth in full in 40 CFR 52.21 or only referenced there.

4. If the Regional Administrator determined that the City's procedure for implementing all the portions of the PSD program is inadequate, or is not being effectively carried out, this authority may be revoked in whole or in part. Any such revocation shall be effective as of the date specified in a Notice of Revocation to the Air Management Services (hereafter the "AMS").

5. The City of Philadelphia will ensure through its interstate intergovernmental cooperation procedures, that all potential source interactions along City boundaries are properly determined.

6. Enforcement of PSD in the City of Philadelphia will be the primary responsibility of the AMS. If the City determines that such enforcement is not feasible and so notifies EPA, or where the City acts in a manner inconsistent with the terms of this granted authority, EPA will exercise its concurrent enforcement authority pursuant to Sections 113 and 167 of the Clean Air Act with respect to sources within the City of Philadelphia subject to PSD requirements. In accordance with 40 CFR 52.21(r) and Sections 113 and 167 of the Clean Air Act, 42 U.S.C. 7413 and 7477, EPA reserves the right to commence an enforcement action against any entity in violation of the Prevention of Significant Air Quality Deterioration Regulations should the City of Philadelphia fail to take such an enforcement action or, in the opinion of EPA, fail to pursue a timely or appropriate enforcement action.

7. Acceptance of this delegation of presently promulgated PSD regulations does not commit the City of Philadelphia to request or implement enforcement authority for future standards and requirements.

8. The City and EPA will develop a system of communication sufficient to guarantee a program that includes the items described below:

a. Each agency is informed of the current compliance status of subject sources in the City of Philadelphia, PA.

b. The AMS shall send a copy of preliminary determinations and public comment notices required under paragraph (q) of 40 CFR 52.21 to the Air and Waste Management Division, EPA Region III, at the same time the notice is being forwarded for publication in the newspaper.

c. The AMS will forward to EPA Region III copies of the final PSD permit at the time of issuance.

d. The status of incomplete permit applications will be provided to EPA Region III on an as needed basis.

9. Prior EPA concurrence is to be obtained on any matter involving the interpretation of sections 160–169 of the Clean Air Act or 40 CFR 52.21 to the extent that implementation, review, administration, or enforcement of these sections have not been covered by determinations or guidance sent to the AMS.

10. Where it is the convenience to both the AMS and EPA and a benefit to the applicant, any PSD reviews already initiated by EPA prior to this delegation shall be transferred to the AMS for completion.

11. Enforcement actions already initiated by EPA prior to this delegation of authority shall be completed by EPA.

12. A notice announcing these actions will be published in the **Federal Register** in the near future. This delegation of authority shall be effective as of the publication date of that notice. The notice will also state, among other things, that effective immediately, all reports required pursuant to the PSD regulations by sources located in the City of Philadelphia will be reviewed and final permit approval action and enforcement will be taken by the AMS.

13. This delegation will supersede the memorandum of understanding (MOU) which provided cooperative procedures for reviewing permit applications from certain air pollution sources subject to PSD regulations.

This delegation of authority should not be construed as a transfer of PSD responsibility under Section 110(a)(2)(J) of the Clean Air Act. As you are aware, such a transfer involves different procedures and considerations.

There is no requirement that the City notify EPA of its acceptance. Unless EPA receives from the City written notice of objections within 10 days of the date received of this letter, the State will be deemed to have accepted all of the terms as stated herein.

Sincerely yours,

Peter N. Bibko,

Regional Administrator.

Conclusion

The amendment below directs Prevention of Significant Air Quality Deterioration (PSD) permit applicants locating in the City of Philadelphia, Pennsylvania to submit their applications to the City of Philadelphia rather than EPA. This change is required since EPA has delegated PSD authority to the City. The notice announcing the Delegation of Authority is published elsewhere in this issue of the **Federal Register.**

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Effective immediately, all applications and other information pursuant to § 51.21 from sources locating in the City of Philadelphia, Pennsylvania but not having a PSD permit application currently under review by EPA should be submitted to the City agency at the following address: City of Philadelphia, Department of Public Health, Air Management Services, 500 S. Broad Street, Philadelphia, PA 19112, Attn: William Reilly.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxides, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Authority: (42 U.S.C. 7401, 7410 and 7470–79).

Note.—Incorporation by reference of the State Implementation Plan for the State of Pennsylvania was approved by the Director of the Federal Register on July 1, 1982.

Dated: June 22, 1983.

Stanley L. Laskowski,

Acting Regional Administrator.

[FR Doc. 83-18648 Filed 7-8-83; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 52

[A-3-FRL 2396-4]

Approval and Promulgation of Implementation Plans Approval of Revision of the Commonwealth of Pennsylvania State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The amendment below institutes an address change for the implementation of technical and administrative review and enforcement of Prevention of Significant Deterioration provisions. The notice announcing the delegation of authority is published elsewhere in this issue of the Federal Register.

EFFECTIVE DATE: July 11, 1983.

ADDRESSES: Copies of all support documents are available for inspection during normal business hours at the following offices:

U.S. Environmental Protection Agency, Region III, Curtis Building, Second Floor, Sixth and Walnut Streets, Philadelphia, Pennsylvania 19106

Attn: Vernon Butler (3AW11), (215) 597-3697 or FTS 597-3697.
Philadelphia Department of Public Health Air Management Services, 500 S. Broad Street, Philadelphia, PA. 19112, Attn: William Reilly.

FOR FURTHER INFORMATION CONTACT: Vernon Butler (215) 597-3697.

SUPPLEMENTARY INFORMATION: The Regional Administrator finds good cause for making this rulemaking effective immediately in that it is an administrative change and not one of substantive content.

The Regional Administrator finds good cause for foregoing prior public notice and for making this rule effective immediately in that it is an administrative change and not one of substantive content. The delegation becomes effective upon publication of this rule; therefore, it serves no purpose to delay the technical change of this addition of the city address to the Code of Federal Regulations.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under Section 307(b)(1) of the Clean Air Act, judicial review of this action is available *only* by the filing of a petition for review in the United State Court of Appeals for the appropriate circuit within 60 days of today. Under Section 307(b)(2) of the Clean Air Act, the requirements which are the subject of today's notice may *not* be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxides, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Authority: (42 U.S.C. 7401, 7410 and 7470-79).

Note.—Incorporation by reference of the State Implementation Plan for the State of Pennsylvania was approved by the Director of the Federal Register on July 1, 1982.

Dated: June 22, 1983.

Stanley L. Laskowski,

Acting Regional Administrator.

Part 52 of chapter I, title 40, Code of Federal Regulations is amended as follows:

Subpart NN—Pennsylvania

1. Section 52.2058, new paragraph (c) is added to read as follows:

§ 52.2058 Significant deterioration of air quality.

* * * * *

(c) Pursuant to 40 CFR 52.21(u) full delegation of authority for all portions of the Federal PSD program, as described in 40 CFR 52.21, was delegated to the City of Philadelphia, Pa. as of (date of publication). All applications submitted as of that date and supporting information required pursuant to Section 52.21 from sources located in City of Philadelphia, Pennsylvania shall be submitted to: City of Philadelphia, Department of Public Health, Air Management Services 500 S. Broad Street, Philadelphia, Pennsylvania 19112.

[FR Doc. 83-18947 Filed 7-8-83; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 145

[OW-FRL-2391-5]

State of New Mexico; Underground Injection Control Program Approval

AGENCY: Environmental Protection Agency.

ACTION: Approval of State Program.

SUMMARY: The State of New Mexico has submitted an application under Section 1422 of the Safe Drinking Water Act (SDWA) for the approval of an Underground Injection Control (UIC) program governing Classes I, III, IV, and V injection wells. After careful review of the application, the Agency has determined that the State's injection well program for all classes of injection wells meets the requirements of Section 1422 of the Act and, therefore, approves it.

EFFECTIVE DATE: This approval is effective July 11, 1983

FOR FURTHER INFORMATION CONTACT: Julie Coston, Groundwater Protection Section, U.S. Environmental Protection Agency, Region VI, 1201 Elm Street, Dallas, Texas 75270. PH: (214) 767-8996. Copies of the responsiveness summary are available from the above address.

SUPPLEMENTARY INFORMATION: Part C of the Safe Drinking Water Act (SWDA) provides for an Underground Injection Control (UIC) program. Section 1421 of the SDWA requires the Administrator to promulgate minimum requirements for effective State programs to prevent underground injection which endangers drinking water sources. The Administrator is also to list in the Federal Register each State for which in his judgment a State UIC program may be necessary. Each State listed shall submit to the Administrator an application which contains a showing satisfactory to the Administrator that the State: (i) Has adopted, after reasonable notice and public hearings, a UIC program which meets the requirements of regulations in effect under Section 1421 of the SDWA; and (ii) will keep such records and make such reports with respect to its activities under its UIC program as the Administrator may require by regulations. After reasonable opportunity for public comment, the Administrator shall by rule approve, disapprove or approve in part and disapprove in part, the State's UIC program.

The State of New Mexico was listed as needing a UIC program on September 25, 1978 (43 FR 43420). The New Mexico program to regulate Class II oil and natural gas related injection wells was approved by EPA on February 5, 1982. The State submitted on application under Section 1422 on December 8, 1982, for a UIC program governing Classes I, III, IV, and V injection wells to be administered jointly by the Mining and Minerals Division, the Oil Conservation Division, and the Environmental Improvement Division. On December 30, 1982 the EPA published notice of receipt of the application, requested public comments, and offered a public hearing on the UIC program submitted by the State (47 FR 58307). The public hearing was held on January 28, 1983 in Santa Fe, New Mexico. After careful review of the application and comments from the public, I have determined that the New Mexico UIC program for Classes I, III, IV, and V injection wells submitted by the State meets the requirements established by the Federal regulations pursuant to Section 1422 of the SDWA and, hereby, approve it.

The EPA has determined, based on the criteria of the SDWA, that the New Mexico demonstration of authority over Indian lands is presently inadequate. The EPA will implement a UIC program on Indian lands in New Mexico after consultation with the Indian tribes, the State, other interested organizations and the public. The EPA's program will be proposed in the Federal Register, public comment will be solicited and a public hearing will be held.

The EPA is publishing this approval, effective immediately, so that New Mexico can begin issuing UIC permits for Classes I, III, IV, and V wells under a federally approved UIC program.

List of Subjects in 40 CFR Part 145

Indians—lands, Reporting and recordkeeping requirements, Waste treatment and disposal, Water supply, Intergovernmental relations, Penalties, Confidential business information.

OMB Review: The Office of Management and Budget has exempted

this rule from the requirements of Section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act: Pursuant to the provisions of 5 U.S.C. 605(b), I certify that approval by EPA under Section 1422 of the Safe Drinking Water Act of the application by the State of New Mexico will not have a significant economic impact on a substantial number of small entities, since this rule only approves State actions. It imposes no now requirements on small entitites.

Dated: July 1, 1983.

William D. Ruckelshaus,

Administrator.

[FR Doc. 83-18591 Filed 7-8-83; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 720

[OPTS-50002I; TSH-FRL 2397-7]

Premanufacture Notification, Delay of Regulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule: Delay of regulation.

SUMMARY: EPA is postponing the effective date of the final premanufacture notice (PMN) rule (48 FR 21722) issued under section 5 of the Toxic Substances Control Act (TSCA) for 60 days, from July 12, 1983, to September 10, 1983. This postponement is necessary to give EPA time to clarify certain provisions of the rule that have been identified by industry as ambiguous and to consider the need to revise certain other provisions.

DATE: The effective date of the premanufacture notification rule is September 10, 1983.

FOR FURTHER INFORMATION CONTACT: Jack P. McCarthy, Director, TSCA Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, Rm. E-543, 401 M St., SW., Washington, D.C. 20460; toll-free: (800-424-9065), in Washington, D.C.: (554-1404), outside the USA: (Operator 202-554-1404).

SUPPLEMENTARY INFORMATION:

I. Background

Under section 5 of TSCA, any person who intends to manufacture or import a new chemical substance for commercial purposes must notify EPA at least 90 days before manufacture or import begins. This requirement has been in effect since July 1, 1979. Since then, EPA has received and reviewed more than 2,300 notices on new chemicals. EPA operates the new chemical review program under interim policies published in the **Federal Register** of May 15, 1979 (44 FR 28564), November 7, 1980 (45 FR 74378), and July 2, 1982 (47 FR 28969).

EPA proposed a rule interpreting section 5 requirements and establishing notification procedures in the **Federal Register** of January 10, 1979 (44 FR 2242). Portions of this rule were reproposed on October 16, 1979 (44 FR 59764). In addition, EPA proposed processor reporting requirements in the **Federal Register** of August 15, 1980 (45 FR 54642) and a clarification of importer requirements on September 23, 1980 (45 FR 63806).

After reviewing public comments and evaluating its own experience in conducting the PMN program, EPA issued final premanufacture notice rules that were published in the **Federal Register** of May 13, 1983. These rules were scheduled to become effective on July 12, 1983. The rules cover the scope and applicability of section 5 requirements; the general procedures for submitting notices; information requirements, including a mandatory notice form; and EPA's procedures for processing information contained in the notices, including confidential business information.

On June 17, 1983, the Chemical Manufacturers Association (CMA) petitioned EPA to stay the effective date of the PMN rule for 90 days to provide EPA time "to clarify and modify the rule in several respects." CMA stated that, without clarification and possible modification of certain rule provisions, the rule would impose an undue burden on its member companies. CMA particularly expressed concern about: (1) The research and development exemption, (2) the PMN notice form, (3) the submission of test data and other data on the PMN substance and related chemicals, (4) the procedures for declaring PMNs "incomplete," and (5) the definition of "possession or control." A copy of the CMA petition has been included in the public file on the PMN rule.

In addition, on June 27, 1983, the Society of the Plastics Industry (SPI) submitted a petition to EPA to stay the effective date of the PMN rule. SPI raised several issues that were addressed in the CMA petition. The SPI petition has also been included in the public file.

EPA has not had sufficient time to review the CMA or SPI petitions thoroughly. Based on a preliminary review, however, EPA believes that questions raised by the petitions concerning the specific language of certain rule provisions and the implementation of the rule justify postponement of the rule's effective date. This postponement will allow EPA time to review the rule language and, where necessary, clarify ambiguous points. The nature of the postponement and the reasons for granting it are discussed below.

II. Postponement of the Effective Date of the PMN Rule

In response to the CMA and SPI petitions, EPA is postponing the effective date of the PMN rule for 60 days, until September 10, 1983. The Agency believes that a 60-day postponement, rather than the 90 days requested by CMA, will be adequate to address the major concerns expressed by industry.

EPA believes that most of the issues raised by CMA can be addressed through clarifications of existing rule language. In any case, the basic structure and underpinnings of the rule will remain unchanged. During the 60-day period, EPA will consider the specific points raised by CMA and SPI to determine where clarification is necessary and whether specific rule language needs modification. Before the 60-day period expires, EPA will respond in the **Federal Register** to the general points raised in the CMA and SPI petitions, clarifying rule language where appropriate to remove any ambiguity, and, possibly, further delaying the effective date of specific provisions where additional clarification or revision is necessary. In general, EPA believes that it will be able to address the major industry concerns through clarifications during the 60-day period and that, at the most, it will be necessary to take further time to address only a few narrow provisions of the rule.

When effective, the PMN rule will standardize PMN reporting and recordkeeping provisions. This will allow EPA more effectively to address the increasing number of new chemical notices it is now receiving and will ensure consistent enforcement of section 5 provisions. The effect of the 60-day postponement will be to delay the implementation of these standardized procedures, meaning that EPA will continue to operate the program under its current interim policies for PMN review. This delay will impose some resource burdens on the Agency. EPA believes, however, that it is appropriate for the Agency to assume this burden for the course of the 60-day postponement, while it reviews the specific points identified by industry and, where appropriate, clarifies rule requirements.

This will lead in the long run to more consistent industry compliance with the rule.

The 60-day postponement will not adversely affect the operation of EPA's new chemicals program, which is conducted under the statutory authority of TSCA section 5, and it will not place the public at greater risk from new chemicals during the period before the PMN rule becomes final. EPA is now performing effective reviews of approximately 100 new chemicals a month under TSCA section 5 and the Agency's interim policies. This program will continue while the specific concerns identified in the industry petitions are under review.

III. Public Record

EPA has established a public record for the PMN rulemaking (docket number OPTS-50002), which is available for inspection in Rm. E-107, 401 M St. SW., Washington, D.C. 20460 from 8:00 a.m. to 4:00 p.m., Monday through Friday, except legal holidays. Persons who do not have access to the public reading room should contact Jack P. McCarthy, Director, TSCA Assistance Office (TS-799) at the address given earlier in this notice.

The following information related to this postponement has been added to the record:

(22) USEPA-OTS, "Premanufacture Notification; Premanufacture Notice Requirements and Review Procedures, 48 FR 21722, dated May 13, 1983.

(23) Chemical Manufacturers Association (CMA), "Petition for a Stay of the Final Rule and Notice Form Implementing the Premanufacture Notification Requirements of the Toxic Substances Control Act," dated June 17, 1983.

(24) Society of the Plastics Industry, Inc. (SPI), "Petition of the Society of the Plastics Industry, Inc. for a Stay of the Final Rule and Notice Form Implementing the Premanufacture Notification Requirements of the Toxic Substances Control Act and a Request That Rule Making Be Reopened," dated June 27, 1983.

Therefore, the effective date of 40 CFR Part 720 has been delayed until September 10, 1983.

(15 U.S.C. 2604)

List of Subjects in 40 CFR Part 720

Chemicals, Environmental protection, Premanufacture notification, Hazardous materials, Recordkeeping and reporting requirements.

Dated: July 8, 1983.

William D. Ruckelshaus,

Administrator.

[FR Doc. 83-18722 Filed 7-8-83; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Parts 59 and 67

[Docket No. SLPS-67-83A]

National Flood Insurance Program Appeal Data Requirement

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This regulation specifies more completely the data which must be submitted by one who appeals a flood elevation determination made under the National Flood Insurance program. It is needed to simplify and make more specific and economize the procedures for such appeals and aid in determining whether appeals are valid. It adds definitions of the terms "Scientifically incorrect" and "Technically incorrect". Appellants will have more information on which to develop and support their appeals. This is a procedural rule.

EFFECTIVE DATE: July 11, 1983.

FOR FURTHER INFORMATION CONTACT: Dr. Brian Mrazik, Chief, Engineering Branch, Natural Hazards Division, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287-0230.

SUPPLEMENTARY INFORMATION: In establishing base flood elevations for communities under Section 110 of the Flood Disaster Protection Act of 1973 the Federal Emergency Management Agency (FEMA) is required to publish notificiation of flood elevation determinations in a prominent local newspaper at least twice during the ten-day period following notification to the local government. During the 90-day period following the second publication, any owner or lessee or real property within the community who believes his or her propeaty rights to be adversely affected by the proposed elevations may appeal such elevations to FEMA through the local government. The sole basis for such appeal shall be the possession of knowledge or information indicating that the elevations proposed by FEMA are scientifically or technically incorrect. FEMA's experience with appeals and other statements of disagreement with flood insurance study findings has pointed out the need for a structured procedure. In the interests of efficiency and economy, it is necessary to differentiate between statements of disagreement and valid appeals which were envisioned under the Flood Disaster Protection Act of 1973, as amended. Only valid appeals warrant significant further investigation by FEMA. These final regulations serve that function by describing to appellants the scientific and technical data which must be submitted to constitute an acceptable appeal.

The proposed rule, published on October 13, 1982, 47 FR 45044-46, defined for the first time in regulatory form, "scientifically incorrect" and "technncially incorrect." These definitions and the rule which sets forth the data requirements for an acceptable appeal clarify FEMA's administration of Section 110 of the Act. Thus, appellants have more information on which to develop and support their appeals.

A concept which is basic to this rule is that of "relative correctness." FEMA's experience with the technical procedures for establishing base flood elevations has demonstrated that scientific and technical "correctness" is usually a matter of degree rather than absolute. Existing hydrologic, hydraulic and statistical techniques represent only approximations of real world behavior and include numerous simplifying assumptions. Similarly, economic considerations limit the amount and precision of basic date collection. In application, scientific and technical "correctness" is relative and evaluated on the basis of professional judgment as to whether methods and their application result in a reasonable approximation of reality, given the limitations of available technology and basic input data. Because of this, the rule requires appellants to demonstrate that FEMA's determinations are incorrect by providing an alternative application or analysis shown to produce more accurate results. Such information will allow FEMA to evaluate the merits of an alternative analysis or application in a more cost effective and objective manner.

The final rule requires that the appeal submission include: (1) Identification and analysis of the specific source of the purported incorrectness. (2) Where the appeal is based on scientific incorrectness, methods or assumptions claimed to be more correct must be applied, submitted, and demonstrated by the appellant to produce results which are more correct than those obtained using the contested method. (3) Where the appeal is based on technical incorrectness, due to purported deficiencies in quality or quantity of

input data, an alternative application must be submitted, utilizing the same methods, but using data demonstrated to be more accurate and to produce results which are more correct than those obtained in the contested application. (4) Where the appeal is based on identification of changed physical conditions, or a mathematical or measurement error which can be demonstrated by the appellant, FEMA will be responsible for applying the corrected data to establish whether changes are necessary. The appellant need only identify the error in this case.

Response to Comments

Issue 1—More Detailed Data, Local Conditions

The proposed rule was apparently interpreted by several commenters to exclude the appellant from submitting an appeal based on more detailed data. This is an incorrect interpretation. In fact, a primary purpose of the rule is to encourage appellants to develop more detailed data and analyses. Under the definition of "technically incorrect" the sufficiency of data may be basis of an appeal. Section 67.6(b)(2) identifies the requirements for an appeal based on more correct data obtained by the appellant. One objective of this rule is to recognize that in many instances "incorrectness" is a relative term. Appellants may submit an appeal provided they demonstrate that their application is based upon data which is more detailed than that utilized by FEMA.

Similarly, some commenters believed that the proposed rule precluded the submittal of analyses which are more sensitive to local conditions. Again, one of the main bases for the rule is the concept of "relative correctness." FEMA recognizes that a methodology with greater detail, or assumptions more attuned to local conditions, may yield results which are more accurate in specific situations. Section 67.6(b)(3) of the rule allows the submittal of analyses based on methods or assumptions claimed to be more scientifically correct than those utilized by FEMA.

Issue 2—Requirements on Appellants

Some commenters indicated that the burden should not be on the appellant to demonstrate FEMA's incorrectness, but that appeals which present alternative methods and assumptions should also be considered. The burden for providing evidence of scientific and technical incorrectness is clearly placed on the appellant by the statute. In this rule, FEMA is introducing the concept of "relative correctness." That is, an appellant need only demonstrate that an alternative analysis or application is more correct than that utilized by FEMA. The mere submittal of an alternative methodology or data is insufficient because there are many possible approaches for estimating base flood elevations, each providing possible variation from results obtained by FEMA. FEMA should not be obligated to utilize results deemed more favorable to an appellant unless a higher degree of correctness of those results can be demonstrated.

When the appellant finds an error in measurement or computation, in the flood insurance study or where physical conditions have changed, it is necessary for the appellant only to identify the error or the physical changes. FEMA will apply the corrected data.

Issue 3—Backup Technical Data

Several commenters requested that FEMA publish the detailed technical back-up data used in establishing proposed base flood elevations, in advance of the appeal period, in order that appellants can be better prepared to appeal. FEMA has not formally published such data for primarily economic reasons. The technical documentation of a study, in a format suitable for general distribution, could add several thousand dollars to the cost of a flood insurance study. Historically, the request for such documentation has been extremely rare; much less than one percent of all studies FEMA has completed. FEMA has been providing background data upon request to communities and individuals. The provision of all such data for general public review is simply not a cost effective approach. Communities should be fully aware of the results of their study well in advance of the start of the 90-day appeals period and may request copies of detailed background data prior to that time.

Issue 4—Historical Data

Some commenters suggested that historical flood elevation data should be considered by FEMA when it is included in an appeal. It is extremely rare that historic flood data has not been considered, either directly or indirectly, in the establishment of proposed base flood elevations. Yet, statements of local historic flood experience are most frequently submitted as the basis for appeal of such elevations. The possession of one or more historic data points does not, on its own, demonstrate scientific or technical incorrectness on FEMA's part. Under the proposed rule, the appellant would be required to verify the accuracy of those data points, establish that they were excluded by FEMA, and demonstrate that their inclusion would yield a more correct estimate of the base flood elevations. This effort on the part of the appellant is warranted because historic data points are often difficult to verify and can rarely be used to support alternate results.

Issue 5—Geographic Extent of Alternate Analyses

One commenter expressed concern that an appellant should not be required to restudy an entire area when his/her concern may be at a particular location. FEMA does not disagree with this position. However, it must be recognized that the nature of the appeal submittal will vary with the nature of the appeal itself. For example, an appellant claiming technical incorrectness may submit an application of a hydraulic analysis utilizing more detailed topographic information in the vicinity of his property. In this case, the appellant's application could be very restricted in geographic area. As an opposite example, another appellant, claiming scientific incorrectness, may submit an appeal utilizing a coastal storm surge model which is more sophisticated than that used by FEMA. Such modeling, by its nature, would require analysis on a broad geographic basis.

Issue 6—Definitions

Several commenters noted that the use of the terms "inaccurate" and "superior" in the proposed rule caused confusion in that they were not defined. The commenters feared that such terms would lead to arbitrary reviews of appeals. The final rule changes those terms to "incorrect" (Section 67.6(a)) and "more correct," respectively. Such terms are more consistent with the concept of "relative correctness" inherent in the rule, i.e., the appellant must demonstrate that an alternative analysis or application is superior to that utilized by FEMA because it produces more correct results.

Other issues

Concern was expressed by one commenter that the rule assumes that the methodology employed by FEMA is the "superior" method. In fact, the rule is not based on the assumption that the methodology employed by FEMA is superior, only that it is scientifically and technically correct. The statute places the burden on the appellant to demonstrate otherwise. This may be done, under the rule, by demonstrating that more correct results have been

obtained through the use of better methods, data or assumptions.

Another commenter stated that the terms "scientifically incorrect" and "technically incorrect" were too open-ended to be of value. These terms are statutory. The purpose of the rule is to expand upon and define the terms to make them of value for appellants in preparing an acceptable appeal and for FEMA in reviewing appeals.

One commenter was concerned about the acceptability of providing photographs which would contradict FEMA's flood information as depicted on the map, and, thus, provide evidence of the use of inadequate data by FEMA. The provision of photographs can rarely be used to contradict a study's results. However, where they can be used to demonstrate measurement error, or changed physical conditions, they can be used as support for an appeal.

Another comment reflected concern that FEMA would no longer accept new data at any time which reflects errors in the map. FEMA will accept new data indicating mathematical or measurement error or changed conditions as a basis for appeal as indicated under § 67.6(b)(1). Such data may also be submitted at any time under Part 65. It should be noted that outside these situations, FEMA is requiring the appellant to demonstrate that the "new data" indeed produce improved results, thereby demonstrating that FEMA's determinations are relatively incorrect.

It was asserted that the effects of flood control projects, even if they do not meet the criteria of 44 CFR 61.12, should be shown on the Flood Insurance Rate Maps. This comment is irrelevant to the substance of the rule and contrary to the statutory provisions relating to flood control projects.

Another comment stated that the rule change should include a statement on floodways. This comment was not considered because the statute provides for appeals only of proposed base flood elevations, not for floodways.

One comment suggested that FEMA should provide each participating community with the funds to contract for and manage contracts for the preparation of maps and studies. This comment is also irrelevant to the issues in the rule and is contrary to the provisions in the statute regarding administration of flood insurance studies.

Another comment expressed concern that FEMA's contractors do not coordinate properly with local authorities. This comment is irrelevant to the rule. FEMA's contractors are required by contract to coordinate with local authorities at a minimum number of critical points. These include the formal Initial, Intermediate and Final Meetings. If these activities have not been carried out, the matter must be handled through the normal contract administration process.

The final rule does not contain any significant changes from the proposed rule of October 13, 1982. The following minor revisions appear in the final rule:

1. In § 59.1 the definition of "scientifically incorrect" was editorially improved by deleting the words, "based on theory demonstrated to be".

2. In § 59.1 a typographical error in the definition of "technically incorrect" was corrected. The word "use" in the proposed rule now appears as "due."

3. In § 67.6(a) the parenthetical phrase has been changed for clarity and consistency. Thus, "mistakes in computation or measurement" now appears as "mathematical or measurement error or changed physical conditions."

4. The word, "superior" has been changed wherever it appeared in the proposed rule to, "more correct." Similarly, the word "inaccurate" was changed to "incorrect." The reason for these changes is to provide consistency with the concept of "relative correctness" inherent in the rule.

5. In § 67.6 (a) and (b)(2) the word "analysis" was changed to "application" wherever it appeared. This clarifies the type of data required for an appeal based on technical incorrectness and distinguishes it from the type of data required for an appeal based on scientific incorrectness. Similarly, in § 67.6(b)(2)(iii), "a reanalysis applying" has been changed to "an application of" for the reason mentioned above.

6. In 67.6 (b)(2)(vi) and (b)(3)(v) the words, "areas" and "results" have been changed to "locations" and "base flood elevations," respectively for clarity.

An environmental assessment is not necessary because this rule change is procedural and has no effect on the quality of the human environment. This rule change is not a "major rule" within the context of Executive Order 12291. This rule does not have a significant economic impact on a substantial number of small entities because it calls for improving the appeal process for base flood elevation determinations.

List of Subjects in 44 CFR Parts 59 and 67

Flood insurance, Flood plains.

Accordingly Part 59 and Part 67 of Title 44 of the Code of Federal Regulations are amended as follows:

PART 59—GENERAL PROVISIONS

1. Section 59.1 is amended by adding new definitions in alphabetical order to read as follows:

§ 59.1 Definitions.

* * * * *

"Scientifically Incorrect". The methodology(ies) and/or assumptions which have been utilized are inappropriate for the physical processes being evaluated or are otherwise erroneous.

"Technically Incorrect". The methodology(ies) utilized has been erroneously applied due to mathematical or measurement error, changed physical conditions, or insufficient quantity or quality of input data.

* * * * *

PART 67—APPEAL FROM PROPOSED FLOOD ELEVATION DETERMINATIONS

2. Section 67.6 is revised to read as follows:

§ 67.6 Basis of appeal.

(a) The sole basis of appeal under this Part shall be the possession of knowledge or information indicating that the elevations proposed by FEMA are scientifically or technically incorrect. Because scientific and technical correctness is often a matter of degree rather than absolute (except where mathematical or measurement error or changed physical conditions can be demonstrated), appellants are required to demonstrate that alternative methods or applications result in more correct estimates of base flood elevations, thus demonstrating that FEMA's estimates are incorrect.

(b) *Data requirements.* (1) If an appellant believes the proposed base flood elevations are technically incorrect due to a mathematical or measurement error or changed physical conditions, then the specific source of the error must be identified. Supporting data must be furnished to FEMA including certifications by a registered professional engineer or licensed land surveyor, of the new data necessary for FEMA to conduct a reanalysis.

(2) If an appellant believes that the proposed base flood elevations are technically incorrect due to error in application of hydrologic, hydraulic or other methods or use of inferior data in applying such methods, the appeal must demonstrate technical incorrectness by:

(i) Identifying the purported error in the application or the inferior data.

(ii) Supporting why the application is incorrect or data is inferior.

(iii) Providing an application of the same basic methods utilized by FEMA but with the changes itemized.

(iv) Providing background technical support for the changes indicating why the appellant's application should be accepted as more correct.

(v) Providing certification of correctness of any alternate data utilized or measurements made (such as topographic information) by a registered professional engineer or licensed land surveyor, and

(vi) Providing documentation of all locations where the appellant's base flood elevations are different from FEMA's.

(3) If any appellant believes the proposed base flood elevations are scientifically incorrect, the appeal must demonstrate scientific incorrectness by:

(i) Identifying the methods, or assumptions purported to be scientifically incorrect.

(ii) Supporting why the methods, or assumptions are scientifically incorrect.

(iii) Providing an alternative analysis utilizing methods, or assumptions purported to be correct.

(iv) Providing technical support indicating why the appellant's methods should be accepted as more correct and

(v) Providing documentation of all locations where the appellant's base flood elevations are different from FEMA's.

(Sec. 1363 of the National Flood Insurance Act of 1968, as amended 82 Stat. 574 (42 U.S.C. 4001 et seq.): Reorganization Plan No. 3 of 1978 (43 FR 41943) and E.O. 12127, dated March 31, 1979 (44 FR 19367))

(Catalog of Federal Domestic Assistance Number 83.100 National Flood Insurance Program)

Louis O. Giuffrida,

Director.

June 27, 1983.

[FR Doc. 83-18547 Filed 7-8-83; 8:45 am]

BILLING CODE 6718-01-M

44 CFR Part 64

[Docket No. FEMA 6543]

List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP) and eligible for second layer insurance coverage. These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the regular program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The date listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, Phone: (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Mr. Richard E. Sanderson, Chief, Natural Hazards Division, (202) 287-0270, 500 C Street Southwest, Donohoe Building—Room 505, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance." This program is subject to procedures set out in OMB Circular A-95.

Pursuant to the provisions of 5 U.S.C. 605(b), the Associate Director, State and Local Programs and Support, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 64

Flood insurance—flood plains.

Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

§ 64.6 List of eligible communities.

State and County	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
California:				
Mendocino	Unincorporated areas	060183B	June 1, 1983, suspension withdrawn	Jan. 3, 1974 and Apr. 25, 1978.
Tulare	Woodlake, city of	065071B	do	June 28, 1974 and May 7, 1976.
Illinois: Peoria	Unincorporated areas	170533	do	Feb. 15, 1980.
Indiana: Wells	do	180286C	do	Dec. 13, 1974, May 27, 1977 and June 22, 1979.
Iowa:				
Kossuth	Algona, city of	190160B	do	May 3, 1974 and Jan. 2, 1976.
Story	Unincorporated areas	190907B	do	Nov. 15, 1977.
Massachusetts:				
Bristol	DArmouth, town of	250051B	do	Feb. 28, 1975 and Aug. 15, 1977.
Worcester	Uxbridge, town of	250341B	do	Aug. 2, 1974, Oct. 29, 1976 and Oct. 3, 1980.

State and County	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Minnesota: Yellow Medicine	Canby, city of	270545B	do	Apr. 5, 1974.
New Jersey: Middlesex	South Amboy, city of	340277C	do	Feb. 14, 1974, Dec. 4, 1979, and Dec. 12, 1975.
New York:				
Nassau	Manorhaven, village of	360479B	do	June 14, 1974 and Aug. 13, 1976.
Oneida	Yorkville, village of	360568B	do	Feb. 22, 1974 and Aug. 6, 1976.
Nassau	Woodsburgh, village of	360496B	do	June 28, 1974 and June 25, 1976.
Pennsylvania:				
Chester	West Pikeland, township of	421151B	do	Sept. 3, 1976.
York	Windsor, township of	420942	do	Jan. 23, 1974.
Texas: Jefferson	Unincorporated areas	480385B	do	Aug. 30, 1977.
Vermont:				
Franklin	Berkshire, town of	500049B	do	May 31, 1974 and Sept. 10, 1976.
Lamoille	Cambridge, village of	500228B	do	Aug. 9, 1974 and Nov. 26, 1976.
Wisconsin: Portage	Unincorporated areas	550572C	do	Dec. 23, 1977 and Jan. 26, 1979.
Washington: Whatcom	Ferndale, city of	530201B	do	Apr. 9, 1976.
Pennsylvania: York	Lower Windsor, township of	421187B	do	Aug. 30, 1974 and Aug. 20, 1976.
Maryland: Harford	Unincorporated areas	240040	June 2, 1983, suspension withdrawn	Apr. 4, 1975.
Wisconsin: Portage	Stevens Point, city of	550342B	June 1, 1983, suspension withdrawn	Dec. 28, 1973.
Illinois:				
Scott	Naples, village of	170609B	June 2, 1983, suspension withdrawn	Apr. 2, 1976 and Jan. 9, 1974.
Pulaski	Olmsted, village of	170566B	June 15, 1983, suspension withdrawn	Aug. 30, 1974 and Mar. 5, 1976.
Maryland: Worcester	Unincorporated areas	240083B	do	Feb. 15, 1979.
Massachusetts:				
Middlesex	Bedford, town of	255209B	do	Sept. 7, 1973, July 1, 1974, and Feb. 26, 1976.
Worcester	Harvard, town of	250308B	do	Aug. 2, 1974 and Oct. 29, 1976.
Middlesex	Littleton, town of	250200B	do	July 19, 1974 and Aug. 20, 1976.
Essex	North Andover, town of	250096B	do	June 28, 1974 and May 10, 1977.
Worcester	Northbridge, town of	250322B	do	July 26, 1974 and Oct. 15, 1976.
Do.	Royalston, town of	250330B	do	May 17, 1974 and Aug. 20, 1976.
Michigan: Saginaw	Carrollton, township of	260187B	do	July 19, 1974 and June 11, 1976.
Missouri:				
Boone	Unincorporated areas	290034B	do	Apr. 25, 1978.
Callaway	Fulton, city of	290051B	do	May 17, 1974 and Jan. 16, 1976.
Greene	Unincorporated areas	290782B	do	May 2, 1978.
New Jersey: Ocean	Dover, township of	345293C	do	Mar. 22, 1974, July 1, 1974, and Apr. 23, 1976.
New York:				
Albany	Bethlehem, town of	361540B	do	May 31, 1974 and Sept. 3, 1976.
Suffolk	Greenport, village of	361004B	do	May 24, 1974 and July 2, 1976.
Nassau	Plandome Manor, village of	360486B	do	June 14, 1974 and Oct. 31, 1975.
Texas: Chambers	Unincorporated areas	480119B	do	Aug. 9, 1974 and Oct. 25, 1977.
Vermont:				
Lamoille	Cambridge, town of	500081B	do	June 28, 1974 and Dec. 17, 1976.
Do.	Jeffersonville, village of	500062A	do	Aug. 9, 1974.
West Virginia: Kanawha	Charleston, city of	540073B	do	May 10, 1974 and Jan. 24, 1975.
Kansas: Clay	Unincorporated areas	200052	June 1, 1983, emergency	
New York: Oneida	Oneida Castle, village of	361526A	do	Nov. 26, 1976.
North Dakota: Bottineau	Lansford, township of	380675—New	do	
Tennessee:				
Macon	Unincorporated areas	470371	June 6, 1983, emergency	Oct. 27, 1978.
Warren	do	470363A	do	Nov. 25, 1977.
Missouri: Bollinger	Glen Allen, city of	290865—New	do	
Texas: Galveston	Tiki Island, Village of [1]	481585—New	April 15, 1983, emergency April 15, 1983, regular.	
Nebraska: Lincoln	Unincorporated areas	310452	February 28, 1983, emergency	Apr. 11, 1983.
Arkansas: Sevier	do	050463A	June 10, 1983, emergency	Dec. 13, 1983.
Missouri: St. Louis	Crystal Lake Park, city of	290345A	do	May 13, 1977.
Michigan:				
Oakland	Independence, township of	260475B	do	Do.
Lenawee	Palmyra, township of	260737—New	do	May 13, 1977 and May 16, 1983.
Utah: Utah	Genola, town of	490154	June 6, 1983, emergency	Feb. 7, 1975.
New York:				
Oneida	Steuben, town of	360555A	June 13, 1983, emergency	June 28, 1974 and July 9, 1976.
Lewis	Diana, town of	360364A	do	Sept. 13, 1974 and June 11, 1976.
Illinois: Tazewell and Woodford	Deer Creek, village of	170647	do	June 28, 1974.
Utah: Millard	Hinckley, town of	490200	June 9, 1983, emergency	
Missouri: Carroll	Unincorporated areas	290057	June 15, 1983, emergency	
Utah: Millard	Leamington, town of	490246—New	do	
Mississippi: Yalobusha	Unincorporated areas	280239	do	

[1] The Village of Tiki Island, Texas is a newly incorporated community which was formerly contained entirely in Galveston County, Texas. Since the community is compliant and was part of a Regular Program community, it has been entered directly in the regular program and will use the County's map in the interim for insurance and flood plain management purposes.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Associate Director, State and Local Programs and Support)

Issued: June 27, 1983.

Dave McLoughlin,

Deputy Associate Director, State and Local Programs and Support.

[FR Doc. 83-18551 Filed 7-8-83; 8:45 am]

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