

under Part D of the Clean Air Act Amendments of 1977. Also, EPA is no longer taking action to impose on Maryland funding limitations and a construction moratorium as proposed in the August 3, 1983 Federal Register Notice (48 FR 35312).

EFFECTIVE DATE: This action is effective September 19, 1984.

ADDRESSES: Copies of the revision and the accompanying support documents are available during normal business hours at the following offices:

U.S. Environmental Protection Agency, Region III, Air Programs Branch, Curtis Building, Sixth & Walnut Streets, Philadelphia, PA 19106.
ATTN: James B. Topsale, P.E. (3AM13)
Maryland Air Management Administration, Maryland Department of Health and Mental Hygiene, 201 West Preston Street, Baltimore, MD 21201

Public Information Reference Unit, Room 2922, EPA Library, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460
The Office of the Federal Register, 100 L Street NW., Room 8401, Washington, DC 20480.

FOR FURTHER INFORMATION CONTACT: Mr. James B. Topsale, P.E. (3AM13) at the EPA address indicated above or by phone at 215/597-4553. Please reference the EPA docket numbers in all correspondence.

SUPPLEMENTARY INFORMATION:

Background

On March 8, 1984, EPA published a Notice in the Federal Register (49 FR 8610) with a determination that both the Maryland portion of the National Capital Interstate (AM601MD) and the Metropolitan Baltimore Intrastate (AM600MD) Air Quality Control Regions (AQCRs) had met the Part D requirements of the Clean Air Act (CAA) for Ozone (O₃) and Carbon Monoxide (CO). The Notice was a final rulemaking action which approved all of Maryland's 1982 State Implementation Plan (SIP) revisions except for the Inspection and Maintenance (I/M) program and the revised schedule for the adoption of additional controls measures for sources of Volatile Organic Compounds (VOC).

A second March 8, 1984, notice (49 FR 8634) proposed approval of proposed I/M regulations submitted to EPA on May 4, June 13, and June 16, 1983, by the State. The Agency also proposed approval of the I/M program's enforcement mechanism, based on the proposed regulations and the State's commitment to additional enforcement procedures in an August 23, 1983, letter

from the Maryland Department of Transportation (DOT). The notice also proposed approval of a December 23, 1983, revised schedule for the adoption of additional control measures for sources of VOCs. EPA's proposal was based on a procedure known as "parallel processing," under which a SIP revision not yet adopted by a State is proposed for approval by EPA on the basis that the final revision adopted by the State is not substantially different from that initially submitted by the State. No comments were received on the proposed rulemaking.

In an August 3, 1983, Federal Register notice (48 FR 35312), EPA proposed to impose Clean Air Act funding limitations and a construction moratorium in Maryland based on the State's failure to meet its approved I/M schedule. The Maryland I/M program subsequently became operational on February 1, 1984.

EPA Actions

Funding Limitations and Construction Moratorium

Because the State has now fully implemented its I/M program, EPA will take no further action to impose the funding limitations and construction moratorium proposed in the August 3, 1983, notice.

Ozone and Carbon Monoxide SIP Evaluation/Approval

On September 16 and November 25, 1983, the Maryland DOT announced the adoption of final I/M regulations. On September 30, 1983, the Maryland Department of Health and Mental Hygiene (DHMH) also announced the adoption of final I/M regulations. These final regulations were submitted to EPA as SIP revisions on October 14, 1983, and August 13, 1984. In addition, on August 25, 1983, the Maryland DHMH submitted final I/M enforcement procedures. Since these regulations and procedures are substantially the same as those proposed for approval by EPA on March 8, 1984, and because the I/M program is now fully implemented, the Agency is today taking final action to approve the I/M program. EPA is also taking final action to approve the revised VOC additional control schedule, as proposed. Because all other portions of Maryland's 1982 SIP revisions have previously been approved, EPA is therefore today approving the State's 1982 ozone and carbon monoxide SIPs in their entirety.

Conclusion

This approval is based on EPA's determination that the plan meets the

requirements of sections 110(a)(2) (A)-(K) and 110(a)(3) of the Clean Air Act, as amended, and EPA regulations in 40 CFR Part 51. Under Executive Order 12291, today's action is not "Major". Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).) The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 52

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

Authority: Sections 110(a), 172 and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410(a), 7502 and 7601(a)).

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

Dated: September 13, 1984.

William D. Ruckelshaus,
Administrator.

PART 52—[AMENDED]

Title 40, Part 52, Subpart V of the Code of Federal Regulations is amended as follows:

Subpart V—Maryland

Section 52.1070 is amended by adding the following sentence to the end of paragraph (c)(71).

§ 52.1070 Identification for plan.

(c) * * *
(71) * * * On May 4, 1983, and June 13 and 16, 1983, the State submitted amended I/M regulations. A revised schedule for the adoption of controls for VOC sources was submitted on December 23, 1983.

[FR Doc. 84-24756 Filed 9-18-84; 8:45 am]
BILLING CODE 6560-50-M

40 CFR Part 81

[A-5-FRL-26 73-6]

Designations of Areas for Air Quality Planning Process; Attainment Status Designations; Wisconsin

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Notice of final rulemaking.

SUMMARY: This final rulemaking action revises the Total Suspended Particulates (TSP) attainment status designation for the City of Marinette, Wisconsin from unclassified to attainment. This revision is based on a redesignation request from the Wisconsin Department of Natural Resources (WDNR), dated June 21, 1983, and on supporting technical data submitted by the Department. Under the Clean Air Act, an attainment status designation can be changed if warranted by the available data. In today's action, USEPA is approving the redesignation as requested by the State of Wisconsin.

EFFECTIVE DATE: This final rulemaking becomes effective on October 19, 1984.

ADDRESSES: Copies of the redesignation request, the technical support documents, public comments, and the supporting air quality data are available at the following addresses:

Environmental Protection Agency,
Region V, Air and Radiation Branch
(5AR-26), 230 S. Dearborn Street,
Chicago, Illinois 60604

Wisconsin Department of Natural
Resources, Bureau of Air Management
(AIR/3), 101 South Webster, Madison,
Wisconsin 53707.

FOR FURTHER INFORMATION CONTACT:
Colleen W. Comerford, (312) 886-6034.

SUPPLEMENTARY INFORMATION: In the March 1, 1984, *Federal Register* (49 FR 7608), USEPA proposed to revise the attainment status designation of Marinette, Wisconsin, from unclassified to attainment for Total Suspended Particulates (TSP). This revision is based on two factors: (1) A June 21, 1983, request from the WDNR to revise the Section 107 attainment status designation for Marinette; and (2) a technical support document containing a summary of the most recent 8 consecutive quarters of TSP ambient air quality data collected from five monitoring sites in Marinette. Additional technical information was provided by the WDNR on October 7, 1983, and January 25, 1984. A detailed discussion of USEPA's proposed approval, and the reasoning behind it, can be found in the March 1, 1984, notice of proposed rulemaking (49 FR 7608).

Public Comments

During the public comment period two organizations, the ANSUL Company and the Marinette Area Chamber of Commerce (MACC), submitted

comments to USEPA. These comments, and USEPA's responses to these comments, are summarized below.

Comment: MACC and ANSUL both supported the redesignation to attainment. MACC also noted that six additional months of monitoring data (through the end of 1983), showing no violations, are now available from all three monitoring sites located within the City. Thus, there are 11 consecutive quarters of ambient air quality data available from two monitoring sites and 7 nonconsecutive (6 consecutive) quarters available from the third site.

Response: USEPA acknowledges the additional data and agrees that it further supports the redesignation to attainment.

Comment: ANSUL claimed that its 1977-1978 monitoring program was specifically designed to monitor potential emissions from removal of the salt pile and, thus, was inadequate to monitor TSP concentrations for Marinette as a whole.

Response: USEPA maintains that these data adequately reflect valid ambient TSP concentrations for a portion of the Marinette area. Therefore, they should be considered in evaluating the attainment/nonattainment status of Marinette.

Comment: ANSUL claimed that none of the TSP recorded at the monitors could be attributed to fugitive emissions resulting from removal of the salt pile, based on the results of filter analyses conducted during 1977-1978.

Response: The issue at hand is whether the TSP NAAQS are currently being attained, and whether they will continue to be maintained. Based on the available data, USEPA has determined that the City of Marinette is now in attainment of the TSP NAAQS. To explain the improvement in TSP ambient concentrations, it is necessary to know the causes behind the exceedances that occurred previously. The exceedances report prepared by WDNR (see Table 2 of USEPA's February 6, 1984, Technical Support Document) identifies ANSUL's fugitive emissions, among other sources, as being responsible for the previous exceedances. Based on the source-monitor geometry and the wind direction, as well as the filter analyses, USEPA believes that fugitive emissions from the ANSUL salt pile did contribute to the previously monitored TSP concentrations. It should be noted that the ANSUL salt pile has been removed,

and is no longer a source of fugitive emissions.

Conclusion

The available ambient air quality data show that no violations of the TSP standards have occurred since 1978. Eleven consecutive quarters of recent data (April 1981-December 1983), showing no violations, are available from two sites in Marinette, and 7 nonconsecutive quarters of recent data (April-August 1981, and July 1982-December 1983), showing no violations, are available from a third site in Marinette. In addition, emission reductions resulting from implemented control measures ensure that the NAAQS will continue to be maintained. Therefore, USEPA is revising the designation of the City of Marinette, Wisconsin, defined at 40 CFR 81.350, from unclassified to "better than the national standards" (attainment) for TSP.

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 Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (60 days from today). This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

List of Subjects in 40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

(Sec. 107(d) of the Act, as amended (42 U.S.C. 7407))

Dated: September 13, 1984.

William D. Ruckelshaus,
Administrator.

PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES

Part 81 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

1. Section 81.350—Wisconsin, the attainment status designation table for Total Suspended Particulates (TSP) is amended by revising the designation for Marinette County, as follows:

§ 81.350 [Amended]

* * * * *

WISCONSIN—TSP

Designated area	Does not meet primary standards	Does not meet secondary standards	Cannot be classified	Better than national standards
AOCR 237:	*	*	*	*
Marquette County.....	*	*	*	X

[FR Doc. 84-24755 Filed 9-18-84; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 761

[OPTS-62037A; FRL-2672-6]

Polychlorinated Biphenyls
Incorporation by Reference

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA has incorporated by reference certain American Society for Testing and Materials (ASTM) test methods in the Polychlorinated Biphenyl (PCB) regulations. The test method designated "ASTM D 1796-68" has been revised by ASTM. EPA, having offered opportunity for public comment is now amending §§ 761.19 and 761.20 to reflect this revision.

DATE: This final rule is effective September 19, 1984.

FOR FURTHER INFORMATION CONTACT:

Edward A. Klein, 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: In the Federal Register of June 1, 1984 (49 FR 22836), EPA announced that the test method "ASTM D 1796-68 Standard Test Methods for Water and Sediment in Crude Oils and Fuel Oils by Centrifuge" had been revised. The new designation for the test method is "ASTM D 1796-83 Standard Test Methods for Water and Sediment in Crude Oils and Fuel Oils by Centrifuge." The public was given 30 days to comment. The comment period ended on July 2, 1984. No comments were received.

List of Subjects in 40 CFR Part 761

Environmental protection, Hazardous materials, Labeling, Polychlorinated biphenyls, Recordkeeping and reporting

requirements, Incorporation by reference.

(Sec. 6, 90 Stat. 2020 (15 U.S.C. 2065))

Dated: September 10, 1984.

John A. Moore,

Assistant Administrator for Pesticides and Toxic Substances.

PART 761—[AMENDED]

Therefore, Part 761 of Title 40 of Chapter I is amended as follows:

§ 761.19 [Amended]

1. In § 761.19(b), the entry for "ASTM D 1796-68" is changed to read "ASTM D 1796-83."

§ 761.60 [Amended]

2. In § 761.60(a)(3)(iii)(B)(6), the reference "ASTM D 1796-68" is changed to read "ASTM D 1796-83."

[FR Doc. 84-24830 Filed 9-18-84; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY
MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6621]

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). These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the 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 457, Lanham, Maryland 20706, Phone: (800) 638-7418.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration (202) 287-0222, 500 C Street, Southwest, FEMA—Room 509, Washington, D.C. 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."

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration 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.

PART 64—[AMENDED]

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 read 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
Idaho, Power	Unincorporated areas	160219	Aug. 1, 1984, Emerg.	
Missouri, Jasper	Carterville, city of	290180B	Jan. 17, 1977, Emerg., July 16, 1984, Reg., July 16, 1984, Susp., July 26, 1984, Rein.	Dec. 28, 1973 and Feb. 6, 1976.
New York:				
Essex	St. Armand, town of	361157A	Aug. 10, 1984, Emerg.	Oct. 25, 1974 and July 2, 1976.
Fulton	Northampton, town of	361400A	do	Jan. 31, 1975 and Aug. 6, 1976.
Texas, Fayette	Unincorporated areas	480815A	Aug. 13, 1984, Emerg.	Jan. 31, 1978.
Georgia, Pierce	do	130151	do	Aug. 13, 1976.
Texas:				
Denton	The Colony, city of	481581	Aug. 16, 1984, Emerg.	
Refugio	Bayside, town of	481586	do	
Georgia, Rabun	Clayton, city of	130157A	Aug. 13, 1984, Withdrawn	May 24, 1974 and Jan. 16, 1976.
Utah, Utah	Lindon, city of	490210	Aug. 14, 1984, Emerg.	June 21, 1978.
Idaho, Lewis	Craigmont, city of	160183	Aug. 20, 1984, Emerg.	June 25, 1976.
Texas, Sabine	Pineland, city of	480998	Aug. 24, 1984, Emerg.	Oct. 22, 1976.
Florida, Lake	Howey-in-the-Hills, town of	120585B	July 18, 1979, Emerg., Aug. 15, 1984, Reg., Aug. 15, 1984, Susp., Aug. 30, 1984, Rein.	Mar. 2, 1979.
Alabama:				
Lowndes	Unincorporated areas	010272B	Dec. 11, 1975, Emerg., Aug. 15, 1984, Reg., Aug. 15, 1984, Susp., Aug. 31, 1984, Rein.	Nov. 29, 1974 and Feb. 3, 1974.
Elmore	Millbrook, city of	010370B	Oct. 18, 1979, Emerg., Aug. 15, 1984, Reg., Aug. 15, 1984, Susp., Aug. 31, 1984, Rein.	Sept. 15, 1978.
Florida, Nassau	Unincorporated areas	120170B	July 9, 1971, Emerg., Aug. 15, 1984, Reg., Aug. 15, 1984, Susp., Aug. 31, 1984, Rein.	Nov. 29, 1974 and Feb. 4, 1977.
REGION II				
New York:				
Chautauque	Ellicott, town of	361073A	Aug. 1, 1984, Suspension withdrawn	Dec. 6, 1974.
Dutchess	Pawling, village of	361517A	do	Feb. 7, 1975.
Do	Tivoli, village of	361507A	do	Dec. 20, 1974.
REGION III				
Pennsylvania:				
Chester	Honey Brook, township of	422290A	do	Dec. 6, 1974.
Do	West Nantmeal, township of	421499B	do	Dec. 13, 1974 and Jan. 23, 1981.
REGION VI				
Texas:				
Montgomery	Unincorporated areas	480483C	do	Apr. 25, 1978 and Mar. 25, 1980.
Do	Roman Forest, city of	481538A	do	
REGION VIII				
Montana, Gallatin				
	Unincorporated areas	300027B	do	May 16, 1978.
REGION IX				
Arizona, Pima				
	Marana, town of	040118B	do	Dec. 17, 1973, May 15, 1979, and Apr. 17, 1980.
California, San Luis Obispo	Pismo Beach, city of	060309A	do	Mar. 26, 1976.
Nevada, Washoe	Unincorporated areas	320019B	do	Feb. 28, 1978.
REGION X				
Idaho, Bonner				
	do	160208B	do	Oct. 25, 1977.
Oregon:				
Coos	Coos Bay, city of	410044B	do	Aug. 23, 1974 and Mar. 25, 1977.
Do	Lakeside, city of	410279B	do	Nov. 22, 1977.
Do	North Bend, city of	410048B	do	June 28, 1974 and July 11, 1975.
Linn	Scio, city of	410144A	do	Nov. 22, 1974.
Washington, King	North Bend, city of	530085B	do	May 17, 1974 and May 7, 1976.
REGION I				
Vermont, Washington	Berlin, town of	500106B	Aug. 15, 1984, Suspension withdrawn	Feb. 15, 1974 and Sept. 13, 1977.
REGION II				
New York:				
Dutchess	Dover, town of	361335A	do	Dec. 6, 1974.
Westchester	Peekskill, city of	360924B	do	May 31, 1974 and Oct. 24, 1975.
Rensselaer	Schodack, town of	361169A	do	Jan. 31, 1975.
Orange	Walden, village of	360635B	do	Mar. 8, 1974 and Sept. 19, 1975.
REGION IV				
Alabama, Coosa				
	Unincorporated areas	010052B	do	Dec. 27, 1974, June 16, 1978, and Feb. 3, 1978.
Florida:				
Citrus	do	120063B	do	Dec. 20, 1974 and Nov. 4, 1977.
Do	Crystal River, city of	120340B	do	Mar. 26, 1976 and Nov. 30, 1979.
Georgia, Stephens	Unincorporated areas	130391A	do	Feb. 20, 1976.
REGION V				
Ohio, Allen	Fort Shawnee, village of	390611C	do	Oct. 18, 1974, June 4, 1976, and Dec. 12, 1980.
Wisconsin:				
Clark	Thorp, city of	550055B	do	May 24, 1974 and June 4, 1976.
Dodge and Fond du Lac	Waupun, city of	550108	do	Jan. 9, 1974, June 25, 1976, June 9, 1978, and Feb. 23, 1979.

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
REGION VI				
Texas, Montgomery	Woodbranch Village, city of	480694A	.....do.....	July 2, 1976.
REGION X				
Oregon:				
Coos	Bandon, city of	410043B	.....do.....	Dec. 28, 1973 and Apr. 16, 1976.
Harney	Burns, city of	410084B	.....do.....	Nov. 30, 1973 and Jan. 30, 1976.
Klamath	Chiloquin, city of	410111B	.....do.....	Nov. 30, 1973 and Nov. 14, 1975.
Umatilla	Stanfield, city of	410213B	.....do.....	Nov. 9, 1974 and Jan. 2, 1976.

Code for reading 4th column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension; Rein.—Reinstatement.

(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; E.O. 12127, 44 FR 19367; and delegation of authority to the Administrator, Federal Insurance Administration)

Issued: September 13, 1984.

Jeffrey S. Bragg,

Administrator, Federal Insurance Administration.

[FR Doc. 84-24740 Filed 9-18-84; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6622]

Suspension of Community Eligibility Under the National Flood Insurance Program; New York, et al.

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the flood plain management requirements of the program. If FEMA receives documentation that the community has adopted the required flood plain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the *Federal Register*.

EFFECTIVE DATE: The third date ("Susp.") listed in the fourth column.

FOR FURTHER INFORMATION CONTACT:

Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 287-0222, 500 C Street, Southwest, FEMA—Room 509, Washington, D.C. 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. Section 1315 of the National Flood Insurance Act of 1968, as amended (46 U.S.C. 4022) prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001-4128) unless an

appropriate public body shall have adopted adequate flood plain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR Part 59 et seq.). Accordingly, the communities are suspended on the effective date in the fourth column, so that as of that date flood insurance is no longer available in the community. However, those communities which, prior to the suspension date, adopt and submit documentation of legally enforceable flood plain management measures required by the program, will continue their eligibility for the sale of insurance. Where adequate documentation is received by FEMA, a notice withdrawing the suspension will be published in the *Federal Register*.

In addition, the Director of Federal Emergency Management Agency has identified the special flood hazard areas in 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. No direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood prone areas. (Section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Director finds that notice and

public procedure under 5 U.S.C. 533(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified. Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required flood plain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Pursuant to the provision of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, 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. As stated in Section 2 of the Flood Disaster Protection Act of 1973, the establishment of local flood plain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate flood plain management, thus placing itself in noncompliance of the Federal standards required for community participation. In each entry, a complete chronology of effective dates appears for each listed community.

List of Subject in 44 CFR Part 64

Flood Insurance, Flood plains.

PART 64—[AMENDED]

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