

§ 165.1108 San Diego Bay, California.

(a) *Location.* The area encompassed by the following geographic coordinates is a regulated navigation area:

32°41'–24.6" N	117°–14'–21.9" W
32°41'–24.2" N	117°–13'–58.5" W
32°41'–34.2" N	117°–13'–37.2" W

Thence south along the shoreline to

32°41'–11.2" N	117°–13'–31.3" W
32°41'–11.2" N	117°–13'–58.5" W

Thence north along the shoreline to the point of origin.

Datum: NAD 1983.

(b) *Regulations.* (1) During submarine docking/undocking operations at the U.S. Naval Submarine Base on Ballast Point, San Diego Bay, California, mariners transiting within the regulated navigation area shall proceed at a speed that generates no wake from their vessel.

(2) The Coast Guard will issue a Broadcast Notice to Mariners, and if time permits a Local Notice to Mariners, to inform the maritime community of the dates and times of the submarine docking/undocking operations covered by paragraph (b)(1).

(3) The master and/or operator of a vessel within the regulated navigation area shall comply with any other orders or directions issued by the Coast Guard as required for the safety of the submarine docking/undocking operations covered by paragraph (b)(1).

Dated: February 6, 1991.

M. E. Gilbert,

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

[FR Doc. 91-8506 Filed 4-10-91; 8:45 am]

BILLING CODE 4910-14-M

[Regulation 91-04]

33 CFR Part 165**COTP Louisville, KY; Safety Zone Regulations; Louisville, KY**

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone for the Ohio River, miles 598.0 to 604.3. The zone is needed to protect all vessels and spectators from a safety hazard associated with a fireworks display sponsored by The Kentucky Derby Festival Committee. Vessels will be allowed to transit the zone between miles 598.0 and 603.7 at a no wake speed. Entry into this zone between miles 603.7 and 604.3 is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation becomes effective at 9 p.m. e.s.t. on 30 April 1991. It terminates at 11 p.m. e.s.t. on 30 April 1991 unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: LT. J.M. Michalowski (502) 582-5194.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after Federal Register publication due to the short notice of the incident. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to potential hazards to the vessels involved.

Drafting Information

The drafter of this regulation is LT J.M. Michalowski, project officer for the Captain of the Port

Discussion of Regulation

The event requiring this regulation will begin on 30 April 1991 at 9 p.m. e.d.s.t. and end on 30 April 1991 at 11 p.m. e.d.s.t. The fireworks display will take place at 603.9 on the Ohio River. The river closure and speed control are needed to protect river traffic, spectators and moored vessels.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of part 165

Lists of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A new § 165.T02011 is added to read as follows:

§ 165.T02011 Safety zone: All waters of the Ohio River from mile 598.0 to 604.3.

(a) *Location.* The following area is a safety zone: All waters of the Ohio River mile 598.0 to 604.3.

(b) *Effective date.* This regulation becomes effective at 9 p.m. e.d.s.t. on 30 April 1991. It terminates at 11 p.m. e.d.s.t. on 30 April 1991, unless sooner terminated by the Captain of the Port.

(c) *Regulations.* (1) In accordance with

the general regulations in § 165.23 of this part, vessels transiting the zone between miles 598.0 and 603.7 will proceed at a no wake speed. Entry into this zone between miles 603.7 and 604.3 is prohibited unless authorized by the Captain of the Port.

(1) The Captain of the Port's representative may be contacted on VHF radio Channel 16 during the event.

Dated: March 19, 1991.

D.W. Cleaveland,

Captain of the Port, Louisville, Kentucky.

[FR Doc. 91-8509 Filed 4-10-91; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Wilmington Regulation (05-91-003)]

Security Zone Regulations: Cape Fear River, North Carolina State Ports Authority, Wilmington, NC

AGENCY: Coast Guard, DOT.

ACTION: Notice of termination of emergency rule under 33 CFR part 165.

SUMMARY: The temporary security zone established by the Coast Guard in the Cape Fear River in the vicinity of the North Carolina State Ports Authority (NCSPA) is terminated effective 3 p.m. 28 February 1991. The regulation for this temporary security zone is established and terminated at the direction of the Captain of the Port Wilmington, North Carolina by notice in the **Federal Register**. The temporary security zone was placed in effect by a **Federal Register** notice published on February 7, 1991 (Vol. 56, No. 26, Page 4943). The purpose of this temporary security zone was to provide security for Operation Desert Storm. The temporary security zone is hereby terminated.

DATES: Effective termination date: 3 p.m., 28 February 1991.

FOR FURTHER INFORMATION CONTACT: LCDR P.A. Richardson, c/o U.S. Coast Guard, Captain of the Port, Wilmington, 272 N. Front Street, suite 500, Wilmington, NC 28401-3907; telephone (919) 343-4881.

Dated: March 1, 1991.

P.J. Pluta,

Captain, U.S. Coast Guard, Captain of the Port, Wilmington, North Carolina.

[FR Doc. 91-8505 Filed 4-10-91; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Louisville, KY; Regulation 91-02]

Safety Zone Regulations: Louisville, KY**AGENCY:** Coast Guard, DOT.**ACTION:** Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone for the Ohio River, miles 598.0 to 604.3. The zone is needed to protect all vessels and spectators from a safety hazard associated with a fireworks display and air show sponsored by The Kroger Company. Vessels will be allowed to transit the zone between miles 598.0 and 603.2 at a no wake speed. Entry into this zone between miles 603.2 and 604.3 is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation becomes effective 3:00 p.m. e.s.t. on 21 April 1991. It terminates at 11:00 p.m. e.s.t. on 21 April 1991 unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: LT J.M. Michalowski, (502) 582-5194.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after *Federal Register* publication due to the short notice of the incident. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to potential hazards to the vessels involved.

Drafting Information

The drafter of this regulation is LT J.M. Michalowski, project officer for the Captain of the Port.

Discussion of Regulation

The event requiring this regulation will begin on 21 April 1991 at 3 p.m. e.d.s.t. and end on 21 April 1991 at 11 p.m. e.d.s.t. The fireworks display and air show will take place between mile 603.5 and 603.9 on the Ohio River. The river closure and speed control are needed to protect river traffic, spectators and moored vessels.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of part 165.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A new § 165.T02009 is added to read as follows:

§ 165.T02009 Safety Zone: All waters of the Ohio River from Mile 598.0 to 604.3.

(a) *Location.* The following area is a safety zone: All waters of the Ohio River Mile 598.0 to 604.3.

(b) *Effective Date.* This regulation becomes effective at 3 p.m. e.d.s.t. on 21 April 1991. It terminates at 11 p.m. e.d.s.t. on 21 April 1991, unless sooner terminated by the Captain of the Port.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, vessels transiting the zone between miles 598.0 and 603.2 will proceed at a no wake speed. Entry into this zone between miles 603.2 and 604.3 is prohibited unless authorized by the Captain of the Port.

(2) The Captain of the Port's representative may be contacted on VHF radio Channel 16 during the event.

Dated: March 19, 1991.

D.W. Cleaveland,

Captain of the Port, Louisville, Kentucky.

Doc. 91-8507 Filed 4-10-91; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Louisville, KY; Regulation 91-03]

Safety Zone Regulations: Louisville, KY**AGENCY:** Coast Guard, DOT.**ACTION:** Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone for the Ohio River, miles 598.0 to 604.3. The zone is needed to protect all vessels and spectators from a safety hazard associated with a fireworks display sponsored by The Kentucky Derby Festival Committee. Vessels will be allowed to transit the zone between miles 598.0 and 603.7 at a no wake speed. Entry into this zone between miles 603.7 and 604.3 is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation becomes effective at 9:00 p.m. e.s.t. on 28 April 1991. It terminates 11:00 p.m. e.s.t. on 28 April 1991 unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: LT J.M. Michalowski (502) 582-5194.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after *Federal Register* publication due to the short notice of the incident. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to potential hazards to the vessels involved.

Drafting Information

The drafter of this regulation is LT J.M. Michalowski, project officer for the Captain of the Port.

Discussion of Regulation

The event requiring this regulation will begin on 28 April 1991 at 9 p.m. e.d.s.t. and end on 28 April 1991 at 11 p.m. e.d.s.t. The fireworks display will take place at 603.9 on the Ohio River. The river closure and speed control are needed to protect river traffic, spectators and moored vessels.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of part 165.

Lists of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security Measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A new § 165.T02010 is added to read as follows:

§ 165.T02010 Safety Zone: All waters of the Ohio River from Mile 598.0 to 604.3.

(a) *Location.* The following area is a safety zone: All waters of the Ohio River Mile 598.0 to 604.3.

(b) *Effective Date.* This regulation becomes effective at 9 p.m. e.d.s.t. on 28 April 1991. It terminates at 11 p.m.

e.d.s.t. on 28 April 1991, unless sooner terminated by the Captain of the Port.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, vessels transiting the zone between miles 598.0 and 603.7 will proceed at a no wake speed. Entry into this zone between miles 603.7 and 604.3 is prohibited unless authorized by the Captain of the Port.

(2) The Captain of the Port's representative may be contacted on VHF radio Channel 16 during the event.

Dated: March 19, 1991.

D.W. Cleaveland,
Captain of the Port, Louisville, Kentucky.

[FR Doc. 91-8508 Filed 4-10-91; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Louisville, KY; Regulation 91-05]

Safety Zone Regulations: Louisville, KY

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone for the Ohio River, miles 598.0 to 604.3. The zone is needed to protect all vessels and spectators from a safety hazard associated with a fireworks display sponsored by The Beach Bash Community Promotion. Vessels will be allowed to transit the zone between miles 598.0 and 603.2 at a no wake speed. Entry into this zone between miles 603.2 and 604.3 is prohibited unless authorized by the Captain of the Port.

EFFECTIVE DATES: This regulation becomes effective at 9:00 p.m. e.s.t. on 27 May 1991. It terminates at 11 p.m. e.s.t. on 27 May 1991 unless sooner terminated by the Captain of the Port.

FOR FURTHER INFORMATION CONTACT: LT J.M. Michalowski (502), 582-5194.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after *Federal Register* publication due to the short notice of the incident. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to respond to potential hazards to the vessels involved.

Drafting Information

The drafter of this regulation is LT J.M. Michalowski, project officer for the Captain of the Port.

Discussion of Regulation

The event requiring this regulation will begin on 27 May 1991 at 9 p.m. e.d.s.t. and end on 27 May 1991 at 11 p.m. e.d.s.t. The fireworks display will take place at 603.5 on the Ohio River. The river closure and speed control are needed to protect river traffic, spectators and moored vessels.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of part 165.

Lists of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, subpart C of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5.

2. A new § 165.T02012 is added to read as follows:

§ 165.T02012 **Safety Zone: All waters of the Ohio River from Mile 598.0 to 604.3.**

(a) *Location.* The following area is a safety zone: All waters of the Ohio River Mile 598.0 to 604.3.

(b) *Effective Date.* This regulation becomes effective at 9 p.m. e.d.s.t. on 27 May 1991. It terminates at 11 p.m. e.d.s.t. on 27 May 1991, unless sooner terminated by the Captain of the Port.

(c) *Regulations.* (1) In accordance with the general regulations in § 165.23 of this part, vessels transiting the zone between miles 598.0 and 603.2 will proceed at a no wake speed. Entry into this zone between miles 603.2 and 604.3 is prohibited unless authorized by the Captain of the Port.

(2) The Captain of the Port's representative may be contacted on VHF radio Channel 16 during the event.

Dated: March 19, 1991.

D.W. Cleaveland,
Captain of the Port, Louisville, Kentucky.

[FR Doc. 91-8510 Filed 4-10-91; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 165

[COTP Los Angeles/Long Beach; Regulation 91-05]

Security Zone Regulations: Port of Long Beach, CA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard established a Security Zone of the navigable waters of Los Angeles/Long Beach harbors seaward of the Long Beach Naval Station Mole which was published in 56 FR 4559 dated 05 Feb 91. Due to the cessation of hostilities in the Mid East this security zone is no longer needed.

EFFECTIVE DATES: This regulation becomes effective 01 April 1991.

FOR FURTHER INFORMATION CONTACT: LT R. F. Shields at (213) 499-5570.

Drafting Information

The drafters of this regulation are LT R. F. Shields project officer for the Captain of the Port, and LCDR A. Lotz, project attorney, Eleventh Coast Guard District Legal Office.

Discussion of Regulation

The incident which required this regulation began at 12 noon, on January 25, 1991. This Security Zone was necessary to ensure the security of military activities at Naval Station Long Beach during Operation Desert Storm. Due to the cessation of hostilities in the Mid East this security zone is no longer needed.

List of Subjects in 33 CFR Part 165

Harbors marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation:

In consideration of the foregoing, subpart D of part 165 of title 33, Code of Federal Regulations, is amended as follows:

PART 165—[AMENDED]

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(g), 6.04-1, 6.04-6 and 160.5.

§ 165.T1105 [Removed]

2. Section 165.T1105 is removed.

Dated: April 1, 1991.

J. B. Morris,
Captain, U.S. Coast Guard, Captain of the Port, Los Angeles/Long Beach.

[FR Doc. 91-8581 Filed 4-10-91; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF COMMERCE

Patent and Trademark Office

37 Part 1

Rules of Practice in Patent Cases

CFR Correction

In the July 1, 1990 revision of title 37 of the Code of Federal Regulations, on page 14, column two, in § 1.8, paragraphs (a)(2)(xiv), (xv), and (xvi) were inadvertently placed after paragraph (b). These paragraphs should be correctly placed after paragraph (a)(2)(xiii) and before paragraph (b), in column one.

BILLING CODE 1505-01-D

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-AE56

Statutory Changes Affecting the Vocational Rehabilitation Program

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: The Veterans' Benefits Amendments of 1989 eliminate requirements for reducing payment of an allowance to veterans in non-college degree programs when the veteran is absent for more than 30 days during a 12-month period. In addition the provisions for work-study allowances are amended to allow the Secretary of Veterans Affairs to base payment on the higher of the Federal minimum wage or the State minimum wage, enable veterans pursuing training on a three-quarter or greater rate to participate in the work-study program, and make certain other changes. The intended effect of these regulatory amendments is to implement the provisions of the law.

EFFECTIVE DATE: May 13, 1991.

FOR FURTHER INFORMATION CONTACT: Morris Triestman, (202) 233-6496, Rehabilitation Consultant, Policy and Program Development, Vocational Rehabilitation Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 233-6496.

SUPPLEMENTARY INFORMATION: Under the law veterans who are pursuing programs of education or training may be eligible for work-study allowance benefits. Public Law 101-237, the Veterans' Benefits Amendments of 1989,

made a number of changes in this program. In addition provisions requiring reduction of subsistence allowance payments to students pursuing non-college degree programs if the student exceeds 30 days of absence in a 12-month period were eliminated.

Proposed regulatory amendments implementing these changes were published in the *Federal Register* on September 24, 1990 (55 FR 39013). Interested persons were given 30 days in which to submit their comments, suggestions or objections to the proposed regulatory amendments. We received one comment on the proposed regulatory amendments from an official of a state education department. The commenter supported the proposed changes. Since no objections or suggestions for change were received, these amendments are adopted as final.

VA has determined that these regulations do not contain a major rule as that term is defined in Executive Order 12291, Federal Regulation. These amendments will not have a \$100 million annual effect on the economy, will not cause a major increase in costs or prices, and will not have any other significant adverse effects on the economy.

These regulatory amendments are retroactively effective. The amendments affecting leaves of absence for veterans in non-college degree programs are effective December 18, 1989, the date of enactment. Amendments to the work-study program are effective May 1, 1990, as provided by section 406, Public Law 101-237. These are interpretive rules which implement statutory provisions.

Moreover, VA finds that good cause exists for making these rules retroactively effective. A delayed effective date would be contrary to statutory design; would complicate implementation of this provision of law; and might result in a denial of a benefit to a veteran who is entitled by law to that benefit.

The Secretary certifies that these amendments will not, if promulgated, have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA) 5 U.S.C. 601-612. Pursuant to 5 U.S.C. 605(b), these rules are therefore exempt from the initial and final flexibility analyses requirements of sections 603 and 604. The reasons for this certification are that the amendments only affect the rights of individual beneficiaries. No new regulatory burdens are imposed on small entities by these amendments.

(The Catalog of Federal Domestic Assistance number is 64.116.)

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs, Loan programs, Reporting requirements, Schools, Veterans, Vocational Educational, Vocational rehabilitation.

Approved: March 5, 1991.

Edward J. Derwinski,
Secretary of Veterans Affairs.

PART 21—[AMENDED]

38 CFR Part 21, Vocational Rehabilitation and Education is amended as follows:

1. In § 21.272 paragraphs (a) and (d) through (f) are revised to read as follows:

§ 21.272. Work-study allowance.

(a) *Eligibility.* Veterans who are pursuing a rehabilitation program under chapter 31 on a three-quarter or full-time basis are eligible to receive a work-study allowance.

(Authority: 38 U.S.C. 1504(a)(4), 1685, Pub. L. 101-237.)

(d) *Rate of payment.* (1) In return for the veterans' agreement to perform services for VA totaling 25 times the number of weeks contained in an enrollment period, VA will pay an allowance equal to the higher of:

(i) The hourly minimum wage in effect under section 6(a) of the Fair Labor Standards Act of 1938 times the number of hours the veteran has agreed to work; or

(ii) The hourly minimum wage under comparable law of the State in which the services are to be performed times the number of hours the veteran has agreed to work.

(2) VA will pay proportionately less to a veteran who agrees to perform a lesser number of hours of services.

(Authority: 38 U.S.C. 1504(a)(4), 1685, Pub. L. 101-237.)

(e) *Payment in advance.* VA will pay in advance an amount equal to 40 percent of the total amount payable under the contract.

(Authority: 38 U.S.C. 1504(a)(4), 1685.)

(f) *Veteran reduces rate of training.* In the event the veteran reduces his or her training to less than three-quarter time before completing an agreement, the veteran, with the approval of the Director of the VA field station, or designee, may be permitted to complete the portions of an agreement in the same or immediately following term, quarter or semester in which the veteran ceases to be at least a three-quarter time student.

[Authority: 38 U.S.C. 1504(a)(4), 1685, Pub. L. 101-237.]

§ 21.342 [Amended]

2. In § 21.342, remove the words "offered by an institution of higher learning which leads to a standard college degree" from paragraph (b) and add "; Pub. L. 101-237" after "38 U.S.C. 1510" in the authority citation at the end of the section.

§ 21.344 [Amended]

3. In § 21.344, remove the words "for a veteran in a program leading to a standard college degree" from paragraph (c)(2) and add "; Pub. L. 101-237" after "38 U.S.C. 1510" in the authority citation at the end of the section.

[FR Doc. 91-8461 Filed 4-10-91; 8:45 am]

BILLING CODE 8320-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: Modified base (100-year) flood elevations are finalized for the communities listed below.

These modified elevations will be used in calculating flood insurance premium rates for new buildings and their contents and for second layer coverage on existing buildings and their contents.

DATES: The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Mr. William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2754.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the final determinations of modified base flood elevations for each community listed. These modified elevations have been published in newspaper(s) of local circulation and ninety (90) days have elapsed since that publication. The Administrator has resolved any appeals resulting from this notification.

Numerous changes made in the base (100-year) flood elevations on the FIRMs for each community make it administratively infeasible to publish, in this notice, all of the changes contained on the maps. However, this rule includes the address of the Chief Executive Officer of the community, where the modified base flood elevation determinations are made available for inspection.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, (Pub. L. 90-448), 42 U.S.C. 4002-4128, and 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or to remain

qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

These modified base flood elevations shall be used to calculate the appropriate flood insurance premium rates for new buildings and their contents and for second layer coverage on existing buildings and their contents.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, 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 of technical revisions made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance, floodplains.

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

§ 65.4 [Amended]

2. Section 65.4 is amended by adding, in alphabetic sequence, new entries to the table.

State	County	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado	Jefferson (Docket No. FEMA-7002).	Unincorporated areas	Nov. 8, 1990, Nov. 15, 1990, <i>Lakewood Sentinel</i> .	The Honorable Rich Ferdinandsen, Chairman, Jefferson County Board of County Commissioners, Courthouse, 1700 Arapahoe, Golden, Colorado 80419-0001.	Sept. 20, 1990	080087
Florida	Orange (Docket No. FEMA-7009).	Unincorporated areas	Nov. 16, 1990, Nov. 23, 1990, <i>The Orlando Sentinel</i> .	The Honorable Hal Marston, Chairman, Orange County Board of Commissioners, 201 Rosalind Avenue, P.O. Box 1393, Orlando, Florida 32809.	Oct. 31, 1990	120179

State	County	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Illinois	Cook and Du Page (Docket No. FEMA-7011).	Village of Bartlett.....	Dec. 7, 1990, Dec. 14, 1990, <i>The Daily News Courier</i> .	The Honorable John Stark, Village President, Village of Bartlett, 228 South Main Street, Bartlett, Illinois 60103.	Nov. 2, 1990	170059
Illinois	Du Page (Docket No. FEMA-7008).	Village of Lisle.....	Nov. 8, 1990, Nov. 15, 1990, <i>Lisle Sun</i> .	The Honorable Ronald Ghilardi, Mayor, Village of Lisle, 1040 Burlington Avenue, Lisle, Illinois 60532.	Oct. 26, 1990	170211
Louisiana.....	Livingston (FEMA Docket No. 7005).	Unincorporated areas....	Oct. 11, 1990, Oct. 18, 1990, <i>Denham Springs-Livingston Parish News</i> .	The Honorable J.L. Shilling, President of the Livingston Parish Police Jury, P.O. Box 427, Livingston Parish, Louisiana 70754.	Sept. 26, 1990	220113 B
Louisiana.....	St. John the Baptist Parish (FEMA Docket No. 7002).	Unincorporated areas....	Sept. 20, 1990, Sept. 27, 1990, <i>LaPlace L'Observateur</i> .	The Honorable Lester J. Millet, Jr., Parish President, St. John the Baptist Parish, 1801 West Airline Highway, LaPlace, Louisiana 70068.	Aug. 24, 1990.....	220164 C
Maryland.....	Worcester (FEMA Docket No. 7005).	Unincorporated areas....	Oct. 4, 1990, Oct. 11, 1990, <i>The Maryland Times-Press</i> .	The Honorable John A. Yankus, Chief Administrative Officer, Worcester County Commissioner's Office, Court House, room 112, Snow Hill, Maryland 21863.	Sept. 21, 1990	240083 B
Minnesota	Dakota (Docket No. FEMA-7011).	City of Lakeville	Dec. 13, 1990, Dec. 20, 1990, <i>Dakota Tribune</i> .	The Honorable Duane Zaun, Mayor, City of Lakeville, 8747-208th Street, P.O. Box 957, Lakeville, Minnesota 55044-8012.	Nov. 28, 1990	270107
Ohio.....	Licking (Docket No. FEMA-7009).	City of Heath.....	Nov. 28, 1990, Dec. 5, 1990, <i>The Ace News</i> .	The Honorable John C. Geller, Mayor, City of Heath, 1287 Hebron Road, Heath, Ohio 43056.	Nov. 15, 1990	390332
South Carolina	Lexington (Docket No. FEMA-7009).	City of Cayce.....	Nov. 23, 1990, Nov. 30, 1990, <i>The State-Record Company</i> .	The Honorable Archie G. Moore, Mayor, City of Cayce, 1800 Twelfth Street, P.O. Box 2004, Cayce, South Carolina 29171.	Nov. 9, 1990.....	450131
Tennessee.....	Shelby (Docket No. FEMA-7009).	Unincorporated areas....	Nov. 8, 1990, Nov. 15, 1990, <i>Memphis Daily News</i> .	The Honorable Phillip Wittenberg, Chief Administrative Officer, Shelby County, 160 North Mid-America Mall, suite 850, Memphis, Tennessee 38103.	Oct. 26, 1990	470214
Tennessee.....	Shelby (Docket No. FEMA-7011).	Uninc. areas of Shelby County.	Dec. 13, 1990, Dec. 20, 1990, <i>Memphis Daily News</i> .	The Honorable Phillip Wittenberg, Chief Administrative Officer, Shelby County, 160 North Mid-America Mall, suite 850, Memphis, Tennessee 38103.	Dec. 6, 1990.....	470214

Issued: March 28, 1991.

C.M. "Bud" Schauerte,
Administrator, Federal Insurance
Administration.

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44 CFR Part 65

[Docket Number FEMA-7018]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency.

ACTION: Interim rule.

SUMMARY: This rule lists communities where modification of the base (100-year) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base (100-year) elevations for new buildings and their contents and for second layer coverage on existing buildings and their contents.

DATES: These modified base flood elevations are currently in effect and revise the Flood Insurance Rate Map(s) (FIRMs) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which he can request through the community that the Administrator reconsider the changes. The modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Mr. William R. Locke, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2754.

SUPPLEMENTARY INFORMATION: Numerous changes made in the base (100-year) flood elevations on the FIRMs for each community make it administratively infeasible to publish, in this notice, all of the changes contained on the maps. However, this rule includes the address of the Chief Executive Officer of the community, where the modified base flood elevation determinations are made available for inspection.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234) and are in accordance with the National Flood Insurance Act of 1968, as amended, (title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR 65.4.)

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already

in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program.

These modified elevations, together with the floodplain management measures required by 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, 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 of technical revisions made to designated special flood hazard areas on the basis of updated information and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 65

Flood insurance, floodplains.

PART 65—[AMENDED]

1. The authority citation for part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

§ 65.4 [Amended]

2. Section 65.4 is amended by adding, in alphabetic sequence, new entries to the table.

State	County	Location	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona.....	Pima.....	City of Tucson.....	Mar. 1, 1991, Mar. 8, 1991, <i>TNI Legal Advertising</i> .	The Honorable Thomas J. Volgy, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726-7210.	Feb. 15, 1991.....	040073
Colorado.....	Adams and Arapahoe.....	City of Aurora.....	Mar. 13, 1991, and Mar. 20, 1991, <i>Aurora Sentinel</i> .	The Honorable Paul E. Tauer, Mayor, City of Aurora, 1470 Havanna Street, Aurora, Colorado 80012.	Mar. 4, 1991.....	080002 C
Illinois.....	Du Page and Cook.....	Village of Bensenville.....	Mar. 6, 1991, Mar. 13, 1991, <i>Bensenville Press</i> .	The Honorable John Geils, Village President, Village of Bensenville, 700 West Irving Park Road, Bensenville, Illinois 60108.	Mar. 25, 1991.....	170200
Indiana.....	Hendricks.....	Town of Plainfield.....	Mar. 14, 1991, Mar. 21, 1991, <i>Plainfield Messenger</i> .	The Honorable Richard A. Carlucci, Town Manager, Town of Plainfield, 206 West Main Street, Plainfield, Indiana 46168-0065.	Mar. 1, 1991.....	180089