

mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

F. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication of the rule in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

G. Petitions for Judicial Review

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 September 22, 1997. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter.

Dated: July 8, 1997.

Michelle D. Jordan,

Acting Regional Administrator.

Title 40 of the Code of Federal Regulations, chapter I, part 52, is amended as follows:

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

2. Section 52.1219 is amended by adding new paragraph (b) to read as follows:

§ 52.1219 Identification of plan—Conditional Approval.

* * * * *

(b) On February 9, 1996, the State of Minnesota submitted a request to revise its particulate matter (PM) State Implementation Plan (SIP) for the Saint Paul area. This SIP submittal contains administrative orders which include control measures for three companies located in the Red Rock Road area—St. Paul Terminals, Inc., Lafarge Corporation and AMG Resources Corporation. Recent exceedances were attributed to changes of emissions/operations that had occurred at particular sources in the area. The results from the modeling analysis submitted with the Red Rock Road SIP revision, preliminarily demonstrate protection of the PM National Ambient Air Quality Standards (NAAQS). However, due to the lack of emission limits and specific information regarding emission distribution at Lafarge Corporation following the installation of the pneumatic unloader, EPA is conditionally approving the SIP revision at this time. Final approval will be conditioned upon EPA receiving a subsequent modeled attainment demonstration with specific emission limits for Lafarge Corporation, corrected inputs for Peavey/Con-Agra, and consideration of the sources in the 2–4 km range which have experienced emission changes that may impact the Red Rock Road attainment demonstration.

[FR Doc. 97–19213 Filed 7–21–97; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA–7220]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

DATES: These modified base flood elevations are currently in effect on the dates listed in the table and revise the

Flood Insurance Rate Map(s) 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 to request through the community that the Associate Director for Mitigation 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: Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646–2796.

SUPPLEMENTARY INFORMATION: The modified base flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection is provided.

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 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 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 flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, 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.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Associate Director for Mitigation certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the

NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This interim rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 65 is amended to read as follows:

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, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona:					
Maricopa	Unincorporated areas.	May 14, 1997, May 21, 1997, <i>The Arizona Republic</i> .	The Honorable Don Stapley, Chairperson, Maricopa County, Board of Supervisors, 301 West Jefferson Street, Phoenix, Arizona 85003.	Apr. 24, 1997	040037
Pima	City of Tucson	June 4, 1997, June 11, 1997, <i>The Arizona Daily Star</i> .	The Honorable George Miller, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726.	May 9, 1997	040076
Pima	City of Tucson	June 4, 1997, June 11, 1997, <i>The Arizona Daily Star</i> .	The Honorable George Miller, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726.	May 9, 1997	040076
California:					
San Diego	City of Chula Vista	May 2, 1997, May 9, 1997, <i>San Diego Daily Transcript</i> .	The Honorable Shirley Horton, Mayor, City of Chula Vista, 276 Fourth Avenue, Chula Vista, California 91910.	Apr. 9, 1997	065021
Orange	City of Irvine	May 1, 1997, May 8, 1997, <i>Irvine World News</i> .	The Honorable Christina Shea, Mayor, City of Irvine, P.O. Box 19575, Irvine, California 92623.	Apr. 8, 1997	060222
Alameda	City of Livermore	June 3, 1997, June 10, 1997, <i>Tri-Valley Herald</i> .	The Honorable Cathie Brown, Mayor, City of Livermore, 1052 South Livermore Avenue, Livermore, California 94550-4899.	May 15, 1997	060008
San Diego	City of National City.	May 2, 1997, May 9, 1997, <i>San Diego Daily Transcript</i> .	The Honorable George Waters, Mayor, City of National City, 1243 National City Boulevard, National City, California 91950.	Apr. 9, 1997	060293
San Diego	Unincorporated areas.	May 2, 1997, May 9, 1997, <i>San Diego Daily Transcript</i> .	The Honorable Bill Horn, Chairman, San Diego County Board of Supervisors, 1600 Pacific Highway, San Diego, California 92101.	Apr. 9, 1997	060284
Kansas:					
Harvey	City of Halstead ...	May 1, 1997, May 8, 1997, <i>The Harvey County Independent</i> .	The Honorable Kenneth B. Kierl, Mayor, City of Halstead, P.O. Box 312, Independent Halstead, Kansas 67056-0312.	Apr. 4, 1997	200131
Harvey	Unincorporated areas.	May 1, 1997, May 8, 1997, <i>The Harvey County Independent</i> .	The Honorable Craig R. Simons, Harvey County Administrator, Administration Department, P.O. Box 687, Newton, Kansas 67114-0687.	Apr. 4, 1997	200585
Pratt	City of Pratt	May 22, 1997, May 29, 1997, <i>The Pratt Tribune</i> .	The Honorable Glenna Borho, Mayor, City of Pratt, P.O. Box 807, Pratt, Kansas 67124.	May 5, 1997	200278
Nevada: Douglas	Unincorporated areas.	May 14, 1997, May 21, 1997, <i>The Record Courier, Tahoe Daily Tribune</i> .	The Honorable Jacques Etchegoyhen, Chairman, Douglas County Board of County Commissioners, Minden Inn, P.O. Box 218, Minden, Nevada 89423.	Apr. 29, 1997	320008

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Oklahoma: Cleveland.	City of Norman	June 6, 1997, June 13, 1997, <i>Norman Transcript</i> .	The Honorable Bill Nations, Mayor, City of Norman, P.O. Box 370, Norman, Oklahoma 73070.	May 15, 1997	400046
South Dakota: Lawrence.	City of Spearfish ..	May 16, 1997, May 23, 1997, <i>Blackhill Pioneer</i> .	The Honorable Johnny Niehaus, Mayor, City of Spearfish, 625 Fifth Street, Spearfish, South Dakota 57783.	Apr. 24, 1997	460046
Texas:					
Bexar	Unincorporated areas.	June 10, 1997, June 17, 1997, <i>San Antonio Express News</i> .	The Honorable Cyndi T. Krier, Bexar County Judge, 100 Dolorosa, Suite 101, San Antonio, Texas 78205.	May 23, 1997	480035
Dallas	Unincorporated areas.	June 12, 1997, June 19, 1997, <i>The Dallas Morning News</i> .	The Honorable Lee F. Jackson, Dallas County Judge, 411 Elm Street, Dallas, Texas 75202.	May 21, 1997	480165
Tarrant	City of Fort Worth	May 8, 1997, May 15, 1997, <i>Fort Worth-Star Telegram</i> .	The Honorable Kenneth Barr, Mayor, City of Fort Worth, 1000 Throckmorton Street, Fort Worth, Texas 76102-6311.	Aug. 13, 1997	480596
Dallas	City of Garland	June 12, 1997, June 19, 1997, <i>The Garland News</i> .	The Honorable James Ratliff, Mayor, City of Garland, P.O. Box 469002, Garland, Texas 75046-9002.	May 21, 1997	485471
Tarrant	City of Haltom City.	May 8, 1997, May 15, 1997, <i>Fort Worth Star-Telegram</i> .	The Honorable Gary Larson, Mayor, City of Haltom City, P.O. Box 14246, Haltom City, Texas 76117-0246.	Aug. 13, 1997	480599
Harris	City of Houston ...	June 6, 1997, June 13, 1997, <i>Houston Chronicle</i> .	The Honorable Bob Lanier, Mayor, City of Houston, P.O. Box 1562, Houston, Texas 77251-1562.	May 14, 1997	480296
Collin	City of Plano	May 23, 1997, May 30, 1997, <i>Plano Star Courier</i> .	The Honorable John Longstreet, Mayor, City of Plano, P.O. Box 860358, Plano, Texas 75086-0358.	Apr. 29, 1997	480140
Dallas	City of Rowlett	June 12, 1997, June 19, 1997, <i>The Rowlett Lakeshore Times</i> .	The Honorable Buddy Wall, Mayor, City of Rowlett, P.O. Box 99, Rowlett, Texas 75030-0099.	May 21, 1997	480185
Dallas	City of Sachse	June 18, 1997, June 25, 1997, <i>The Wylie News</i> .	The Honorable Larry Holden, Mayor, City of Sachse, 5560 Highway 78, Sachse, Texas 75048.	May 21, 1997	480186
Bexar	City of San Antonio.	May 23, 1997, May 30, 1997, <i>San Antonio Express-News</i> .	The Honorable William E. Thornton, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966.	Apr. 28, 1997	480045
Denton	City of The Colony	June 4, 1997, June 11, 1997, <i>Lewisville Leader</i> .	The Honorable William Manning, Mayor, City of The Colony, 5151 North Colony Boulevard, The Colony, Texas 75056.	May 12, 1997	481581

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: July 15, 1997.

Michael J. Armstrong,

Associate Director for Mitigation.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Modified base (1% annual chance) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new 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) 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: Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation

Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

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

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation