

Union Pacific Railroad Sludge Pit, Pocatello, Bannock County, Idaho.

A Notice of Intent to Delete for this site was published July 25, 1997 (61 FR 40034). The closing date for comments on the Notice of Intent to Delete was August 24, 1997. EPA received no comments.

EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substances Response Trust Fund-financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425 of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, and Water supply.

Dated: September 8, 1997.

Charles E. Findley,
Acting Regional Administrator, Region 10.

For the reasons set out in the preamble, 40 CFR Part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority for Part 300 continues to read as follows:

Authority: U.S.C. 9601–9657; 33 U.S.C. 1321(c)(2); E.O. 12777, 56 FR 54757, 3 CFR 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR 1987 Comp., p. 193.

Appendix B—[Amended]

2. Table 1 of Appendix B to Part 300 is amended by removing “Union Pacific Railroad Co., Pocatello, Idaho.”

[FR Doc. 97–24839 Filed 9–19–97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL–5894–9]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of deletion of the Silver Mountain Mine from the National Priorities List.

SUMMARY: The Environmental Protection Agency (EPA) Region 10 announces the deletion of the Silver Mountain Mine site (“the site”) from the National Priorities List (NPL). The NPL constitutes appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Washington Department of Ecology (Ecology) have determined that no further cleanup under CERCLA is appropriate and that the selected remedy has been protective of human health and the environment.

EFFECTIVE DATE: September 22, 1997.

FOR FURTHER INFORMATION CONTACT: Anne D. Dailey, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Mailstop ECL–111, Seattle, WA 98101, (206) 553–2110 or 1–800–424–4372.

SUPPLEMENTARY INFORMATION: The site to be deleted from the NPL is:

Silver Mountain Mine, Tonasket, Okanogan County, Washington.

A Notice of Intent to Delete for this site was published July 30, 1997 (62 FR 40784). The closing date for comments on the Notice of Intent to Delete was August 29, 1997. EPA received no comments.

EPA identifies sites which appear to present a significant risk to public health, welfare, or the environment and it maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund-financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such action. Section 300.425 of the NCP states that Fund-financed actions may be taken at sites deleted from the NPL. Deletion of a site from the NPL does not affect responsible party liability or impede Agency efforts to recover costs associated with response efforts.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 8, 1997.

Charles E. Findley,
Acting Regional Administrator, U.S. EPA, Region 10.

For the reasons set out in the preamble, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Appendix B—[Amended]

2. Table 1 of Appendix B to Part 300 is amended by removing the site for “Silver Mountain Mine, Loomis, Washington.”

[FR Doc. 97–24840 Filed 9–19–97; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA–7672]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies 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 floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The effective date of each community’s suspension is the third date (“Susp.”) listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was

suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the

table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act 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, 42 U.S.C. 4106(a), 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 Associate Director finds that notice and public comment under 5 U.S.C. 553(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 floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

National Environmental Policy Act

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

Regulatory Flexibility Act

The Associate Director has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts

adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

Regulatory Classification

This final 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.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for Part 64 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.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region I				
Connecticut: Cromwell, town of, Middlesex County.	090123	Nov. 15, 1973, Emerg; June 15, 1978, Reg; Sept. 17, 1997, Susp.	Sept. 17, 1997 ..	Sept. 17, 1997.
Massachusetts: Edgartown, town of, Dukes County.	250069	July 7, 1975, Emerg; July 2, 1980, Reg; Sept. 17, 1997, Susp..	.....do	Do.
New Hampshire: Keene, city of, Cheshire County.	330023	April 24, 1974, Emerg; Sept. 30, 1983, Reg; Sept. 17, 1997, Susp.	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region II				
New York:				
Brutus, town of, Cayuga County	360104	Sept. 6, 1974, Emerg; April 16, 1979, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Gardiner, town of, Ulster County	360856	June 26, 1974, Emerg; Sept. 30, 1982, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Region III				
Pennsylvania:				
Lock Haven, city of, Clinton County	420328	Nov. 17, 1972, Emerg; Feb. 2, 1977, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Woodward, township of, Clinton County	420337	March 16, 1973, Emerg; Jan. 16, 1980, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Region V				
Canal Winchester, village of, Franklin County.	390169	Dec. 26, 1973, Emerg; June 4, 1980, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Franklin County, unincorporated areas	390167	April 19, 1973, Emerg; July 5, 1983, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Wisconsin: West Bend, city of, Washington County.	550475	Aug. 15, 1975, Emerg; Aug. 2, 1982, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Region IX				
Arizona: Apache County, unincorporated areas.	040001	April 11, 1975, Emerg; July 5, 1982, Reg; Sept. 17, 1997, Susp.	.....do	Do.
California:				
Dublin, city of, Alameda County	060705	Feb. 3, 1971, Emerg; Apr. 15, 1981, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Livermore, city of, Alameda County	060008	Dec. 1, 1972, Emerg; July 5, 1977, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Modoc County, unincorporated areas ...	060192	Feb. 19, 1976, Emerg; Sept. 24, 1984, Reg; Sept. 17, 1997, Susp.	.....do	Do.
Region VI				
Oklahoma: Marshall County, unincorporated areas.	400511	Aug. 17, 1983, Emerg; May 28, 1985, Reg; Sept. 30, 1997, Susp.	Sept. 30, 1997 ..	Sept. 30, 1997.
Region VII				
Nebraska: Howard County, unincorporated areas.	310446	June 21, 1993, Emerg; Sept. 30, 1997, Reg; Sept. 30, 1997, Susp.	.....do	Do.
Region VIII				
Colorado: Broomfield, city of, Adams, Boulder, and Jefferson Counties.	085073	Feb. 18, 1972, Emerg; Sept. 7, 1973, Reg; Sept. 30, 1997, Susp.	.....do	Do.
Montana: Bull Creek, village of, Taney County.	290916	Dec. 6, 1993, Emerg; Sept. 30, 1997 Reg; Sept. 30, 1997, Susp.	.....do	Do.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Rein.-Reinstatement; Susp.-Suspension.

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

Issued: September 5, 1997.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 97-25103 Filed 9-19-97; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA-7671]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency
Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain 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 dates listed in the third 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 NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea, Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street SW.,