

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[PA208-4215a; FRL-7780-9]

**Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Withdrawal of Direct Final Rule****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Partial withdrawal of direct final rule.

**SUMMARY:** Due to an adverse comment, EPA is withdrawing a paragraph that was included as part of a direct final rule to approve Pennsylvania's SIP pertaining to source-specific volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>) RACT determination for two individual sources located in Pennsylvania. In the direct final rule published on May 24, 2004 (69 FR 29444), we stated that if we received adverse comments by June 23, 2004, the rule would be withdrawn and would not take effect. EPA subsequently received an adverse comment on one provision of that direct final rule and is withdrawing that provision. EPA will address the comment received in a subsequent final action based upon the proposed action also published on May 24, 2004 (69 FR 29444). EPA will not institute a second comment period on this action.

**EFFECTIVE DATES:** The addition of 40 CFR 52.2020 (c)(213)(i)(B)(1) published at 69 FR 29446 is withdrawn as of July 2, 2004.

**FOR FURTHER INFORMATION CONTACT:** Betty Harris, by telephone at: 215-814-2168, or by e-mail at: [harris.betty@epa.gov](mailto:harris.betty@epa.gov).

**SUPPLEMENTARY INFORMATION:** See the information provided in the direct final rule located in the Rules and Regulations section of the May 24, 2004 **Federal Register** (69 FR 29444). EPA received an adverse comment on only one source, namely, National Fuel Gas Supply Corporation, Roystone Compressor Station located in Sheffield Township, Warren County, Pennsylvania, and we are withdrawing only that provision. The other actions in the May 24, 2004 **Federal Register** are not affected.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Nitrogen dioxide, Ozone, Reporting and recordkeeping

requirements, Volatile organic compounds.

Dated: June 24, 2004.

**Donald S. Welsh,**

*Regional Administrator, Region III.*

■ Accordingly, the addition of §§ 52.2020 (c)(213)(i)(B)(1) published at 69 FR 29446 is withdrawn as of July 2, 2004.

[FR Doc. 04-14990 Filed 7-1-04; 8:45 am]

**BILLING CODE 6560-50-P**

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[CA 151-0449w; FRL-7780-4]

**Partial Withdrawal of Direct Final Rule Revising the California and Nevada State Implementation Plans, Ventura County Air Pollution Control District and Clark County Department of Air Quality Management****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Partial withdrawal of direct final rule.

**SUMMARY:** On May 20, 2004 (69 FR 29074), EPA published a direct final approval of a revision to the Nevada State Implementation Plan (SIP). This revision concerned Clark County Department of Air Quality Management Section 11, Ambient Air Quality Standards. On its own initiative, EPA is now withdrawing the May 20, 2004 direct final rule with respect to Section 11 to avoid confusion with a subsequent action in which EPA proposed approval of Section 11 along with other Clark County air pollution control rules relating to the local New Source Review program.

The other rule, Ventura County Air Pollution Control District Rule 34, approved in the May 20, 2004 direct final action, is not affected by this withdrawal and is incorporated into the SIP as of July 19, 2004, unless EPA receives adverse comments by June 21, 2004, as set forth in the May 20, 2004 direct final rule.

**DATES:** The addition of 40 CFR 52.1470(c)(46) published at 69 FR 29076 on May 20, 2004, is withdrawn as of July 2, 2004.

**FOR FURTHER INFORMATION CONTACT:** Julie Rose, EPA Region IX, (415) 947-4126, [rose.julie@epa.gov](mailto:rose.julie@epa.gov).

**SUPPLEMENTARY INFORMATION:** Members of the public with comments on our proposed approval of Section 11 (See 69 FR 31056, June 2, 2004) should submit

those comments in response to EPA's June 2, 2004 proposed action rather than the May 20, 2004 action which is the subject of this partial withdrawal.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: June 17, 2004.

**Nancy Lindsay,**

*Acting Regional Administrator, Region IX.*

■ Accordingly, the addition of 40 CFR 52.1470(c)(46), published in the **Federal Register** on May 20, 2004 (69 FR 29074), which was to become effective on July 19, 2004, is withdrawn.

[FR Doc. 04-14991 Filed 7-1-04; 8:45 am]

**BILLING CODE 6560-50-P**

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 64**

[Docket No. FEMA-7835]

**Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**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**.

**DATES:** *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:**

Mike Grimm, Mitigation Division, 500 C Street, SW., Room 412, Washington, DC 20472, (202) 646-2878.

**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 Administrator 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 Administrator 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 and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
<b>Region IV</b>				
North Carolina:				
Alliance, Town of, Pamlico County .....	370404	November 9, 1977, Emerg.; August 5, 1985, Reg.; July 2, 2004, Susp.	7/2/2004 .....	7/2/2004
Bayboro, Town of, Pamlico County .....	370183	May 17, 1973, Emerg.; December 4, 1985, Reg.; July 2, 2004, Susp.	.....do* .....	Do.
Bridgeton, Town of, Craven County .....	370436	October 19, 1973, Emerg.; May 4, 1987, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Havelock, City of, Craven County .....	370265	June 20, 1975, Emerg.; May 4, 1987, Reg.; July 2, 2004, Susp.	.....do .....	Do.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Jones County, Unincorporated Areas ...	370379	April 28, 1975, Emerg.; August 16, 1988, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Kinston, City of, Lenoir County .....	370145	November 7, 1974, Emerg.; June 15, 1982, Reg.; July 2, 2004, Susp.	.....do .....	Do.
LaGrange, Town of, Lenoir County .....	370579	August 12, 2002, Emerg.; July 2, 2004, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Lenoir County, Unincorporated Areas ...	370144	July 7, 1980, Emerg.; January 6, 1983, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Maysville, Town of, Jones County .....	370330	August 11, 1975, Emerg.; August 19, 1986, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Minnesott Beach, Town of, Pamlico County.	370418	September 23, 1985, Emerg.; September 23, 1985, Reg.; July 2, 2004, Susp.	.....do .....	Do.
New Bern, City of, Craven County .....	370074	December 11, 1973, Emerg.; June 1, 1978, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Oriental, Town of, Pamlico County .....	370279	May 17, 1973, Emerg.; December 4, 1985, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Pamlico County, Unincorporated Areas	370181	May 17, 1973, Emerg.; September 4, 1985, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Pollocksville, Town of, Jones County ....	370142	January 15, 1974, Emerg.; September 4, 1986, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Stonewall, Town of, Pamlico County ....	370437	May 17, 1973, Emerg.; December 4, 1985, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Trenton, Township of, Jones County ....	370141	May 27, 1975, Emerg.; September 1, 1987, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Vanceboro, Town of, Craven County ....	370075	October 19, 1973, Emerg.; August 4, 1988, Reg.; July 2, 2004, Susp.	.....do .....	Do.
Vandemere, Town of, Pamlico County	370438	May 17, 1973, Emerg.; December 4, 1985, Reg.; July 2, 2004, Susp.	.....do .....	Do.

\* -do- = Ditto

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: June 17, 2004.

**Archibald C. Reid, III,**

*Acting Mitigation Division Director,  
Emergency Preparedness and Response  
Directorate.*

[FR Doc. 04-15055 Filed 7-1-04; 8:45 am]

**BILLING CODE 9110-12-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1 and 64

[DA 04-671]

### International Bureau Filing System (IBFS)

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** The Federal Communications Commission published a document in the **Federal Register** on May 26, 2004 (69 FR 29894), codifying rules governing the electronic filing of documents in the Commission's International Bureau Filing System (IBFS). This document inadvertently contained several errors. The introductory text of § 1.767(a) inadvertently removed §§ 1.767(a)(1) through (11). The rules in new subpart

Y were inadvertently designated §§ 1.9000 through 1.9018 instead of §§ 1.10000 through 1.10018, respectively. Finally, the amendments to the section heading for § 64.1001 and paragraphs (a) and (b) did not reflect earlier revisions to § 64.1001. In addition, the effective date for § 64.1001 did not reflect that the rule changes were subject to approval by the Office of Management and Budget under the Paperwork Reduction Act.

**DATES:** Effective on July 2, 2004, except for the revisions to § 64.1001, which contains information requirements that have not yet been approved by the Office of Management and Budget (OMB). The Commission will publish a document announcing the effective date of this section.

#### FOR FURTHER INFORMATION CONTACT:

Mary Jane Solomon, International Bureau, telephone (202) 418-0593 or via the Internet at [maryjane.solomon@fcc.gov](mailto:maryjane.solomon@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Commission published a document in the **Federal Register** (69 FR 29894, May 26, 2004) to adopt rules governing electronic filing of documents in its International Bureau Filing System (IBFS). The Commission's amendments

to the introductory text of § 1.767(a) inadvertently removed §§ 1.767(a)(1) through (11). Also, the Commission adopted a new subpart Y to part 1 of the Commission's rules. The rules in subpart Y were inadvertently designated §§ 1.9000 through 1.9018. Those rules should have been designated as §§ 1.10000 through 1.10018, respectively. Finally, the Commission adopted amendments to § 64.1001, and stated that those amendments would take effect on May 19, 2004. Those amendments did not reflect earlier revisions to § 64.1001 and that those revisions were subject to approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. This document corrects these errors by revising §§ 64.1001(a) and (b), and by scheduling the effective date of the revisions to § 64.1001 upon approval by OMB.

### List of Subjects in 47 CFR Parts 1 and 64

Administrative practice and procedure, Communications and common carriers, Reporting and recordkeeping requirements.

■ Accordingly, 47 CFR parts 1 and 64 are corrected by making the following correcting amendments: