

and enforce those provisions of Subpart M which apply to major sources, as defined in § 63.320(g). Dry cleaning facilities which are major sources remain subject to Subpart M.

(ii) California is not delegated the Administrator's authority of § 63.325 to determine equivalency of emissions control technologies. Any source seeking permission to use an alternative means of emission limitation, under sections 93109(a)(17), 93109(g)(3)(A)(5), 93109(g)(3)(B)(2)(iii), and 93109(h) of the California Airborne Toxic Control Measure, must also receive approval from the Administrator before using such alternative means of emission limitation for the purpose of complying with section 112.

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 65

[Docket No. FEMA-7180]

### 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 below and revise the Flood Insurance Rate Map(s) in effect prior to this determination for the listed communities.

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 Acting 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 table below.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street, SW., Washington, DC 20472, (202) 646-2756.

**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 on knowledge of changed conditions or 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 Acting 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: Pima .....	City of Tucson .....	Mar. 21, 1996, Mar. 28, 1996, <i>Arizona Daily Star</i> .	The Honorable George Miller, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85710-7210.	Feb. 22, 1996 .....	040076

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Colorado: Summit .....	Unincorporated areas	Mar. 6, 1996, Mar. 13, 1996, <i>Summit County Journal</i> .	The Honorable Marsha Osborn, Chairperson, Summit County Board of Commissioners, P.O. Box 68, Breckenridge, Colorado 80424.	Feb. 8, 1996 .....	080290
Kansas:					
Johnson .....	City of Olathe .....	Mar. 20, 1996, Mar. 27, 1996, <i>Johnson County Sun</i> .	The Honorable Larry Campbell, Mayor, City of Olathe, P.O. Box 768, Olathe, Kansas 66051-0768.	Feb. 23, 1996 .....	200173
Johnson .....	City of Overland Park	Mar. 20, 1996, Mar. 27, 1996, <i>Johnson County Sun</i> .	The Honorable Ed Eilert, Mayor, City of Overland Park, P.O. Box 168, Overland Park, Kansas 66212.	Feb. 23, 1996 .....	200174
Sedgwick .....	Unincorporated areas	Mar. 1, 1996, Mar. 8, 1996, <i>Daily Reporter</i> .	The Honorable Mark Schroeder, Chairman, Board of County Commissioners, Sedgwick County, 525 North Main Street, Suite 320, Wichita, Kansas 67203.	Feb. 12, 1996 .....	200321
Maryland: Montgomery	City of Gaithersburg ....	Mar. 20, 1996, Mar. 27, 1996, <i>Gaithersburg Gazette</i> .	The Honorable W. Edward Bohrer, Jr., Mayor, City of Gaithersburg, 31 South Summit Avenue, Gaithersburg, Maryland 20877-2098.	Feb. 27, 1996 .....	240050
Montana: Fergus .....	Town of Denton .....	Mar. 20, 1996, Mar. 27, 1996, <i>Lewistown News-Argus</i> .	The Honorable Robert Patterson, Mayor, Town of Denton, Office of the Town Clerk, Denton, Montana 59430.	Feb. 23, 1996 .....	300020
Oklahoma: Canadian	City of Oklahoma City	Mar. 13, 1996, Mar. 20, 1996, <i>Journal Record</i> .	The Honorable Ronald J. Norick, Mayor, City of Oklahoma City, 200 North Walker Avenue, Oklahoma City, Oklahoma 73102.	Feb. 26, 1996 .....	405378
Texas:					
Travis .....	City of Austin .....	Mar. 13, 1996, Mar. 20, 1996, <i>Williamson County Sun</i> .	The Honorable Bruce Todd, Mayor, City of Austin, P.O. Box 1088, Austin, Texas 78767.	Jan. 19, 1996 .....	480624
Tarrant .....	City of Bedford .....	Mar. 22, 1996, Mar. 29, 1996, <i>Fort Worth Star-Telegram</i> .	The Honorable Rick D. Hurt, Mayor, City of Bedford, P.O. Box 157, Bedford, Texas 76095-0157.	Mar. 5, 1996 .....	480585
El Paso .....	City of El Paso .....	Mar. 7, 1996, Mar. 14, 1996, <i>El Paso Times</i> .	The Honorable Larry Francis, Mayor, City of El Paso, Two Civic Center Plaza, El Paso, Texas 79901-1196.	Feb. 16, 1996 .....	480214
Bexar, Comal, and Guadalupe.	City of Schertz .....	Mar. 7, 1996, Mar. 14, 1996, <i>Herald Newspaper</i> .	The Honorable Earl W. Sawyer, Mayor, City of Schertz, P.O. Drawer I, Schertz, Texas 78154.	Feb. 14, 1996 .....	480269

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Smith .....	City of Tyler .....	Mar. 21, 1996, Mar. 28, 1996, <i>Tyler Morning Telegraph</i> .	The Honorable Smith T. Reynolds, Jr., Mayor, City of Tyler, P.O. Box 2039, Tyler, Texas 75710-2039.	Feb. 20, 1996 .....	480571
Williamson .....	Unincorporated areas	Mar. 13, 1996, Mar. 20, 1996, <i>Williamson County Sun</i> .	The Honorable John Doerfler, Williamson County Judge, Williamson County Courthouse, 710 Main Street, Georgetown, Texas 78626.	Jan. 19, 1996 .....	481079

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

Dated: May 13, 1996.

Richard W. Krimm,

*Acting Associate Director for Mitigation.*

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#### 44 CFR Part 65

[Docket No. FEMA-7178]

#### 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) (FIRMs) in effect prior to this determination for each listed community.

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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 Acting Associate Director, Mitigation Directorate, 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 National Flood Insurance Program. 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

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#### List of Subjects in 44 CFR Part 65

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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.