

of the United States. The EPA will submit 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 United States 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).

#### *E. Petitions for Judicial Review*

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 26, 1998. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the 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**

##### *40 CFR Part 52*

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

##### *40 CFR Part 62*

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfuric acid plants, Sulfuric oxides.

Dated: August 3, 1998.

**William Rice,**

*Acting Regional Administrator, Region VII.*

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### **PART 52—[AMENDED]**

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

**Authority:** 42 U.S.C. 7401 *et seq.*

##### **Subpart AA—Missouri**

2. Section 52.1320 is amended by adding paragraph (c)(108) to read as follows:

##### **§ 52.1320 Identification of plan.**

\* \* \* \* \*

(C) \* \* \*

(108) On August 12, 1997, the Missouri Department of Natural Resources (MDNR) submitted a new rule which consolidated the SO<sub>2</sub> rules into

one and rescinded eight existing rules dealing with sulfur compounds.

(i) Incorporation by reference.

(A) Regulation 10 CSR 10–6.260, Restriction of Emission of Sulfur Compounds, except Section (4), Restriction of Concentration of Sulfur Compounds in the Ambient Air, and Section (3), Restriction of Concentration of Sulfur Compounds in Emissions, effective on August 30, 1996.

(B) Rescission of rules 10 CSR 10–2.160, Restriction of Emission of Sulfur Compounds; 10 CSR 10–2.200, Restriction of Emission of Sulfur Compounds From Indirect Heating Sources; 10 CSR 10–3.100, Restriction of Emission of Sulfur Compounds; 10 CSR 10–3.150, Restriction of Emission of Sulfur Compounds From Indirect Heating Sources; 10 CSR 10–4.150, Restriction of Emissions of Sulfur Compounds; 10 CSR 10–4.190, Restriction of Emission of Sulfur Compounds From Indirect Heating Sources; 10 CSR 10–5.110, Restrictions of Emission of Sulfur Dioxide for Use of Fuel; and 10 CSR 10–5.150, Emission of Certain Sulfur Compounds Restricted; effective July 30, 1997.

#### **PART 62—[AMENDED]**

1. The authority citation for part 62 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

##### **Subpart AA—Missouri**

2. Section 62.6350 is amended by adding paragraph (b)(3) to read as follows:

##### **§ 62.6350 Identification of plan.**

\* \* \* \* \*

(b) \* \* \*

(3) A revision to Missouri's 111(d) plan for Sulfuric Acid Mist from Existing Sulfuric Acid Production Plants which was effective on August 30, 1996. This revision incorporates the 111(d) requirements from two existing regulations into a new consolidated regulation.

[FR Doc. 98–22901 Filed 8–26–98; 8:45 am]

BILLING CODE 6560–50–P

#### **FEDERAL EMERGENCY MANAGEMENT AGENCY**

##### **44 CFR Part 65**

[Docket No. FEMA–7252]

#### **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:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646–3461.

**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.	July 24, 1998, July 31, 1998, <i>Scottsdale Progress-Tribune</i> .	The Honorable Janice K. Brewer, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson, 10th Floor, Phoenix, Arizona 85003.	June 30, 1998 .....	040037
Maricopa .....	Unincorporated Areas.	June 11, 1998, June 18, 1998, <i>Arizona Republic</i> .	The Honorable Don Stapley, Chairperson, Maricopa County Board of Supervisors, 301 West Jefferson, 10th Floor, Phoenix, Arizona 85003.	May 15, 1998 .....	040037
Maricopa .....	Town of Paradise Valley.	June 11, 1998, June 18, 1998, <i>Arizona Republic</i> .	The Honorable Marian Davis, Mayor, Town of Paradise Valley, 6401 East Lincoln Drive, Paradise Valley, Arizona 85253.	May 15, 1998 .....	040049
Maricopa .....	City of Phoenix ....	June 11, 1998, June 18, 1998, <i>Arizona Republic</i> .	The Honorable Skip Rimsza, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, Arizona 85003.	May 15, 1998 .....	040051
Pima .....	Unincorporated Areas.	July 2, 1998, July 9, 1998, <i>Arizona Daily Star</i> .	The Honorable Mike Boyd, Chairman, Pima County Board of Supervisors, 130 West Congress, Fifth Floor, Tucson, Arizona 85701.	May 27, 1998 .....	040073
Maricopa .....	City of Scottsdale	June 11, 1998, June 18, 1998, <i>Arizona Republic</i> .	The Honorable Sam Kathryn Campana, Mayor, City of Scottsdale, P.O. Box 1000, Scottsdale, Arizona 85252.	May 15, 1998 .....	045012
Maricopa .....	City of Scottsdale	July 2, 1998, July 9, 1998, <i>Scottsdale Progress-Tribune</i> .	The Honorable Sam Kathryn Campana, Mayor, City of Scottsdale, P.O. Box 1000, Scottsdale, Arizona 85252-1000.	June 2, 1998 .....	045012
Maricopa .....	City of Scottsdale	July 24, 1998, July 31, 1998, <i>Scottsdale Progress-Tribune</i> .	The Honorable Sam Kathryn Campana, Mayor, City of Scottsdale, P.O. Box 1000, Scottsdale, Arizona 85252-1000.	June 30, 1998 .....	045012
Maricopa .....	City of Tempe .....	June 11, 1998, June 18, 1998, <i>Arizona Republic</i> .	The Honorable Neil Giuliano, Mayor, City of Tempe, P.O. Box 5002, Tempe, Arizona 85280.	May 15, 1998 .....	040054
California:					

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Riverside .....	Agua Caliente Band of Cahuilla Indians Tribe.	June 18, 1998, June 25, 1998, <i>Desert Sun</i> .	The Honorable Richard M. Milanovich, Chairman, Tribal Council, Agua Caliente Band of Cahuilla Indians, 600 East Tahquitz Canyon Way, Palm Springs, California 92262.	May 22, 1998 .....	060763
Riverside .....	City of Cathedral City.	June 18, 1998, June 25, 1998, <i>The Press-Enterprise</i> .	The Honorable David W. Berry, Mayor, City of Cathedral City, P.O. Box 5001, Cathedral City, California 92235-5001.	May 22, 1998 .....	060704
Contra Costa ..	City of Danville .....	June 18, 1998, June 25, 1998, <i>San Ramon Valley Times</i> .	The Honorable Dick Waldo, Mayor, City of Danville, 510 La Gonda Way, Danville, California 94526.	May 20, 1998 .....	060707
Solano .....	City of Dixon .....	June 10, 1998, June 17, 1998, <i>Dixon Tribune</i> .	The Honorable Don Erickson, Mayor, City of Dixon, 600 East "A" Street, Dixon, California 95620-3697.	May 11, 1998 .....	060369
Riverside .....	City of Palm Springs.	June 18, 1998, June 25, 1998, <i>Desert Sun</i> .	The Honorable Lloyd Maryanov, Mayor, City of Palm Springs, P.O. Box 2743, Palm Springs, California 92263.	May 22, 1998 .....	060257
San Diego .....	Unincorporated Areas.	June 9, 1998, June 16, 1998, <i>San Diego Daily Transcript</i> .	The Honorable Greg Cox, Chairman, San Diego County Board of Supervisors, 1600 Pacific Highway, Room 335, San Diego, California 92101.	May 13, 1998 .....	060284
Jefferson .....	City of Westminster.	July 23, 1998, July 30, 1998, <i>Westminster Window</i> .	The Honorable Nancy M. Heil, Mayor, City of Westminster, 4800 West 92nd Avenue, Westminster, Colorado 80030.	June 22, 1998 .....	080008
Iowa: Polk .....	City of Ankeny .....	July 15, 1998, July 22, 1998, <i>The Des Moines Register</i> .	The Honorable Merle Johnson, Mayor, City of Ankeny, 1605 North Ankeny Boulevard, Suite 200, Ankeny, Iowa 50021.	October 20, 1998	190226
Missouri: St. Louis	Unincorporated Areas.	June 11, 1998, June 18, 1998, <i>St. Louis Post-Dispatch</i> .	The Honorable Buzz Westfall, St. Louis County Executive, 41 South Central Executive, Clayton, Missouri 63105.	September 16, 1998.	290327
Montana: Yellowstone.	City of Billings .....	July 9, 1998, July 16, 1998, <i>Billings Gazette</i> .	The Honorable Charles F. Tooley, Mayor, City of Billings, P.O. Box 1178, Billings, Montana 59103-1178.	June 9, 1998 .....	300085
Nevada: Clark .....	Unincorporated Areas.	June 18, 1998, June 25, 1998, <i>Las Vegas Review-Journal</i> .	The Honorable Yvonne Atkinson Gates, Chairperson, Clark County Board of Commissioners, 500 Grand Central Parkway, Las Vegas, Nevada 89155.	May 20, 1998 .....	320003
New Mexico: Bernalillo .....	City of Albuquerque.	July 24, 1998, July 31, 1998, <i>Albuquerque Journal</i> .	The Honorable Martin J. Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, New Mexico 87103-1293.	June 18, 1998 .....	350002
Bernalillo .....	Unincorporated Areas.	July 3, 1998, July 10, 1998, <i>Albuquerque Journal</i> .	The Honorable Tom Rutherford, Chairman, Bernalillo County Board of Commissioners, 2400 Broadway Southeast, Albuquerque, New Mexico 87102.	June 3, 1998 .....	350001
Bernalillo .....	Unincorporated Areas.	July 24, 1998, July 31, 1998, <i>Albuquerque Journal</i> .	The Honorable Tom Rutherford, Chairman, Bernalillo County Board of Commissioners, 2400 Broadway Southeast, Albuquerque, New Mexico 87102.	June 18, 1998 .....	350001
Oklahoma: Tulsa ...	City of Broken Arrow.	July 23, 1998, July 30, 1998, <i>Broken Arrow Ledger</i> .	The Honorable James Reynolds, Mayor, City of Broken Arrow, P.O. Box 610, Broken Arrow, Oklahoma 74013.	June 12, 1998 .....	400236
Oregon: Washington.	City of Hillsboro ...	July 16, 1998, July 23, 1998, <i>Hillsboro Argus</i> .	The Honorable Gordon Faber, Mayor, City of Hillsboro, 123 West Main Street, Hillsboro, Oregon 97123-3999.	June 10, 1998 .....	410243
Texas:					

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Collin .....	City of Allen .....	June 17, 1998 June 24, 1998, <i>The Allen American</i> .	The Honorable Steve Terrell, Mayor, City of Allen, One Butler Circle, Allen, Texas 75013.	May 13, 1998 .....	480131
Travis .....	City of Austin .....	June 19, 1998, June 26, 1998, <i>Austin American-Statesman</i> .	The Honorable Kirk A. Watson, Mayor, City of Austin, 124 West Eighth Street, Austin, Texas 78701.	May 8, 1998 .....	480624
Johnson .....	City of Burleson ...	July 8, 1998, July 15, 1998, <i>Burleson Star</i> .	The Honorable Rick Roper, Mayor, City of Burleson, 141 West Renfro, Burleson, Texas 76028.	October 13, 1998	485459
Williamson .....	City of Cedar Park	July 8, 1998, July 15, 1998, <i>Hill Country News</i> .	The Honorable Dorothy Duckett, Mayor, City of Cedar Park, 600 North Bell Boulevard, Cedar Park, Texas 78613.	June 11, 1998 .....	481282
Collin .....	City of Dallas .....	July 17, 1998, July 24, 1998, <i>The Dallas Morning News</i> .	The Honorable Ron Kirk, Mayor, City of Dallas, 1500 Marilla Street, Suite 5EN, Dallas, Texas 75201.	October 22, 1998	480171
Denton .....	Town of Flower Mound.	July 22, 1998, July 29, 1998, <i>Denton Record-Chronicle</i> .	The Honorable Larry W. Lipscomb, Mayor, Town of Flower Mound, 2121 Cross Timbers Drive, Flower Mound, Texas 75028.	June 9, 1998 .....	480777
Fort Bend .....	Unincorporated Areas.	June 17, 1998, June 24, 1998, <i>Fort Bend Star</i> .	The Honorable Michael D. Rozell, Fort Bend County Judge, 301 Jackson Street, Suite 719, Richmond, Texas 77469.	May 8, 1998 .....	480228
Tarrant .....	City of Fort Worth	June 12, 1998, June 19, 1998, <i>Fort Worth Star-Telegram</i> .	The Honorable Kenneth Barr, Mayor, City of Fort Worth, City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102-6311.	May 6, 1998 .....	480596
Webb .....	City of Laredo .....	July 2, 1998, July 9, 1998, <i>Laredo Morning News</i> .	The Honorable Saul N. Ramirez, Jr., Mayor, City of Laredo, P.O. Box 579, Laredo, Texas 78042-0579.	May 26, 1998 .....	480651
Gregg and Harrison.	City of Longview Harrison.	June 19, 1998, June 26, 1998, <i>Longview News-Journal</i> .	The Honorable David McWhorter, Mayor, City of Longview, P.O. Box 1592, Longview, Texas 75606-1952.	May 7, 1998 .....	480264
Collin .....	City of Plano .....	June 24, 1998, July 1, 1998, <i>Plano Star Courier</i> .	The Honorable John Longstreet, Mayor, City of Plano, P.O. Box 860358, Plano, Texas 75086-0358.	May 29, 1998 .....	480140
Collin .....	City of Plano .....	July 22, 1998, July 29, 1998, <i>Plano Star Courier</i> .	The Honorable John Longstreet, Mayor, City of Plano, P.O. Box 860358, Plano, Texas 75086-0358.	June 22, 1998 .....	480140
Fort Bend .....	City of Sugar Land.	June 17, 1998, June 24, 1998, <i>Fort Bend Star</i> .	The Honorable Dean Hrbacek, Mayor, City of Sugar Land, P.O. Box 110, Sugar Land, Texas 77487-0110.	May 8, 1998 .....	480234
Denton .....	City of The Colony	June 19, 1998, June 26, 1998, <i>The Leader</i> .	The Honorable Mary B. Watts, Mayor, City of The Colony, City Hall, 5151 North Colony Boulevard, The Colony, Texas 75056.	May 19, 1998 .....	481581

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

Dated: August 10, 1998.

**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.

**EFFECTIVE 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:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-3461.

**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