

may be claimed confidential by marking any part or all of that information as Confidential Business Information (CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

**VIII. Public Docket**

EPA has established a record for this rulemaking under docket number [OPP-300450] (including any comments and data submitted electronically). A public version of this record, including printed, paper versions of electronic comments, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Electronic comments may be sent directly to EPA at:  
opp-docket@epamail.epa.gov.

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above, is kept in paper form. Accordingly, in the event there are objections and hearing requests, EPA will transfer any copies of objections and hearing requests received electronically into printed, paper form

as they are received and will place the paper copies in the official rulemaking record. The official rulemaking record is the paper record maintained at the address in "ADDRESSES" at the beginning of this document.

**IX. Regulatory Assessment Requirements**

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and, since this action does not impose any information collection requirements as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 et seq., it is not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because FFDC section 408(l)(6) permits establishment of this regulation without a notice of proposed rulemaking, the regulatory flexibility analysis requirements of the Regulatory Flexibility Act, 5 U.S.C. 604(a), do not apply.

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104-121, 110 Stat. 847), 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 today's Federal Register. This rule is not a "major rule" as defined by 5 U.S.C. 804(2) of the APA as amended.

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: January 21, 1997.

Daniel M. Barolo,

*Director, Office of Pesticide Programs.*

Therefore, 40 CFR Chapter I is amended as follows:

**PART 180—[AMENDED]**

1. The authority citation for part 180 continues to read as follows:  
Authority: 21 U.S.C. 346a and 371.

2. In § 180.301, by designating the existing text as paragraph (a) and by adding a new paragraph (b) to read as follows:

**§ 180.301 Carboxin; tolerances for residues.**

\* \* \* \* \*

(b) A time-limited tolerance is established for residues of the combined residues (free and bound) of the fungicide carboxin [5,6-dihydro-2-methyl-1,4-oxathiin-3-carboxanilide) and its sulfoxide metabolite (5,6-dihydro-3-carboxanilide-2-methyl-1,4-oxathiin-4-oxide), each expressed as the parent compound in connection with use of the pesticide under section 18 emergency exemptions granted by EPA. The tolerance is specified in the following table. The tolerance expires and is automatically revoked on the date specified in the table without further action by EPA.

Commodity	Parts per million	Expiration/Revocation Date
Onion Seed .....	0.2	January 17, 1998

[FR Doc. 97-2500 Filed 1-31-97; 8:45 am]  
BILLING CODE 6560-50-F

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 64**

[Docket No. FEMA-7658]

**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 Executive 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 Executive 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
<b>Region I</b>				
Connecticut: East Granby, town of, Hartford County.	090025	April 9, 1974, Emerg; Jan. 6, 1982, Reg; Feb. 5, 1997, Susp.	Feb. 5, 1997 ...	Feb. 5, 1997.
<b>Region V</b>				
Wisconsin: Shell Lake, city of, Washburn County.	550469	Nov. 8, 1974, Emerg; Sept. 16, 1988, Reg; Feb. 5, 1997, Susp.	Do .....	Do.
<b>Region VI</b>				
Arkansas: Searcy, city of, White County .....	050229	May 6, 1975, Emerg; Feb. 4, 1981, Reg; Feb. 5, 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
<b>Region IX</b>				
California: Tehama County, unincorporated areas.	065064	April 23, 1971, Emerg; June 1, 1982, Reg; Feb. 5, 1997, Susp.	Do .....	Do.
<b>Region I</b>				
Maine: Lyman, town of, York County .....	230195	July 23, 1975, Emerg; May 15, 1991, Reg; Feb. 19, 1997, Susp.	May 15, 1991	Feb. 19, 1997.
Vermont:				
Londonderry, town of, Windham County ..	500132	July 24, 1975, Emerg; April 1, 1992, Reg; Feb. 19, 1997, Susp.	Jan. 3, 1997 ...	Do.
Rutland, city of, Rutland County .....	500101	Aug. 30, 1973, Emerg; April 17, 1978, Reg; Feb. 19, 1997, Susp.	April 17, 1978	Do.
<b>Region II</b>				
New York: Trenton, town of, Oneida County ...	360556	April 21, 1975, Emerg; May 1, 1985, Reg; Feb. 19, 1997, Susp.	Jan. 3, 1997 ...	Feb. 19, 1997.
<b>Region III</b>				
Pennsylvania:				
Ambler, borough of, Montgomery County	420947	Dec. 6, 1973, Emerg; Nov. 2, 1977, Reg; Feb. 19, 1997, Susp.	Dec. 19, 1996	Do.
Collegeville, borough of, Montgomery County.	421900	Oct. 29, 1974, Emerg; Feb. 15, 1980, Reg; Feb. 19, 1997, Susp.	Do .....	Do.
Schwenksville, borough of, Montgomery County.	421905	July 11, 1975, Emerg; Sept. 30, 1981, Reg; Feb. 19, 1997, Susp.	Do .....	Do.
Springfield, township of, Montgomery County.	425388	March 26, 1971, Emerg; July 7, 1972, Reg; Feb. 19, 1997, Susp.	Do .....	Do.
Towamencin, township of, Montgomery County.	422236	June 21, 1974, Emerg; July 2, 1980, Reg; Feb. 19, 1997, Susp.	Do .....	Do.
Upper Frederick, township of, Montgomery County.	421916	Nov. 15, 1974, Emerg; Aug. 17, 1981, Reg; Feb. 19, 1997, Susp.	Dec. 19, 1996	Do.
Upper Merion, township of, Montgomery County.	420957	Dec. 17, 1973, Emerg; Nov. 16, 1977, Reg; Feb. 19, 1997, Susp.	Do .....	Do.
York Springs, borough of, Adams County	421239	May 30, 1974, Emerg; June 1, 1979, Reg; Feb. 19, 1997, Susp.	Feb. 19, 1997	Do.
West Virginia: Martinsburg, city of, Berkeley County.	540006	Nov. 14, 1974, Emerg; Dec. 18, 1979, Reg; Feb. 19, 1997, Susp.	Jan. 3, 1997 ...	Do.
<b>Region V</b>				
Ohio: Oxford, city of, Butler County .....	390731	June 20, 1975, Emerg; Feb. 16, 1979, Reg; Feb. 19, 1997, Susp.	Jan. 3, 1997 ...	Do.
<b>Region VII</b>				
Missouri:				
Butler County, unincorporated areas .....	290044	April 26, 1984, Emerg; April 3, 1985, Reg; Feb. 19, 1997, Susp.	Feb. 19, 1997	Do.
Poplar Bluff, city of, Butler County .....	290047	July 29, 1975, Emerg; Feb. 4, 1981, Reg; Feb. 19, 1997, Susp.	Do .....	Do.
<b>Region X</b>				
Idaho: Madison County, unincorporated areas	160217	Feb. 2, 1979, Emerg; June 3, 1991, Reg; Feb. 19, 1997, Susp.	Jan. 3, 1997 ...	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: January 28, 1997.  
 Richard W. Krimm,  
*Executive Associate Director Mitigation Directorate.*  
 [FR Doc. 97-2566 Filed 1-31-97; 8:45 am]  
**BILLING CODE 6718-05-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 1**

[FCC 97-2]

**Forfeiture Proceedings**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In accordance with the Federal Civil Monetary Penalty Inflation Act of 1990, as amended by the Debt

Collection Improvement Act of 1996, this order amends the Commission's rules regarding forfeiture proceedings to implement inflation adjustments to monetary forfeiture penalties that may be assessed by the Commission.

**EFFECTIVE DATE:** March 5, 1997.

**FOR FURTHER INFORMATION CONTACT:** Douglas Cooper, Compliance and Information Bureau, (202) 418-1160.

**SUPPLEMENTARY INFORMATION:**

Adopted: January 3, 1997  
 Released: January 15, 1997