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Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission. In commenting, please refer to file code CMS-2001-IFC.

If you have comments on the information collection requirements, please mail copies directly to the following:

Centers for Medicare & Medicaid Services, Office of Information Services, DHES, SSG, Attn: Julie Brown, CMS-2001-IFC, Room N2-14-26, 7500 Security Boulevard, Baltimore, MD 21244-1850;

and

Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503, Attn: Brenda Aguilar, Desk Officer.

**FOR FURTHER INFORMATION CONTACT:**  
Deirdre Duzor, (410) 786-4626.

**Authority:** Sec. 1102 of the Social Security Act (42 U.S.C. 1302).

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: August 1, 2001.

**Thomas A. Scully,**  
*Administrator, Centers for Medicare & Medicaid Services.*

Approved: August 10, 2001.

**Tommy G. Thompson,**  
*Secretary.*  
[FR Doc. 01-20714 Filed 8-16-01; 8:45 am]  
**BILLING CODE 4120-01-P**

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

[Docket No. FEMA-7767]

#### 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management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.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:** Edward Pasterick, Division Director, Program Marketing and Partnership Division, Federal Insurance Administration and Mitigation Directorate, 500 C Street, SW.; Room 411, Washington, DC 20472, (202) 646-3098.

**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 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
Region III: Virginia: Danville, city of, Pittsylvania County.	510044	October 17, 1974, Emerg.; March 16, 1981, Reg. August 9, 2001.	8/9/01	8/9/01
Region X: Washington: Washtucna, town of, Adams County.	530006	December 26, 1975, Emerg.; September 30, 1988, Reg. August 9, 2001.	-do-	-do-
Region II: New York: Elba, town of, Essex County.	361156	March 7, 1975, Emerg.; July 20, 1979, Reg. August 23, 2001 ....	8/23/01	8/23/01
Region VI: Louisiana: Albany, village of, Livingston Parish.	220114	October 14, 1983, Emerg.; October 14, 1983, Reg. August 23, 2001.	-do-	-do-
Denham Springs, city of, Livingston Parish.	220116	June 25, 1975, Emerg.; October 15, 1981, Reg. August 23, 2001.	-do-	-do-
Killian, village of, Livingston Parish.	220355	October 26, 1977, Emerg.; August 1, 1987, Reg. August 23, 2001.	-do-	-do-
Livingston, town of, Livingston Parish.	220118	June 21, 1978, Emerg.; April 15, 1979, Reg. August 23, 2001 ...	-do-	-do-
Livingston Parish, unincorporated areas.	220113	May 20, 1977, Emerg.; September 30, 1988, Reg. August 23, 2001.	-do-	-do-
Port Vincent, village of, Livingston Parish.	220119	May 17, 1977, Emerg.; August 16, 1988, Reg. August 23, 2001	-do-	-do-
Springfield, town of, Livingston Parish.	220120	March 24, 1998, Reg. August 23, 2001 .....	-do-	-do-
Texas: Cedar Hill, city of, Dallas County.	480168	June 21, 1974, Emerg.; April 1, 1981, Reg. August 23, 2001 .....	-do-	-do-
Cockrell Hill, city of, Dallas County.	480169	February 29, 1996, Emerg.; August 23, 2001 .....	-do-	-do-
Coppell, city of, Dallas County.	480170	June 11, 1975, Emerg.; August 1, 1980, Reg. August 23, 2001	-do-	-do-
Dallas County, unincorporated areas.	480165	September 4, 1970, Emerg.; July 19, 1982, Reg. August 23, 2001.	-do-	-do-
DeSoto, city of, Dallas County.	480172	June 12, 1974, Emerg.; May 5, 1981, Reg. August 23, 2001 .....	-do-	-do-
Duncanville, city of, Dallas County.	480173	April 16, 1974, Emerg.; April 13, 1981, Reg. August 23, 2001 ....	-do-	-do-
Farmers Branch, city of, Dallas County.	480174	February 25, 1972, Emerg.; February 15, 1978, Reg. August 23, 2001.	-do-	-do-
Garland, city of, Dallas County.	485471	August 7, 1970, Emerg.; April 16, 1971, Reg. August 23, 2001 ..	-do-	-do-
Glenn Heights, city of, Dallas County.	481265	July 8, 1980, Emerg.; July 16, 1980, Reg. August 23, 2001 .....	-do-	-do-
Grand Prairie, city of, Dallas County.	485472	October 1, 1971, Emerg.; July 6, 1973, Reg. August 23, 2001 ...	-do-	-do-
Highland Park, town of, Dallas County.	480178	October 30, 1974, Emerg.; July 16, 1979, Reg. August 23, 2001	-do-	-do-
Hutchins, city of, Dallas County.	480179	May 13, 1975, Emerg.; May 1, 1980, Reg. August 23, 2001 .....	-do-	-do-
Irving, city of, Dallas County.	480180	June 19, 1970, Emerg.; November 19, 1980, Reg. August 23, 2001.	-do-	-do-
Lancaster, city of, Dallas County.	480182	May 28, 1974, Emerg.; August 3, 1981, Reg. August 23, 2001 ..	-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
Mesquite, city of, Dallas County.	485490	July 24, 1970, Emerg.; July 30, 1971, Reg. August 23, 2001 .....	-do-	-do-
Richardson, city of, Dallas County.	480184	February 20, 1975, Emerg.; December 4, 1979, Reg. August 23, 2001.	-do-	-do-
Rowlett, city of, Dallas County.	480185	June 10, 1975, Emerg.; September 1, 1978, Reg. August 23, 2001.	-do-	-do-
Sachse, city of, Dallas County.	480186	July 25, 1975, Emerg.; September 1, 1978, Reg. August 23, 2001.	-do-	-do-
Seagoville, city of, Dallas County.	480187	June 25, 1975, Emerg.; June 15, 1981, Reg. August 23, 2001 ...	-do-	-do-
Sunnyvale, town of, Dallas County.	480188	July 16, 1975, Emerg.; February 1, 1980, Reg. August 23, 2001	-do-	-do-
University Park, city of, Dallas County.	480189	March 12, 1975, Emerg.; November 15, 1979, Reg. August 23, 2001.	-do-	-do-
Wilmer, city of, Dallas County.	480190	June 2, 1975, Emerg.; September 17, 1980, Reg. August 23, 2001.	-do-	-do-
Region IX:				
Arizona: Avondale, city of, Maricopa County.	040038	August 25, 1975, Emerg.; June 15, 1979, Reg. August 23, 2001	-do-	-do-
Buckeye, town of, Maricopa County.	040039	December 17, 1974, Emerg.; February 15, 1980, Reg. August 23, 2001.	-do-	-do-
Carefree, town of, Maricopa County.	040126	December 31, 1970, Emerg.; July 2, 1979, Reg. August 23, 2001.	-do-	-do-
Cave Creek, town of, Maricopa County.	040129	June 9, 1988, Emerg.; June 9, 1988, Reg. August 23, 2001 .....	-do-	-do-
Chandler, city of, Maricopa County.	040040	May 16, 1975, Emerg.; July 16, 1980, Reg. August 23, 2001 .....	-do-	-do-
El Mirage, city of, Maricopa County.	040041	August 8, 1975, Emerg.; December 1, 1978, Reg. August 23, 2001.	-do-	-do-
Fountain Hills, town of, Maricopa County.	040135	February 10, 1994, Reg. August 23, 2001 .....	-do-	-do-
Gila Bend, town of, Maricopa County.	040043	May 16, 1975, Emerg.; December 4, 1979, Reg. August 23, 2001.	-do-	-do-
Glendale, city of, Maricopa County.	040045	March 20, 1975, Emerg.; April 16, 1979, Reg. August 23, 2001	-do-	-do-
Gilbert, town of, Maricopa County.	040044	June 10, 1975, Emerg.; January 16, 1980, Reg. August 23, 2001.	-do-	-do-
Goodyear, city of, Maricopa County.	040046	August 8, 1975, Emerg.; July 16, 1979, Reg. August 23, 2001 ...	-do-	-do-
Guadalupe, town of, Maricopa County.	040111	April 1, 1994, Emerg.; August 23, 2001 .....	-do-	-do-
Litchfield Park, city of, Maricopa County.	040128	August 19, 1988, Emerg.; August 19, 1988, Reg. August 23, 2001.	-do-	-do-
Maricopa County, unincorporated areas.	040037	December 31, 1970, Emerg.; July 2, 1979, Reg. August 23, 2001.	-do-	-do-
Mesa, city of, Maricopa County.	040048	September 29, 1972, Emerg.; May 15, 1980, Reg. August 23, 2001.	-do-	-do-
Paradise Valley, town of, Maricopa County.	040049	September 15, 1972, Emerg.; May 1, 1980, Reg. August 23, 2001.	-do-	-do-
Peoria, city of, Maricopa County.	040050	June 18, 1975, Emerg.; November 17, 1978, Reg. August 23, 2001.	-do-	-do-
Phoenix, city of, Maricopa County.	040051	December 17, 1971, Emerg.; December 4, 1979, Reg. August 23, 2001.	-do-	-do-
Queen Creek, town of, Maricopa County.	040132	July 22, 1992, Reg. August 23, 2001 .....	-do-	-do-
Scottsdale, city of, Maricopa County.	045012	March 26, 1971, Emerg.; September 21, 1973, Reg. August 23, 2001.	-do-	-do-
Surprise, city of, Maricopa County.	040053	March 26, 1976, Emerg.; December 15, 1978, Reg. August 23, 2001.	-do-	-do-
Tempe, city of, Maricopa County.	040054	November 18, 1974, Emerg.; August 15, 1980, Reg. August 23, 2001.	-do-	-do-
Tolleson, city of, Maricopa County.	040055	February 18, 1975, Emerg.; January 16, 1980, Reg. August 23, 2001.	-do-	-do-
Wickenburg, town of, Maricopa County.	040056	January 16, 1974, Emerg.; January 5, 1978, Reg. August 23, 2001.	-do-	-do-
Youngstown, city of, Maricopa County.	040057	June 5, 1975, Emerg.; November 15, 1978, Reg. August 23, 2001.	-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
Shishmaref, city of, unorganized borough. Region IX: Idaho: Idaho County, unincorporated areas.	020084	June 5, 1998, Emerg.; August 23, 2001 Reg. August 23, 2001 ..	-do-	-do-
	160123	February 16, 1979, Emerg.; May 2, 1997, Reg. August 23, 2001	-do-	-do-

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

Dated: August 1, 2001.

**Robert F. Shea,**

*Acting Administrator, Federal Insurance and Mitigation Administration.*

[FR Doc. 01–20723 Filed 8–16–01; 8:45 am]

**BILLING CODE 6718–05–P**

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 65**

[Docket No. FEMA–P–7604]

**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-percent-annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs 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 Administrator for Federal Insurance and Mitigation Administration reconsider the changes. The modified BFEs may be changed during the 90-day period.

**ADDRESSES:** The modified BFEs 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:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Hazards, Mapping and Risk Assessment Division, FEMA, 500 C

Street, SW., Washington, DC 20472, (202) 646–3461 or (e-mail) matt.miller@fema.gov.

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE 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 BFEs 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 BFEs, 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 BFEs 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 Administrator for Federal Insurance Administration and Mitigation certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified BFEs 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: