

proposed full approval of SJVUAPCD Rule 4401, EPA determines that the State's submittal is not fully approvable and this interim final action was inappropriate. EPA will either propose or take final action finding that the State has not corrected the original disapproval deficiencies. As appropriate, EPA will also issue an interim final determination or a final determination that the deficiencies have been corrected.

This action does not stop the sanctions clock that started for this area on September 27, 1996. However, this action will defer the imposition of the offsets sanction and will defer the imposition of the highway sanction. See 59 FR 39832 (August 4, 1994). If EPA takes final action to fully approve Rule 4401, such action will permanently stop the sanctions clock and will permanently lift any imposed, stayed or deferred sanctions. If EPA receives adverse comments and EPA subsequently determines that the State, in fact, did not correct the disapproval deficiencies, EPA will also determine that the State did not correct the deficiencies and the sanctions consequences described in the sanctions rule will apply. See 59 FR 39832, codified at 40 CFR 52.31.

II. EPA Action

EPA is taking interim final action finding that the State has corrected the disapproval deficiencies that started the sanctions clock. Based on this action, impositions of the offset sanction will be deferred and imposition of the highway sanction will be deferred until EPA's final action fully approving SJVUAPCD Rule 4401 becomes effective or until EPA takes action proposing or finalizing disapproval in whole or part the State submittal. If EPA takes final action fully approving SJVUAPCD Rule 4401, any sanctions clocks will be permanently stopped and any imposed, stayed or deferred sanctions will be permanently lifted upon the effective date of that final action.

Because EPA has preliminarily determined that the State has provided an approvable revision to its SIP, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception to the 30-day notice requirement of the Administrative Procedure Act because the purpose of this document is to relieve a restriction. See 5 U.S.C. 553(d)(1).

III. Regulatory Process

A. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. section 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. sections 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

This action temporarily relieves sources of an additional burden placed on them by the sanctions provisions of the CAA. Therefore, I certify that it does not have an impact on any small entities.

B. Unfunded Mandates Reform Act

Under section 202 of the Unfunded Mandates Reform Act of 1995 (Unfunded Mandates Act), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate, or to private sector, of \$100 million or more.

Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

This interim final action temporarily relieves sources of an additional burden placed on them by the sanctions provisions of the CAA. This action does not impose any new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. EPA has also determined that this interim final action does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector.

C. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 et seq., as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must

submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. However, section 808 provides that any rule for which the issuing agency for good cause finds (and incorporates that finding and a brief statement of reasons therefor in the rule) that notice and public procedure thereon are impracticable, unnecessary or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). As stated previously, EPA has made such a good cause finding, including the reasons therefor, and established an effective date of March 30, 1998. 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).

D. Executive Order 12866

The Office of Management and Budget has exempted this regulatory action from review under Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental regulations, Reporting and recordkeeping, Ozone, Volatile organic compounds.

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

Dated: March 20, 1998.

Felicia Marcus,

Regional Administrator, Region IX.

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BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7240]

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.
Arkansas: Washington	City of Springdale	January 9, 1998, January 16, 1998, <i>The Morning News</i> .	The Honorable Charles McKinney, Mayor, City of Springdale, Administration Building, 201 Spring Street, Springdale, Arkansas 72764.	December 11, 1997	050219
California: Contra Costa	City of Antioch	January 21, 1998, January 28, 1998, <i>Antioch Ledger Dispatch</i> .	The Honorable Mary Rocha, Mayor, City of Antioch, P.O. Box 5007, Antioch, California 94531-5007.	December 17, 1997	060026
San Bernardino	City of Ontario	January 14, 1998, January 21, 1998, <i>Inland Valley Daily Bulletin</i> .	The Honorable James Fatland, Mayor, City of Ontario, 303 East B Street Ontario, California 91764.	November 20, 1997	060278

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Shasta	City of Redding	January 15, 1998, January 22, 1998, <i>Record Searchlight</i> .	The Honorable Patricia Anderson, Mayor, City of Redding, 760 Parkview Avenue, Redding, California 96001.	April 22, 1998	060360
Los Angeles	City of Redondo Beach	January 15, 1998, January 22, 1998, <i>Redonod Reflex/South Bay Extra</i> .	The Honorable Gregory C. Hill, Mayor, City of Redondo Beach, 415 Diamond Street, Redondo Beach California 90277.	December 15, 1997	060150
Santa Clara	City of San Jose	January 16, 1998, January 23, 1998, <i>San Jose Mercury News</i> .	The Honorable Susan Hammer, Mayor, City of San Jose, 801 North First Street, Room 600, San Jose, California 95110.	December 4, 1997	060349
Santa Barbara	Unincorporated Areas	January 23, 1998, January 30, 1998, <i>Santa Barbara News-Press</i> .	The Honorable Naomi Schwartz, Chairperson, Santa Barbara County Board of Supervisors, 105 West Anapamu Street, Santa Barbara, California 93101.	January 7, 1998	060331
Santa Clara	Unincorporated Areas	January 16, 1998, January 23, 1998, <i>San Jose Mercury News</i> .	The Honorable James T. Beall, Jr., Chairman, Santa Clara County, Board of Supervisors, 70 West Hedding Street, East Wing, 10th Floor, San Jose, California 95110.	December 4, 1997	060337
Los Angeles	City of Torrance	January 15, 1998, January 22, 1998, <i>Daily Breeze</i> .	The Honorable Dee Hardison, Mayor, City of Torrance, 3031 Torrance Boulevard, Torrance, California 90503.	December 15, 1997	060165
Nevada: Clark	City of North Las Vegas.	January 8, 1998, January 15, 1998, <i>Las Vegas Review Journal</i> .	The Honorable Michael Montandon, Mayor, City of North Las Vegas, P.O. Box 4086, North Las Vegas, Nevada 89036.	November 20, 1997	320007
New Mexico: Bernalillo	City of Albuquerque	January 13, 1998, January 20, 1998, <i>Albuquerque Journal</i> .	The Honorable Martin J. Chavez, Mayor, City of Albuquerque, P.O. Box 1293, Albuquerque, New Mexico 87103-1293.	November 24, 1997	350002
Bernalillo	Unincorporated Areas	January 23, 1998, January 30, 1998, <i>Albuquerque Journal</i> .	The Honorable Tom Rutherford, Chairman, Bernalillo County Board of Commissioners, 2400 Broadway Southeast, Albuquerque, New Mexico 87102.	December 22, 1997	350001
Oklahoma: Oklahoma	City of Edmond	January 15, 1998, January 22, 1998, <i>The Edmond Evening Sun</i> .	The Honorable Bob Rudkin, Mayor, City of Edmond, P.O. Box 202, Edmond, Oklahoma 73083.	December 2, 1997	400252

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Oregon: Lincoln	Unincorporated Areas	January 7, 1998, January 14, 1998, <i>News Guard</i> .	The Honorable Don Lindly, Chairman, Lincoln County, Board of Commissioners, 225 West Olive, Room 110, Newport, Oregon 97365.	December 10, 1997	410129
Texas:					
Johnson	City of Burleson	January 14, 1998, January 21, 1998, <i>Burleson Star</i> .	The Honorable Rick Roper, Mayor, City of Burleson, City Hall, 141 West Renfro, Burleson, Texas 76028.	December 8, 1997	485459
Bexar	City of Castle Hills	January 8, 1998, January 15, 1998, <i>San Antonio Express</i> .	The Honorable Marty Rubin, Mayor, City of Castle Hills, 6915 West Avenue, San Antonio, Texas 78213.	December 2, 1997	480037
Montgomery	City of Conroe	January 23, 1998, January 30, 1998, <i>Conroe Courier</i> .	The Honorable Carter Moore, Mayor, City of Conroe, P.O. Box 3066, Conroe, Texas 77305.	January 8, 1998	480484
Tarrant	City of Grand Prairie ...	January 22, 1998, January 29, 1998, <i>Grand Prairie News</i> .	The Honorable Charles England, Mayor, City of Grand Prairie, P.O. Box 534045, Grand Prairie, Texas 75053-4045.	December 30, 1997	485472
Tarrant, Dallas, and Ellis.	City of Grand Prairie ...	January 15, 1998, January 22, 1998, <i>Grand Prairie News</i> .	The Honorable Charles England, Mayor, City of Grand Prairie, P.O. Box 534045, Grand Prairie, Texas 75053-4045.	December 12, 1997	485472
Harris	Unincorporated Areas	January 22, 1998, January 29, 1998, <i>Houston Chronicle</i> .	The Honorable Robert Eckels, Harris County Judge, 1001 Preston Street, Suite 911, Houston, Texas 77002.	January 9, 1998	480287
Dallas	City of Irving	January 22, 1998, January 29, 1998, <i>Irving News</i> .	The Honorable Morris H. Parrish, Mayor, City of Irving, P.O. Box 152288, Irving, Texas 75015-2288.	January 9, 1998	480180
Johnson	Unincorporated Areas	January 14, 1998, January 21, 1998, <i>Burleson Star</i> .	The Honorable Roger Harmon, Johnson County Judge, Johnson County Courthouse, #2 Main Street, Cleburne, Texas 76031.	December 8, 1997	480879
Bexar	City of San Antonio	January 13, 1998, January 20, 1998, <i>San Antonio Express-News</i> .	The Honorable Howard W. Peak, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966.	April 20, 1998	480045
Bexar	City of San Antonio	January 8, 1998, January 15, 1998, <i>San Antonio Express-News</i> .	The Honorable Howard W. Peak, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966.	December 2, 1997	480045
Tarrant	City of Watauga	January 13, 1998, January 20, 1998, <i>Fort Worth Star-Telegram</i> .	The Honorable Hector Garcia, Mayor, City of Watauga, 7101 Whitley Road, Watauga, Texas 76148.	December 5, 1997	480613

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Utah: Salt Lake	Unincorporated Areas	January 14, 1998, January 21, 1998, <i>The Salt Lake Tribune</i> .	The Honorable Randy Horiuchi, Salt Lake County Commissioner, 2001 South State Street, Suite N2100, Salt Lake City, Utah 84190-1000.	December 17, 1997	490102

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

Dated: March 20, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 98-8075 Filed 3-27-98; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base flood elevations and modified base flood elevations for each community. This date may be obtained by contacting the office where the FIRM is available for inspection as indicated in the table below.

ADDRESSES: The final 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: 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 final determinations listed below of base flood elevations and modified

base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR Part 67.

FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR Part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

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 final or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

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.

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 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 67 is amended to read as follows:

PART 67—[AMENDED]

1. The authority citation for Part 67 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.

§ 67.11 [Amended]

2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD).
Arkansas	
Adona (City), Perry County (FEMA Docket No. 7184)	
<i>Howell Creek:</i>	
At confluence with Rocky Cypress Creek	* 363
Approximately 400 feet upstream of Locust Road	* 411
<i>Rocky Cypress Creek:</i>	
Approximately 6,950 feet downstream of Railroad Street	* 339
Approximately 1,500 feet upstream of Railroad Street ..	* 366
Maps are available for inspection at the City of Adona City Hall, Highway 10 West, Adona, Arkansas.	