

- Section .05(4) Reporting and cleanup of spills and overfills
- 6. Section .06 Release Response and Corrective Action for UST Systems Containing Petroleum
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 - Section .08(4) Amount and scope of required financial responsibility
 - Section .08(5) Allowable mechanisms and combinations of mechanisms
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 - Section .08(8) Insurance and risk retention group coverage
 - Section .08(9) Surety bond
 - Section .08(10) Letter of credit
 - Section .08(11) Petroleum underground storage tank fund
 - Section .08(12) Trust fund
 - Section .08(13) Standby trust fund
 - Section .08(14) Substitution of financial assurance mechanisms by owner or operator
 - Section .08(15) Cancellation or nonrenewal by a provider of financial assurance
 - Section .08(16) Reporting by owner or operator
 - Section .08(17) Recordkeeping
 - Section .08(18) Drawing on financial assurance mechanisms
 - Section .08(19) Release from requirements
 - Section .08(20) Bankruptcy or other incapacity of owner or operator or provider of financial assurance
 - Section .08(21) Replenishment of guarantees, letters of credit, or surety bonds

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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, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) matt.miller@fema.gov.

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 resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to Section 206 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.

These modified elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

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 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 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 (FEMA Docket No. 7276).	Unincorporated Areas.	January 13, 1999, January 20, 1999, <i>Arizona Daily Star</i> .	The Honorable Mike Boyd, Chairperson, Pima County, Board of Supervisors, 130 West Congress, Fifth Floor, Tucson, Arizona 85701.	December 28, 1998 ..	040073
Arkansas:					
Washington (FEMA Docket No. 7276).	City of Fayetteville.	January 8, 1999, January 15, 1999, <i>Morning News</i> .	The Honorable Fred Hanna, Mayor, City of Fayetteville, 113 West Mountain, Fayetteville, Arkansas 72701.	December 17, 1998 ..	050216
Crittenden (FEMA Docket No. 7276).	City of West Memphis.	January 12, 1999, January 19, 1999, <i>Evening Times</i> .	The Honorable Ward L. Wimbish, Public Works Director/Floodplain Manager, P.O. Box 1728, West Memphis, Arkansas 72303.	December 18, 1998 ..	050055
California:					
Riverside	City of Murrieta ...	February 23, 1999, March 2, 1999, <i>The Press-Enterprise</i> .	The Honorable Chuck Washington, Mayor, City of Murrieta, 26442 Beckman Court, Murrieta, California 92562.	February 8, 1999	060751
Los Angeles (FEMA Docket No. 7280).	City of Santa Clarita.	November 27, 1998, December 4, 1998, <i>The Signal</i> .	The Honorable Jan Heidt, Mayor, City of Santa Clarita, 23920 Valencia Boulevard, Suite 300, Santa Clarita, California 91355.	November 12, 1998 ..	060729
Ventura (FEMA Docket No. 7276).	Unincorporated Areas.	January 8, 1999, January 15, 1999, <i>Ventura County Star</i> .	The Honorable Judy Mikels, Chairperson, County of Ventura, 3855-F Alamo Street, Simi Valley, California 93063.	December 23, 1998 ...	060413
Iowa:					
Johnson (FEMA Docket No. 7276).	City of Coralville	January 13, 1999, January 20, 1999, <i>Iowa City Press Citizen</i> .	The Honorable Jim Fausett, Mayor, City of Coralville, 814 14 th Avenue, Coralville, Iowa 52241.	December 18, 1998 ..	190169
Johnson (FEMA Docket No. 7276).	City of Iowa City	January 13, 1999, January 20, 1999, <i>Iowa City Press Citizen</i> .	The Honorable Ernie Lehman, Mayor, City of Iowa City, 410 East Washington Street, Iowa City, Iowa 52240.	December 18, 1998 ..	190171
Kansas: Sedgwick (FEMA Docket No. 7276).	City of Wichita	January 19, 1999, January 26, 1999, <i>Wichita Eagle</i> .	The Honorable Bob Knight, Mayor, City of Wichita, City Hall, 455 North Main Street, Wichita, Kansas 67202.	January 7, 1999	200328
Missouri:					
St. Louis (FEMA Docket No. 7276).	City of Eureka	January 6, 1999, January 13, 1999, <i>Tri-County Journal</i> .	The Honorable Robert A. Berry, Mayor, City of Eureka, P.O. Box 125, Eureka, Missouri 63025.	April 13, 1999	290349
Jackson (FEMA Docket No. 7272).	City of Raytown ..	December 23, 1998, December 30, 1998, <i>Raytown Post</i> .	The Honorable Jack R. Nesbitt, Mayor, City of Raytown, 10000 East 59th Street, Raytown, Missouri 64133.	March 30, 1999	290176
Nevada: Clark (FEMA Docket No. 7272).	City of Las Vegas	December 22, 1998, December 29, 1998, <i>Las Vegas Review Journal</i> .	The Honorable Jan Laverty Jones, Mayor, City of Las Vegas, 400 East Stewart Avenue, Las Vegas, Nevada 89101-2986.	November 30, 1998 ...	325276
Texas:					
Dallas (FEMA Docket No. 7276).	City of Dallas	January 13, 1999, January 20, 1999, <i>Dallas Morning News</i> .	The Honorable Ron Kirk, Mayor, City of Dallas, City Hall, 1500 Marilla, Dallas, Texas 75201.	December 11, 1998 ...	480171
El Paso (FEMA Docket No. 7276).	City of El Paso	January 12, 1999, January 19, 1999, <i>El Paso Times</i> .	The Honorable Carlos M. Ramirez, Mayor, City of El Paso, Two Civic Center Plaza, El Paso, Texas 79901-1196.	December 21, 1998 ..	480214

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Tarrant (FEMA Docket No. 7276).	City of Fort Worth	January 12, 1999, January 19, 1999. <i>Fort Worth Star-Telegram</i> .	The Honorable Kenneth Barr, Mayor, City of Fort Worth, 100 Throckmorton Street, Fort Worth, Texas 76102-6311.	December 14, 1998 ..	480596
Washington: Walla Walla (FEMA Docket No. 7276).	City of Waitsburg	January 7, 1999, January 14, 1999, <i>Waitsburg Times</i> .	The Honorable Bill Zuger, Mayor, City of Waitsburg, P.O. Box 35, Waitsburg, Washington 99361.	December 8, 1998	530196
Walla Walla (FEMA Docket No. 7276).	Unincorporated Areas.	January 7, 1999, January 14, 1999, <i>Walla Walla Union-Bulletin</i> .	The Honorable Charles Maiden, Chairman, Walla Walla County, Board of Commissioners, P.O. Box 1506, Walla Walla, Washington 99362.	December 8, 1998	530194

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

Dated: May 13, 1999.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 99-13631 Filed 5-27-99; 8:45 am]

BILLING CODE 6718-04-U

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7288]

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, or (e-mail) matt.miller@fema.gov.

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: