

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 58**

[ORWA-010799-b; FRL-6220-4]

Modification of the Ozone Monitoring Season for Washington and Oregon**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

SUMMARY: In the Final Rules section of this *Federal Register*, the EPA is approving these States' request to modify its current ozone monitoring season as a direct final rule without a prior proposal because the Agency views this as a noncontroversial submittal amendment and anticipates no adverse comments. EPA's approval of these revisions will change the ozone monitoring season for Oregon and Washington to May 1 through September 30. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received in writing by February 19, 1999.

ADDRESSES: Written comments should be addressed to: Chris Hall, Office of Air Quality (OAQ-107), EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101. Copies of the state submittal are available at the following address for inspection during normal business hours. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Environmental Protection Agency,
Region 10, Office of Air Quality, 1200
Sixth Avenue, Seattle, WA 98101
The State of Washington

FOR FURTHER INFORMATION CONTACT: Chris Hall, Office of Air Quality (OAQ-107), EPA Region 10, 1200 Sixth Avenue, Seattle, WA 98101, (206) 553-1949.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final rule which is located in the Rules section of this *Federal Register*.

Dated: January 7, 1999.

Chuck Clarke,*Regional Administrator, Region 10.*

[FR Doc. 99-1122 Filed 1-19-99; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL EMERGENCY MANAGEMENT AGENCY**44 CFR Part 67**

[Docket No. FEMA-7270]

Proposed Flood Elevation Determinations**AGENCY:** Federal Emergency Management Agency (FEMA).**ACTION:** Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that the 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).

DATES: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed 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 proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood 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 proposed 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.

National Environmental Policy Act. This proposed 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 proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed 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 proposed 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 proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This proposed 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 proposed to be amended 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.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
California	Butte County and Incorporated Areas.	Keefer Slough	Just upstream of State Route 99 Approximately 930 feet upstream of Keefer Road.	*177	None
				*239	None
<p>Maps are available for inspection at the Butte County Public Works Department, 7 County Center Drive, Oroville, California. Send comments to The Honorable John Blacklock, Chief Administrative Officer, Butte County, 25 County Center Drive, Oroville, California 95965.</p>					
California	Hillsborough (Town) San Mateo County.	San Mateo Creek	Approximately 415 feet downstream of Baywood Avenue.	None	*32
			Approximately 515 feet upstream of El Cerrito Avenue.	None	*74
<p>Maps are available for inspection at the Town Engineer's Office, 1600 Floribunda Avenue, Hillsborough, California. Send comments to Mr. Anthony Constantouros, Town Manager, Town of Hillsborough, 1600 Floribunda Avenue, Hillsborough, California 94010.</p>					
Colorado	Alamosa (City) Alamosa County.	Rio Grande	Approximately 800 feet downstream of Broadway/Fourth Street.	*7,537	*7,539
			Approximately 10,100 feet upstream of State Avenue.	None	*7,545
<p>Maps are available for inspection at the City of Alamosa Public Works Department, 314 Hunt, Alamosa, Colorado. Send comments to The Honorable Farris Bervig, Mayor, City of Alamosa, P.O. Box 419, Alamosa, Colorado 81101.</p>					
Colorado	Alamosa County (Unincorporated Areas).	Rio Grande	Approximately 10,800 feet downstream of Denver and Rio Grande Western Railroad.	*7,534	*7,534
			Approximately 17,500 feet upstream of State Avenue.	*7,548	*7,548
<p>Maps are available for inspection at Land Use and Administration, 402 Edison Avenue, Alamosa, Colorado. Send comments to The Honorable Robert Zimmerman, Chairman, Alamosa County Board of Commissioners, P.O. Box 178, Alamosa, Colorado 81101.</p>					
Colorado	Severance (Town) Weld County.	The Slough	Approximately 1,000 feet downstream of Great Western Railroad.	None	*4,864
			Approximately 3,400 feet upstream of County Road 74.	None	*4,878
<p>Maps are available for inspection at the Town of Severance Town Hall, 336 South First Street, Severance, Colorado. Send comments to The Honorable Keith Kline, Mayor, Town of Severance, Municipal Building, P.O. Box 142, Severance, Colorado 80546.</p>					
Colorado	Weld County (Unincorporated Areas).	The Slough	Approximately 1,050 feet downstream of Great Western Railroad.	None	*4,864
			Approximately 6,500 feet upstream of County Road 74½.	None	*4,889
<p>Maps are available for inspection at the Weld County Planning and Zoning Office, 1400 North 17th Avenue, Greeley, Colorado. Send comments to The Honorable Connie Harbert, Chairman, Board of Weld County Commissioners, 915 Tenth Street, Greeley, Colorado 80631.</p>					
Montana	Yellowstone County (Unincorporated Areas).	Alkali Creek	Downstream of Alkali Creek Road	*3,247	*3,247
			Upstream of Alkali Creek Road	*3,247	*3,250
			Approximately 850 feet upstream of Alkali Creek Road.	None	*3,382
<p>Maps are available for inspection at the Yellowstone County Emergency and General Services Department, 217 North 27th, Room 309, Billings, Montana. Send comments to The Honorable Bill Kennedy, Chairman, Yellowstone County Board of Commissioners, P.O. Box 35000, Billings, Montana 59107.</p>					
Missouri	Granby (City) Newton County.	Culpepper Creek	Approximately 400 feet upstream of confluence with Shoal Creek.	*1,034	*1,034
			Approximately 100 feet downstream of Old County Highway E.	*1,051	*1,050
			Approximately 120 feet upstream of Main Street.	*1,074	*1,072
		Wolf Creek	Approximately 3,450 feet downstream of Vance Street.	*1,049	*1,048

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
			Approximately 1,150 feet upstream of Vance Street.	None	*1,082

Maps are available for inspection at the City of Granby City Hall, 302 North Main Street, Granby, Missouri.
Send comments to The Honorable Craig Hopper, Mayor, City of Granby, 302 North Main Street, Granby, Missouri 64844.

Missouri	Warren County (Unincorporated Areas).	Peruque Creek	Approximately 6,200 feet downstream of Stringtown Road.	None	*644
			Approximately 1,885 feet upstream of Stringtown Road.	*671	*672

Maps are available for inspection at the Warren County Plans and Zoning Department, 105 South Market, Warrenton, Missouri.
Send comments to The Honorable Walter Schirr, Presiding Commissioner, 105 South Market, Warrenton, Missouri.

Nebraska	O'Neill (City) Holt County.	Elkhorn River	Approximately 800 feet downstream of County Bridge 4536520.	None	1*1,956
			Approximately 750 feet upstream of County Bridge 4525920.	None	1*1,976
		O'Neill Tributary	Approximately 400 feet downstream of Fulton Street.	None	1*1,968
			Approximately 350 feet upstream of Bogue Avenue.	None	1*1,999

Maps are available for inspection at the City of O'Neill City Hall, 401 East Fremont Street, O'Neill, Nebraska.
Send comments to The Honorable Bill Price, Mayor, City of O'Neill, 401 East Fremont Street, O'Neill, Nebraska 68763.

Oregon	Athena (City) Umatilla County.	Wildhorse Creek	Approximately 1,970 feet downstream of Labor Camp Road.	None	*1,679
			Approximately at Fifth Street	None	*1,719

Maps are available for inspection at the City of Athena, 215 South Third Street, Athena, Oregon.
Send comments to The Honorable Mark Seltmann, Mayor, City of Athena, P.O. Box 686, Athena, Oregon 97813.

Oregon	Umatilla County (Unincorporated Areas).	Wildhorse Creek	Approximately 2,600 feet downstream of Damburn Road.	None	*1,671	
			Mill Creek	Approximately at Fifth Street	None	*1,719
				Approximately 80 feet downstream of Henry Canyon Bridge.	*2,200	*2,199
			Approximately 720 feet upstream of Forest Service #65 Bridge.	None	*2,348	

Maps are available for inspection at the Umatilla County Department of Resource Services and Development, 216 Southeast Fourth Street, Pendleton, Oregon.
Send comments to The Honorable Dennis D. Doherty, Chairman, Umatilla County Board of Commissioners, 216 Southeast Fourth Street, Pendleton, Oregon 97801.

Texas	Harris County and Incorporated Areas.	Bens Branch (G103-33-00).	Just upstream of confluence With Lake Houston.	*50	*50	
			Just upstream of Tree Lake Court	*66	*66	
				Approximately 2,800 feet upstream of Woodland Hills.	*74	74
			Brays Bayou	Just upstream of Forest Hill Boulevard ...	+19	++18
				Just upstream of Martin Luther King Boulevard.	+35	++32
			Approximately 300 feet downstream Of Kirby Drive.	+49	++48	
			At the intersection of Carson and Swanee.	None	++49	
			Just upstream of Southern Pacific Railroad.	+53	++51	
			Just upstream of Interstate 610	+55	++53	
			Approximately 1,000 feet upstream of Bechnut.	+71	++70	
			Just upstream of Dairy Ashford Road	+80	++79	
			Approximately 1,100 feet upstream of Addicks-Clodine Road.	+86	++83	
			Approximately 1,300 feet upstream of South Wayside Drive.	+20	++19	
			Yates Gully	At Sunrise Drive		

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Kuhlman Gully	Approximately 500 feet upstream of South Post Oak Road.	+30	++28
		Willow Waterhole Bayou ..	Just upstream of Chimney Rock Road	+56	++52
			Approximately 550 feet upstream of Ruthglenn Avenue.	+60	++56
		Chimney Rock Diversion Channel.	Approximately 400 feet upstream of McKnight.	+57	++56
			Approximately 700 feet downstream Of Grape.	+60	++56
		Tributary 17.42 To Brays Bayou.	Just downstream of Neff Dirve	+63	++61
			Approximately 2,000 feet downstream Of West Bellefort.	+67	++65
		Fondren Diversion Channel.	Just downstream of Arbor Ridge	+63	++61
			Approximately 1,900 feet upstream Of McLain Boulevard.	+63	++64
			Approximately 1,500 feet upstream of South Braeswood Boulevard.	+64	++67
		Keegans Bayou	Just downstream of U.S. Highway 59	+66	++68
			Approximately 1,000 feet upstream of Synott Road.	+75	++77
			Just downstream of Carvel Lane	+86	++86
		Tributary 20.86	Just upstream of Leader Street	+70	++69
		To Brays Bayou	Just upstream of Harwin Drive	+70	++72
			Approximately 1,300 feet downstream of Sam Houston Tollway.	+76	++74
		Tributary 20.90 To Brays Bayou.	Approximately 2,300 feet upstream of Kirkwood Road.	+70	++69
			Just downstream of Bellepark Drive	+83	++80
		Tributary 21.95 To Brays Bayou.	Approximately 800 feet downstream Of Synott Road.	+73	++72
			Approximately 200 feet downstream of Richmond Avenue.	+85	++82
		Tributary 22.69 To Brays Bayou.	Approximately 400 feet upstream of Richmond Avenue.	+75	++74
			Approximately 150 feet upstream of Bellepark Drive.	None	++74
		Tributary 23.53 To Brays Bayou.	Just upstream of Dairy Ashford Road	+77	++75
			Approximately 2,000 feet upstream of Piping Rock Road.	+83	++76
		Tributary 26.20 To Brays Bayou.	Approximately 1,200 feet downstream Of Old Winkleman Road.	+85	++84
		Tributary 29.16 To Brays Bayou.	At the intersection of Marchena Road And Mesita Drive.	+85	++84
			Approximately 200 feet upstream of Addicks-Clodine Road.	+85	++84
	Fort Bend County and Incorporated Areas.	Keegans Bayou	Along Monticeto Lane, approximately 500 feet west of the intersection of Briarwood.	+87	++85
			Just south of Belknap Road	None	++83
			Approximately 500 feet west of the Intersection of Maykirk.	None	++84
			Approximately 1,000 feet upstream of Synott Road.	+86	++86

Maps are available for inspection at the Harris County Flood Control District Building, 9900 Northwest Freeway, Suite 103, Houston, Texas. Send comments to The Honorable Robert Eckels, Judge, Harris County, 1001 Preston Street, Suite 911, Houston, Texas 77002.

Maps are available for inspection at the City of Piney Point Village City Office, 7721 San Felipe, Suite 100, Houston, Texas. Send comments to The Honorable C. Jim Stewart, III, Mayor, City of Piney Point Village, 7721 San Felipe, Suite 100, Houston, Texas 77063. Maps are available for inspection at Putney, Moffitt & Easley, Inc., 1303 Sherwood Forest, Houston, Texas.

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified

Send comments to Mr. James Davis, President, Mission Bend M.U.D., c/o Vincent & Elkins, First City Tower, 100 Fannin, Houston, Texas 77002.

- Maps are available for inspection at 7007 South Rice, Bellaire, Texas.
- Send comments to The Honorable Harold Penn, Mayor, City of Bellaire, 7008 South Rice, Bellaire, Texas 77401.
- Maps are available for inspection at the City of Houston Building (Basement), 1801 Main, Houston, Texas.
- Send comments to The Honorable Lee P. Brown, Mayor, City of Houston, 901 Bagby, Houston, Texas 77002.
- Maps are available for inspection at the City of Humble City Hall, 114 West Higgins, Humble, Texas.
- Send comments to The Honorable Wilson Archer, Mayor, City of Humble, P.O. Box 1627, Humble, Texas 77459.
- Maps are available for inspection at the Office of the Chief Building Official, 3826 Amherst, West University Place, Texas.
- Send comments to The Honorable Teresa Fogler, Mayor, City of West University Place, 3800 University Boulevard, Houston, Texas 77005.
- Maps are available for inspection at the City of Stafford City Hall, 2610 South Main, Stafford, Texas.
- Send comments to The Honorable Leonard Scarcella, Mayor, City of Stafford, 2610 South Main, Stafford, Texas 77477.
- Maps are available for inspection at the City of Missouri City Hall, 1522 Texas Parkway, Missouri City, Texas.
- Send comments to The Honorable Allen Owen, Mayor, City of Missouri City, P.O. Box 666, Missouri City, Texas 77459.
- Maps are available for inspection at the City of Galena Park City Hall, 2000 Clinton Drive, Galena Park, Texas.
- Send comments to The Honorable Bobby Barrett, Mayor, City of Galena Park, P.O. Box 46, Galena Park, Texas 77547.
- Maps are available for inspection at 800 First City Tower, 1001 Fannin Street, Houston, Texas.
- Send comments to Mr. Richard Baker, President, Chelford City M.U.D., c/o Coats, Rose, Yale, et al., 800 First City Tower, 1001 Fannin Street, Houston, Texas 77002.
- Maps are available for inspection at 301 Jackson Street, Suite 719, Richmond, Texas.
- Send comments to The Honorable Michael D. Rozell, Judge, Fort Bend County, 301 Jackson Street, Suite 719, Richmond, Texas 77469.
- Maps are available for inspection at Mission Bend M.U.D. No. 2, c/o Vinson & Elkins, 2300 First City Tower, 1001 Fannin, Houston, Texas.
- Send comments to Ms. Diana Littlefield, President, Mission Bend M.U.D. No. 2, c/o Vinson & Elkins, 2300 First City Tower, 1001 Fannin, Houston, Texas 77002-6760.
- Maps are available for inspection at the City of Meadow Place City Hall, One Troyan Drive, Meadows Place, Texas.
- Send comments to The Honorable Jim McDonald, Mayor, City of Meadows Place, One Troyan Drive, Meadows Place, Texas 77477.
- Maps are available for inspection at the City of Sugarland Engineering Department, 10405 Corporate Drive, Sugarland, Texas.
- Send comments to The Honorable Dean Hrbacek, Mayor, City of Sugarland, P.O. Box 110, Sugarland, Texas 77487-0110.
- Maps are available for inspection at the City of Southside Place City Hall, 6309 Edloe Street, Houston, Texas.
- Send comments to The Honorable Ben Hurst, Mayor, City of Southside Place, 6309 Edloe Street, Houston, Texas 77005.

Texas	Montgomery County And Incorporated Areas.	Bens Branch	Approximately 2,900 feet downstream of confluence with Bens Branch Tributary 1.	*71	*74
			Just downstream of Southern Pacific Railroad.	*81	*80
			Approximately 150 feet upstream of U.S. Route 59 South.	*82	*81

Maps are available for inspection at 301 North Thompson Street, Suite 208, Conroe, Texas.
 Send comments to The Honorable Alan B. Sadler, Judge, Montgomery County, 301 North Thompson Street, Suite 210, Conroe, Texas 77301.

¹Value rounded to nearest whole foot.
 +NGVD-1973 Releveling
 ++NGVD-1987 Releveling

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

Dated: January 11, 1999.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 99-1211 Filed 1-19-99; 8:45 am]

BILLING CODE 6718-04-P

ENVIRONMENTAL PROTECTION AGENCY

48 CFR Parts 1537 and 1552

[FRL-6220-9]

Acquisition Regulation: Service Contracting—Avoiding Improper Personal Services Relationships

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is issuing this proposed

rule to amend the EPA Acquisition Regulation (EPAAR) (48 CFR Chapter 15) to emphasize the proper relationship between the Government and its contractors in its non-personal services contracts. The Agency recognizes that regardless of the express terms of its contracts, if a contract is administered improperly, an improper personal services relationship can be the result. This proposed rule is designed to ensure that the manner in which contracts are administered will not create an improper employer-employee relationship.