

(B) Effective against the following adult nematode infections: Stomach worms (*Haemonchus contortus*, *Trichostrongylus axei*, *Teladorsagia circumcincta*); intestinal worms (*Trichostrongylus colubriformis*, *Cooperia curticei*, *Nematodirus spathiger*, *Bunostomum trigonocephalum*, *Oesophagostomum columbianum*, *Chabertia ovina*), and lungworms (*Dictyocaulus filaria*).

(iii) *Limitations*. Do not slaughter for food within 72 hours of treatment. Conditions of constant helminth exposure may require retreatment 2 to 4 weeks after the first treatment. Consult veterinarian before using in severely debilitated animals.

(3) *Swine*—(i) *Amount*. 8 mg/kg body weight in drinking water.

(ii) *Indications for use*. Effective against the following nematode infections: Large roundworms (*Ascaris suum*), nodular worms (*Oesophagostomum* spp.), intestinal thread worms (*Strongyloides ransomi*) and lungworms (*Metastrongylus* spp.).

(iii) *Limitations*. Do not administer within 72 hours of slaughter for food. Pigs maintained under conditions of constant exposure to worms may require retreatment within 4 to 5 weeks after the first treatment. Consult your veterinarian before administering to sick swine.

Dated: February 12, 2004.

Steven D. Vaughn,

Director, Office of New Animal Drug Evaluation, Center for Veterinary Medicine.
[FR Doc. 04-4518 Filed 3-1-04; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 82

[FRL-7629-2]

RIN 2060-AG12

Protection of Stratospheric Ozone

AGENCY: Environmental Protection Agency.

ACTION: Notice of denial of petition.

SUMMARY: This action notifies the public that the Agency received a petition pursuant to section 612(d) of the Clean Air Act, under the Significant New Alternatives Policy (SNAP) Program, and that EPA is denying the petition. SNAP implements section 612 of the Clean Air Act Amendments of 1990, which requires EPA to evaluate substitutes for ozone-depleting substances (ODSs) and to regulate the use of substitutes where other alternatives exist that reduce overall risk to human health and the environment. Through these evaluations, EPA generates lists of acceptable and unacceptable substitutes for each of the major industrial use sectors that use ODSs, including the refrigeration and air-conditioning sector. OZ Technology, Inc. submitted HC-12a, previously referenced as Hydrocarbon Blend B, as a CFC-12 substitute in a variety of end-uses on July 19, 1994. In a June 13, 1995 final SNAP rulemaking (60 FR 31092), EPA found the use of HC-12a unacceptable as a substitute for CFC-12 in all end-uses other than industrial process refrigeration. This determination was based on a lack of adequate data demonstrating that HC-12a could be used safely in these end-uses; the most recent petition from OZ does not provide any additional information to address this issue. In addition, numerous other acceptable

alternatives to ODSs exist in these end-uses.

EFFECTIVE DATE: March 2, 2004.

ADDRESSES: Information relevant to this notice is contained in Air Docket A-91-42, 1301 Constitution Avenue, NW., U.S. Environmental Protection Agency, Mail Code 6102T; Washington, DC 20460. The docket reading room is located at the address above in room B102 in the basement. Reading room telephone: (202) 566-1744, facsimile: (202) 566-1749 Air docket staff telephone: (202) 566-1742 and facsimile: (202) 566-1741 You may inspect the docket between 8:30 a.m. and 4:30 p.m. weekdays. As provided in 40 CFR Part 2, a reasonable fee may be charged for photocopying.

FOR FURTHER INFORMATION CONTACT: Dave Godwin by telephone at (202) 343-9324, by facsimile at (202) 343-2316, by e-mail at Godwin.Dave@epa.gov, or by mail at U.S. Environmental Protection Agency, Mail Code 6205J, Washington, DC 20460.

For more information on the Agency's process for administering the SNAP program or criteria for evaluation of substitutes, refer to the original SNAP rulemaking published in the **Federal Register** on March 18, 1994 (59 FR 13044). Notices and rulemakings under the SNAP program, as well as other EPA publications on protection of stratospheric ozone, are available from EPA's Ozone Depletion World Wide Web site at <http://www.epa.gov/ozone/> including the SNAP portion at <http://www.epa.gov/ozone/snap/>.

SUPPLEMENTARY INFORMATION: Since the publication of this unacceptability determination, OZ Technology, Inc. ("OZ") has petitioned EPA four times. The following table provides information about each of the previous petitions and EPA's denials.

| Item | Date | Location (within docket A-91-42) | FR Notice |
|--------------------------------|-------------------------|--|-------------|
| OZ Petition 1 | November 4, 1994 | VI-D-75 | N/A |
| EPA Denial of Petition 1 | July 25, 1995 | VI-C-7 | 60 FR 49407 |
| OZ Petition 2 | December 5, 1995 | VI-D-135 | N/A |
| EPA Denial of Petition 2 | August 30, 1996 | VI-C-20 | 61 FR 51018 |
| OZ Petition 3 | May 1, 1998 | VI-D-229 | N/A |
| EPA Denial of Petition 3 | November 13, 1998 | VI-C-28 | 64 FR 3272 |

On July 8, 2003, OZ petitioned EPA for the fourth time, once again requesting that EPA remove HC-12a from the unacceptable list and add it to the acceptable list as an ODS substitute in all refrigeration and air-conditioning end-uses, except the industrial process

refrigeration end-use, where EPA has already found the use of HC-12a as acceptable. The petition is in Air Docket A-91-42, file number VI-D-306. On January 14, 2004, EPA notified the company that it has denied the petition on the basis that the information

included in the petition did not adequately address safety issues regarding the use of HC-12a as a CFC-12 substitute in the subject end-uses. The denial and the accompanying documentation are in Air Docket A-91-42, file number VI-C-31. This Notice

publicizes EPA's denial of the fourth petition.

Contact the Stratospheric Protection Hotline at 1-800-296-1996, Monday-Friday, between the hours of 10 a.m. and 4 p.m. (Eastern Time) weekdays. For more information on the Agency's process for administering the SNAP program or criteria for evaluation of substitutes, refer to the SNAP final rulemaking published in the **Federal Register** on March 18, 1994 (59 FR 13044). **Federal Register** notices can be ordered from the Government Printing Office Order Desk (202) 783-3238; the citation is the date of publication. This Notice may also be obtained on the World Wide Web at <http://www.epa.gov/docs/ozone/title6/snap/>.

List of Subjects in 40 CFR Part 82

Environmental protection, Administrative practice and procedure, Air pollution control, Reporting and recordkeeping requirements.

Dated: February 20, 2004.

Michael O. Leavitt,
Administrator.

[FR Doc. 04-4627 Filed 3-1-04; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket No. FEMA-7827]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

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:

Mike Grimm, Mitigation Division, 500 C Street, SW.; Room 412, Washington, DC 20472, (202) 646-2878.

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 Administrator 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 Administrator 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.