

the relevant overdue submittal, if EPA affirmatively determines in writing that the actual material submitted by the Commonwealth contains the information necessary to enable EPA to determine whether the Commonwealth's submission complies with the pertinent milestone requirement. EPA shall make the determination, in writing, as to whether the submittal contains the necessary information within two weeks of the actual submission date by the Commonwealth. In the event the Commonwealth makes a required submittal by the pertinent milestone date, EPA shall, within two weeks of the milestone date, make a determination, in writing, as to whether the actual material submitted by the Commonwealth contains the information necessary to enable EPA to determine whether the Commonwealth's submission complies with the pertinent milestone requirement. If EPA determines that the material submitted to EPA by the Commonwealth fails to satisfy this minimum criterion, the offset sanction would be reinstated upon that determination by EPA and the highway sanction clock would be reinstated at that time where it was halted on July 19, 1995 (i.e., with approximately 6 months remaining). Sanctions or sanctions clocks would be stopped if the Commonwealth subsequently makes a submittal to cure the deficiencies identified by EPA, and if EPA affirmatively determines in writing that the material submitted by the Commonwealth cures the identified deficiencies. EPA shall make the determination as to the adequacy of the submittal within two weeks of the date of the actual submittal to EPA. Each of the determinations referred to in this subparagraph shall be made in writing, in a letter to the Secretary of the Pennsylvania Department of Environmental Protection and made publicly available. In those instances where EPA determines that the Commonwealth's submittal does not contain the information necessary to enable EPA to determine whether the Commonwealth's submission complies with the pertinent milestone requirement, EPA's letter so informing the Commonwealth will articulate the basis for EPA's determination, specify the remedy, and identify the actions necessary by the Commonwealth to remedy its submission to satisfy the relevant milestone. With respect to the 15 percent plan and contingency measure requirements that are being reinstated as of August 15, 1996, the FIP

clock will be reinstated at that time, with one day less than six months to run. With respect to the elements of the attainment demonstration, the FIP clock will resume as to each element (the date on which the sanctions would be reinstated if the submissions were not made), with one day less than six months to run.

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

[Docket No. FEMA-7642]

#### 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 DATE:** 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:** Robert F. Shea Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

**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 Acting 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 Acting 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/location	Community No.	Effective date of eligibility	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
<b>Region I</b>				
Maine: Arundel, town of, York County .....	230192	Apr. 21, 1976, Emerg.; Apr. 1, 1987, Reg.; June 4, 1996, Susp.	June 4, 1996	June 4, 1996.
<b>Region IV</b>				
Georgia: Dooly County, unincorporated areas.	130532	Sept. 22, 1995, Emerg.; June 4, 1996, Reg.; June 4, 1996, Susp.	.....do .....	Do.
<b>Region V</b>				
Illinois: Kane County, unincorporated areas ....	170896	July 29, 1976, Emerg.; Mar. 1, 1982, Reg.; June 4, 1996, Susp.	.....do .....	Do.
Indiana:				
LaPorte, city of, LaPorte County .....	180490	Apr. 28, 1983, Emerg.; Apr. 1, 1993, Reg.; June 4, 1996, Susp.	.....do .....	Do.
LaPorte County, unincorporated areas .....	180144	Jan. 15, 1976, Emerg.; Jan. 1, 1987, Reg.; June 4, 1996, Susp.	.....do .....	Do.
<b>Region VI</b>				
New Mexico: Eddy County, unincorporated areas.	350120	Oct. 22, 1975, Emerg.; June 4, 1996, Reg.; June 4, 1996, Susp.	.....do .....	Do.
<b>Region IX</b>				
Arizona: Tucson, city of, Pima County .....	040076	Jan. 20, 1975, Emerg.; Aug. 2, 1982, Reg.; June 4, 1996, Susp.	.....do .....	Do.
Michigan:				
Bangor, charter township of, Bay County	260019	Mar. 30, 1973, Emerg.; July 2, 1979, Reg.; June 18, 1996, Susp.	June 18, 1996	June 18, 1996
Bay City, city of, Bay County .....	260020	Mar. 30, 1973, Emerg.; Sept. 1, 1978, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Beaver, township of, Bay County .....	260357	June 25, 1982, Emerg.; Feb. 1, 1986, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Essexville, city of, Bay County .....	260021	Mar. 30, 1973, Emerg.; Sept. 1, 1978, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Frankenlust, township of, Bay County .....	260022	Mar. 30, 1973, Emerg.; Nov. 15, 1979, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Fraser, township of, Bay County .....	260657	Nov. 13, 1981, Emerg.; Nov. 13, 1981, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Hampton, township of, Bay County .....	260023	Mar. 30, 1973, Emerg.; Aug. 1, 1978, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Kawkawlin, township of, Bay County .....	260658	Jan. 29, 1979, Emerg.; Feb. 1, 1979, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Merritt, township of, Bay County .....	260024	Mar. 30, 1973, Emerg.; Aug. 15, 1978, Reg.; June 18, 1996, Susp.	.....do .....	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Monitor, township of, Bay County .....	260358	July 21, 1982, Emerg.; Aug. 19, 1985, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Pinconning, city of, Bay County .....	260607	Mar. 17, 1975, Emerg.; Aug. 3, 1981, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Pinconning, township of, Bay County .....	260025	Mar. 30, 1973, Emerg.; Sept. 1, 1978, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Portsmouth, township of, Bay County .....	260026	Apr. 26, 1973, Emerg.; May 1, 1980, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Williams, township of, Bay County .....	260359	June 21, 1979, Emerg.; Feb. 1, 1986, Reg.; June 18, 1996, Susp.	.....do .....	Do.
<b>Region VI</b>				
Louisiana: St. Mary Parish, unincorporated areas.	220192	Apr. 6, 1973, Emerg.; Sept. 3, 1980, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Oklahoma: Noble County, unincorporated areas.	400132	May 14, 1990, Emerg.; Nov. 18, 1992, Reg.; June 18, 1996, Susp.	.....do .....	Do.
<b>Region VII</b>				
Nebraska:				
Dakota County, unincorporated areas .....	310429	Aug. 18, 1975, Emerg.; Apr. 15, 1982, Reg.; June 18, 1996, Susp.	.....do .....	Do.
Homer, village of, Dakota County .....	310241	Mar. 26, 1975, Emerg.; Apr. 3, 1984, Reg.; June 18, 1996, Susp.	.....do .....	Do.

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

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

Issued: May 30, 1996.

Richard W. Krimm,  
Acting Associate Director, Mitigation  
Directorate.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 672

[Docket No. 960129018-6018-01; I.D. 052896E]

#### Groundfish of the Gulf of Alaska; Pollock in the Western Regulatory Area

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure; request for comments.

**SUMMARY:** NMFS issues an inseason adjustment closing directed fishing for pollock by vessels catching pollock for processing by the inshore component in the Western Regulatory Area of the Gulf of Alaska (GOA). This adjustment closes the fishery 12 hours after its scheduled opening at noon, A.l.t., June 1, 1996, and is necessary to allow the harvest of the total allowable catch (TAC) of pollock in the Western Regulatory Area.

**DATES:** Fishery will be closed midnight, A.l.t., June 1, 1996, until 12 noon, A.l.t., July 1, 1996. Comments must be received at the following address no later than 4:30 p.m., A.l.t., June 14, 1996.

**ADDRESSES:** Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel, or be delivered to the fourth floor of the Federal Building, 709 West 9th Street, Juneau, AK.

**FOR FURTHER INFORMATION CONTACT:** Michael L. Sloan, 907-581-2062.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by the NMFS according to the Fishery Management Plan for Groundfish of the GOA (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act (Magnuson Act). Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 672.

As of May 11, 1996, 5,704 metric tons (mt) of pollock remain in the second quarterly allowance of the inshore allocation of the Western Regulatory Area of the GOA pollock TAC. In accordance with § 672.23(e), directed fishing for pollock in the Western Regulatory Area of the GOA is scheduled from 12 noon, A.l.t., June 1 until 12 noon, A.l.t., July 1, 1996, or

until the TAC is reached, whichever occurs first.

Section 672.23(b) specifies that the time of all openings and closures of fishing seasons other than the beginning and end of the calendar fishing year is 12:00 noon, A.l.t. A fishery opening, therefore, normally extends for a minimum of 24 hours. Current information shows the catching capacity of vessels catching pollock for processing by the inshore component is in excess of 9,600 mt per day. The Director, Alaska Region, NMFS, has determined that the remaining portion of the TAC allocated to the inshore component would be exceeded if a 24-hour fishery were allowed to occur. NMFS intends that the TAC should not be exceeded, and will not allow a 24-hour directed fishery.

NMFS in accordance with § 672.22(a)(1)(i), is adjusting the season for pollock by vessels catching pollock for processing by the inshore component in the Western Regulatory Area of the GOA by allowing the scheduled opening of the directed fishery at 12:00 noon, A.l.t., June 1, 1996. The fishery will remain open until 12:00 midnight, A.l.t., June 1 at which time it will be closed. This action has the effect of opening the fishery for 12 hours. NMFS is taking this action to allow a controlled fishery to occur, thereby preventing either the