

40 CFR part 2. If no claim of confidentiality accompanies the submission when it is received by EPA, it may be made available to the public without further notice to the person making comments.

#### **B. Public Participation**

Any person desiring to present testimony regarding this proposed rule at the public hearing (see DATES) should notify the contact person listed above of such intent as soon as possible. A sign-up sheet will be available at the registration table the morning of the hearing for scheduling testimony for those who have not notified the contact person. This testimony will be scheduled on a first come, first served basis to follow the previously scheduled testimony.

EPA suggests that approximately 50 copies of the statement or material to be presented be brought to the hearing for distribution to the audience. In addition, EPA would find it helpful to receive an advance copy of any statement or material to be presented at the hearing in order to give EPA staff adequate time to review such material before the hearing. Such advance copies should be submitted to the contact person listed previously.

The official records of the hearing will be kept open for 30 days following the hearing to allow submission of rebuttal and supplementary testimony. All such submittals should be directed to the Air Docket, Docket No. A-97-26 (see ADDRESSES).

Mr. Charles Freed, Division Director of the Fuels and Energy Division, Office of Mobile Sources, is hereby designated Presiding Officer of the hearing. The hearing will be conducted informally and technical rules of evidence will not apply. Because a public hearing is designed to give interested parties an opportunity to participate in the proceeding, there are no adversary parties as such. Statements by participants will not be subject to cross examination by other participants. A written transcript of the hearing will be placed in the above docket for review. Anyone desiring to purchase a copy of the transcript should make individual arrangements with the court reporter recording the proceeding. The Presiding Officer is authorized to strike from the record statements which he deems irrelevant or repetitious and to impose reasonable limits on the duration of the statement of any witness. EPA asks that persons who testify attempt to limit their testimony to ten minutes, if possible. The Administrator will base her decision with regard to the revised requirements for imported gasoline on

the record of the public hearing and on any other relevant written submissions and other pertinent information. This information will be available for public inspection at the EPA Air Docket, Docket No. A-97-26 (see ADDRESSES).

Dated: May 8, 1997.

**Mary D. Nichols,**

*Assistant Administrator for Air and Radiation.*

[FR Doc. 97-12476 Filed 5-9-97; 8:45 am]

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### **FEDERAL EMERGENCY MANAGEMENT AGENCY**

#### **44 CFR Part 67**

[Docket No. FEMA-7219]

#### **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 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:** Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA or 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 Executive Associate Director, Mitigation Directorate, 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 National Flood Insurance Program. As a result, a regulatory flexibility analysis has not 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
Connecticut .....	New Britain (City) Hartford County.	Willow Brook .....	Approximately 300 feet downstream of Willow Brook Park Road.	*63	*61
			Approximately 800 feet upstream of Reservoir Road.	*345	*344
		Mason Pond Brook .....	At confluence with Willow Brook .....	*168	*170
			Approximately 75 feet upstream of Shuttle Meadow Avenue.	*172	*171
		Schultz Pond Brook .....	At the confluence with Willow Brook .....	*175	*176
			Approximately 815 feet upstream of Reservoir Road.	*345	*344
		Bass Brook .....	Approximately 1,600 feet downstream of East Street.	*89	*90
			Approximately 825 feet upstream of upstream crossing of Lewis Road.	*263	*267
		Batterson Park Pond Brook.	Approximately 400 feet downstream of Stanley Park Road.	*178	*177
			Approximately 115 feet upstream of Britany Farms Road.	*207	*206
		Gaffney Brook .....	At Francis Street .....	*174	*176
			Approximately 1,400 feet upstream of Francis Street.	*179	*181
		Sandy Brook .....	At corporate limits .....	*89	*90
			Approximately 650 feet upstream of Ella Grasso Road.	None	*131

Maps available for inspection at the New Britain City Hall, Engineering Department—Room 503, 27 West Main Street, New Britain, Connecticut.

Send comments to The Honorable Lucian Pawlak, Mayor of the City of New Britain, New Britain City Hall, 27 West Main Street, New Britain, Connecticut 06051.

Connecticut .....	Wilton (Town) Fairfield County.	West Branch Saugatuck River.	Approximately 840 feet upstream of Westport/Wilton corporate limits.	*96	*95
			Approximately 800 feet upstream of Route 53 (Cedar Road).	*160	*159

Maps available for inspection at the Inland Wetland Commission, Wilton Town Hall Annex, 238 Danbury Road, Wilton, Connecticut.

Send comments to Mr. Bob Russell, First Selectman for the Town of Wilton, 238 Danbury Road, Wilton, Connecticut 06897.

Georgia .....	Rockdale County (Unincorporated Areas).	Yellow River .....	At confluence of Big Haynes Creek .....	*646	*652
			Approximately 200 feet downstream of Georgia Highway 138.	*659	*660
		Big Haynes Creek .....	At confluence with Yellow River .....	*646	*652
			At confluence of Little Haynes Creek .....	None	*661
		Little Haynes Creek .....	At confluence with Big Haynes Creek .....	None	*661
			At county boundary .....	None	*697

Maps available for inspection at Rockdale County Planning and Development Department, 2570 Old Covington Highway, Conyers, Georgia 30207.

Send comments to Mr. Randolph W. Poynter, Chairman of the Rockdale County Board of Commissioners, 922 Court Street, P.O. Box 289, Conyers, Georgia 30207.

Michigan .....	Escanaba (Township) Delta County.	Little Bay De Noc .....	Entire shoreline within community .....	None	*585
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Maps available for inspection at the Escanaba Township Hall, County 416, 20th Road, Gladstone, Michigan.

Send comments to Mr. Kevin Dubord, Escanaba Township Supervisor, 3983 County 416, 20th Road, Gladstone, Michigan 49837.

Georgia .....	Trion (Town) Chattooga County.	Chattooga River .....	Approximately 1,400 feet downstream of U.S. 27.	*659	*656
			Approximately 0.75 mile upstream of confluence of Cane Creek.	*684	*682
		Cane Creek .....	At confluence with Chattooga River .....	*681	*679
			Approximately 0.5 mile upstream of Welcome Hill Road.	*681	*680
		Spring Branch .....	At confluence with Chappel Creek .....	*661	*659

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
		Chappel Creek .....	Approximately 100 feet downstream of Central Avenue. At confluence with Chattooga River .....	*664 *661	*663 *659
		Trion Branch .....	Approximately 1,150 feet upstream of First Street. At confluence with Chattooga River .....	*661 *663	*659 *661
			Approximately 50 feet upstream of Allgood Street.	*663	*662

Maps available for inspection at the Trion Town Hall, 128 Park Avenue, Trion, Georgia.

Send comments to The Honorable Alan Plunkett, Mayor of the Town of Trion, Trion Town Hall, P.O. Box 727, Trion, Georgia 30753.

Michigan .....	Fairbanks (Township) Delta County.	Big Bay De Noc .....	Approximately 200 feet west and south of the intersection of 11 Road and 11 Drive.	None	*584
		Green Bay .....	In the vicinity of Sac Bay at the southernmost tip of Garden Peninsula.	None	*585
		Lake Michigan .....	Entire shoreline within community .....	None None	*584 *584

Maps available for inspection at the Fairbanks Township Hall, 4314 11 Road, Garden, Michigan.

Send comments to Mr. John Latulip, Fairbanks Township Supervisor, 4677 LL Road, Garden, Michigan 49829.

Michigan .....	Garden (Township) Delta County.	Big Bay De Noc .....	Entire shoreline within community .....	None	*585
		Lake Michigan .....	Entire shoreline within community .....	None	*584

Maps available for inspection at the Garden Supervisor's Office, State Road, Garden, Michigan.

Send comments to Mr. Gary Plant, Garden Township Supervisor, P.O. Box 82, Garden, Michigan 49835.

Michigan .....	Frankenmuth (City) Saginaw County.	Cass River .....	Approximately 0.6 mile downstream of South Main Street.	*607	*612
			Approximately 1.1 miles upstream of South Main Street.	*612	*614

Maps available for inspection at the Frankenmuth City Hall, 240 West Genesee Street, Frankenmuth, Michigan.

Send comments to Mr. Charles Graham, Manager of the City of Frankenmuth, Frankenmuth City Hall, 240 West Genesee Street, Frankenmuth, Michigan 48743.

New York .....	Yonkers (City) Westchester County.	Saw Mill River .....	Approximately 1,420 feet downstream of Ashburton Avenue.	None	*95
			Approximately 0.4 mile upstream of Hearst Street.	*117	*115
		Crestwood Lake .....		None	*161

Maps available for inspection at the Engineering Department, Room 313, Yonkers City Hall, Yonkers, New York.

Send comments to The Honorable John D. Spencer, Mayor of the City of Yonkers, Yonkers City Hall, Yonkers, New York 10701.

North Carolina .....	North Topsail Beach (Town) Onslow County.	Atlantic Ocean .....	Approximately 225 feet south of the intersection of 14th Avenue and Ocean Boulevard (SR 1583).	*16	*19
			Just north of the intersection of Gray Street and North Carolina State Route 210.	*7	*11
		Stump Sound/Intracoastal Waterway.	Approximately 0.7 mile north of the intersection of Sand Piper Drive and New River Inlet Road.	*7	*11
			Approximately 0.5 mile northeast of confluence of Normans Creek and Old Sound Channel.	*7	*11

Maps available for inspection at the North Topsail Beach Town Hall, 2008 Loggerhead Court, North Topsail Beach, North Carolina.

Send comments to Ms. Ann Vause, Town of North Topsail Beach Manager, 2008 Loggerhead Court, North Topsail Beach, North Carolina 28460.

North Carolina .....	Surf City (Town) Pender and Onslow Counties.	Atlantic Ocean .....	Approximately 250 feet south of the intersection of NC 50 and Reachwood Drive.	*16	*19
			At intersection of Goldsboro Avenue and New River Drive.	*7	*11
		Topsail Sound .....	Approximately 1,250 feet northwest of the intersection of Pender Avenue and Shore Drive.	*7	*12

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 1,400 feet northwest of the intersection of NC 50 and Reachwood Drive.	*10	*9
Maps available for inspection at the Surf City Town Hall, P.O. Box 2475, Surf City, North Carolina. Send comments to The Honorable Vance Kee, Mayor of the Town of Surf City, P.O. Box 2475, Surf City, North Carolina 28445.					
North Carolina .....	Topsail Beach (Town) Pender County.	Atlantic Ocean .....	Approximately 350 feet southeast of the intersection of Clark Avenue and NC State Route 1554.	*17	*20
			At intersection of Humphrey Avenue and Shore Drive.	None	*13
		Topsail Sound .....	Approximately 700 feet west of the intersection of Shore Line Drive and Godwin Avenue.	*14	*13
			Approximately 450 feet northwest of intersection of Fields Avenue and Shore Drive.	*9	*10
Maps available for inspection at the Topsail Beach Town Hall, 820 South Anderson Boulevard, Topsail Beach, North Carolina. Send comments to Mr. Eric Peterson, Topsail Beach Town Manager, P.O. Box 3089, Topsail Beach, North Carolina 28445-9831.					
Ohio .....	Clark County (Unincorporated Areas).	Mad River .....	At CONRAIL .....	*889	*888
			Approximately 2,100 feet downstream of Snider Road.	None	*856
Maps available for inspection at the Clark County Building Department, 25 West Pleasant Street, Springfield, Ohio. Send comments to Mr. Roger Tackett, President of the Clark County Board of Commissioners, P.O. Box 2639, Springfield, Ohio 45501.					
Pennsylvania .....	Hatfield (Township) Montgomery County.	West Branch Neshaminy Creek Tributary No. 2.	Approximately 600 feet upstream of confluence with West Branch Neshaminy Creek.	*288	*289
			Approximately 600 feet upstream of Lansdale Tributary.	*303	*302
Maps available for inspection at the Hatfield Township Administration Building, 1950 School Road, Hatfield, Pennsylvania. Send comments to Ms. Jean R. Vandegrift, President of the Township of Hatfield Board of Commissioners, 1950 School Road, Hatfield, Pennsylvania 19440.					
Pennsylvania .....	Lansdale (Borough) Montgomery County.	West Branch Neshaminy Creek Tributary No. 2 (previously Lansdale Tributary and Neshaminy Creek Branch).	Approximately 250 feet upstream of Schues Road.	*299	*301
			Approximately 650 feet upstream of West 5th Street.	*324	*318
Maps available for inspection at the Lansdale Borough Building, One Vine Street, Lansdale, Pennsylvania. Send comments to Mr. Lee Mangan, Lansdale Borough Manager, One Vine Street, Lansdale, Pennsylvania 19446.					
Pennsylvania .....	Pike (Township) Berks County.	Bieber Creek .....	At a point approximately 730 feet upstream of Keim Road.	None	*398
			At a point approximately 0.27 mile upstream of Keim Road.	None	*407
Maps available for inspection at the Pike Township Building, Hill Church Road, Oley, Pennsylvania. Send comments to Mr. Timothy P. Korsak, Chairman of the Pike Township Board of Supervisors, R.D. #4, Box 280, Boyertown, Pennsylvania 19512.					
Pennsylvania .....	Plains (Township) Luzerne County.	Mill Creek .....	Confluence with Susquehanna River .....	*551	*549
			Approximately 900 feet upstream from State Route 315.	None	*694
		Unnamed Tributary to Mill Creek.	Confluence with Mill Creek .....	None	*680
			Approximately 1,400 feet upstream of confluence with Mill Creek.	None	*680
		Susquehanna River .....	At downstream corporate limits .....	*550	*549
			Approximately 900 feet upstream of the upstream corporate limits.	*555	*553

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

Maps available for inspection at Plains Town Hall Municipal Building, 126 North Main Street, Plains, Pennsylvania.

Send comments to Mr. Robert Stella, Chairman of the Township of Plains Board of Commissioners, Luzerne County, 126 North Main Street, Plains, Pennsylvania 18705.

Pennsylvania .....	Reynoldsville (Borough). Jefferson County ...	Soldier Run .....	Approximately 600 feet upstream of Worth Street. At corporate limits .....	*1,369 *1,378	*1,368 *1,376
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Maps available for inspection at the Reynoldsville Municipal Building, 460 Main Street, Reynoldsville, Pennsylvania.

Send comments to Mr. Richard R. Reed, President of the Reynoldsville Borough Council, P.O. Box 67, Reynoldsville, Pennsylvania 15851.

Pennsylvania .....	Winslow (Township) Jefferson County ...	Soldier Run .....	Downstream corporate limits .....	*1,378	*1,376
			Upstream corporate limits .....	None	*1,482

Maps available for inspection at the Winslow Township Municipal Building, R.D. 1, Reynoldsville, Pennsylvania.

Send comments to Mr. Kenneth J. Long, Chairman of the Township of Winslow Board of Supervisors, Township Municipal Building, R.D. 1, Box 4, Reynoldsville, Pennsylvania 15851.

Wisconsin .....	Eau Claire (City) Chippewa and Eau Claire Counties.	Chippewa River .....	At Interstate 94 .....	*774	*773
		Upstream corporate limits	*808 .....	*806	
		Sherman Creek .....	Confluence with Chippewa River .....	*778	*776
			Approximately 1.0 mile upstream of Menomonie Street.	*807	*808
		Eau Claire River .....	At the confluence with Chippewa River ... Downstream side of Chicago and North- western Railroad spur.	*784 *784	*782 *783

Maps available for inspection at the Eau Claire City Hall, Inspection Service Office, 203 South Farwell Street, Eau Claire, Wisconsin.

Send comments to Mr. Don Norrell, Manager of the City of Eau Claire, 203 South Farwell Street, Call Box 5148, Eau Claire, Wisconsin 54707-5148.

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

Dated: April 23, 1997.

**Richard W. Krimm,**

*Executive Associate Director, Mitigation  
Directorate.*

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