

however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the owner or operator and the State Director, as evidenced by the return receipts.

(iii) If notice of cancellation is given, the owner or operator must, within 90 days following receipt of the cancellation notice by the owner or operator and the State Director, obtain alternate financial assurance, place evidence of that alternate financial assurance in the facility operating record, and notify the State Director. If the owner or operator fails to provide alternate financial assurance within the 90-day period, the guarantor must provide that alternate assurance within 120 days of the cancellation notice, obtain alternative assurance, place evidence of the alternate assurance in the facility operating record, and notify the State Director.

(4) If a corporate guarantor no longer meets the requirements of paragraph (e)(1) of this section, the owner or operator must, within 90 days, obtain alternative assurance, place evidence of the alternate assurance in the facility operating record, and notify the State Director. If the owner or operator fails to provide alternate financial assurance within the 90-day period, the guarantor must provide that alternate assurance within the next 30 days.

(5) The owner or operator is no longer required to meet the requirements of this paragraph (g) when:

(i) The owner or operator substitutes alternate financial assurance as specified in this section; or

(ii) The owner or operator is released from the requirements of this section in accordance with § 258.71(b), § 258.72(b), or § 258.73(b).

* * * * *

(k) *Use of multiple mechanisms.* An owner or operator may demonstrate financial assurance for closure, post-closure, and corrective action, as required by §§ 258.71, 258.72, and 258.73 by establishing more than one mechanism per facility, except that mechanisms guaranteeing performance rather than payment, may not be combined with other instruments. The mechanisms must be as specified in paragraphs (a), (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this section, except that financial assurance for an amount at least equal to the current cost estimate for closure, post-closure care, and/or corrective action may be provided by a combination of mechanisms rather than a single mechanism.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA-7253]

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) (FIRMs) 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 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.

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.

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, Mitigation Directorate, 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 National Flood Insurance Program. 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:

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 names of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Florida: Charlotte	Unincorporated Areas.	March 5, 1998, March 12, 1998, <i>Sarasota Herald Tribune—Charlotte AM Edition</i> .	Mr. Matthew D. DeBoer, Chairman, Charlotte County Board of Commissioners, 18500 Murdock Road, Room 536, Port Charlotte, Florida 33948-1094.	Nov. 13, 1997	120061 E
Escambia	City of Pensacola	February 3, 1998, February 10, 1998, <i>Pensacola News Journal</i> .	Mr. Edmond R. Hinkle, Pensacola City Manager, P.O. Box 12910, Pensacola, Florida 32521-0052.	Jan. 22, 1998	120082 E
Illinois: DuPage and Cook ..	Village of Bensenville.	December 31, 1997, January 7, 1998, <i>Bensenville Press</i> .	Mr. John C. Geils, President, Village of Bensenville, 700 West Irving Park Road, Bensenville, Illinois 60106.	Apr. 7, 1998	170200 C
DuPage and Will	City of Naperville	February 6, 1998, February 13, 1998, <i>Daily Herald</i> .	The Honorable A. George Pradel, Mayor of the City of Naperville, 400 South Eagle Street, Naperville, Illinois 60540.	May 14, 1998	170213 C
Will	Unincorporated Areas.	January 14, 1998, January 21, 1998, <i>Herald-News</i> .	Mr. Charles R. Adelman, Will County Executive, 302 North Chicago Street, Joliet, Illinois 60432.	Apr. 21, 1998	170695 E
Massachusetts: Worcester	Town of Milford	January 13, 1998, January 20, 1998, <i>Milford Daily News</i> .	Mr. John Speroni, Jr., Chairman of the Board of Selectmen, Town of Milford, 52 Main Street, Milford, Massachusetts 01757.	Apr. 20, 1998	250317 B
Michigan: Oakland	City of Novi	February 12, 1998, February 19, 1998, <i>Novi News</i> .	The Honorable Kathleen McCallen, Mayor of the City of Novi, Civic Center, 45175 West Ten Mile Road, Novi, Michigan 48375-3024.	Feb. 5, 1998	260175 C
New Jersey: Middlesex.	Borough of Metuchen.	February 20, 1998, February 27, 1998, <i>Metuchen/Edison Review</i> .	The Honorable Edmund O'Brien, Mayor of the Borough of Metuchen, P.O. Box 592, Borough Hall, Metuchen, New Jersey 08840.	May 28, 1998	340266 A
Ohio: Cuyahoga	City of North Olmsted.	January 8, 1998, <i>Sun Herald</i> .	The Honorable Edward J. Boyle, Mayor of the City of North Olmsted, 5200 Dover Center Road, North Olmsted, Ohio 44070.	Dec. 24, 1997	390120 C
Cuyahoga	City of Solon	February 19, 1998, February 26, 1998, <i>Solon Times</i> .	The Honorable Kevin C. Patton, Mayor of the City of Solon, 34200 Bainbridge Road, Solon, Ohio 44139.	Feb. 12, 1998	390130 B
Puerto Rico: Commonwealth.	Rio Piedras Drainage Basin.	January 27, 1998, February 3, 1998, <i>El Nueva Dia</i> .	Ms. Norma E. Burgos-Andujar, Chairwoman, Puerto Rico Planning Board, Minillas Governmental Center, North Building, De Diego Avenue, Stop 22, P.O. Box 41119, San Juan, Puerto Rico 00940-1119.	Jan. 13, 1998	720000 C
Tennessee: Shelby	Town of Collierville ..	January 22, 1998, January 29, 1998, <i>The Collierville Herald</i> .	The Honorable Herman W. Cox, Jr., Mayor of the Town of Collierville, 101 Walnut Street, Collierville, Tennessee 38017-2671.	Apr. 29, 1998	470263 E
Virginia: Middlesex	Unincorporated Areas.	January 22, 1998, January 29, 1998, <i>The Southside Sentinel</i> .	Mr. Charles M. Culley, Jr., Middlesex County Commissioner, P.O. Box 428, Saluda, Virginia 23149.	Jan. 16, 1998	510098 B
Wisconsin: Manitowoc and Calumet.	City of Kiel	January 29, 1998, February 5, 1998, <i>Kiel Tri-County Record</i> .	Mr. Thomas Karls, City of Kiel Administrator, P.O. Box 98, Kiel, Wisconsin 53042.	May 6, 1998	550239 B
Ozaukee	Unincorporated Areas.	January 22, 1998, January 29, 1998, <i>Ozaukee Press</i> .	Mr. Leroy Bley, Ozaukee County Chairman of the Board of Supervisors, 121 West Main Street, P.O. Box 994, Port Washington, Wisconsin 53074-0994.	Jan. 14, 1998	550310 D

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

Dated: April 2, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

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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) (FIRMs) 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.