

List of Subjects**40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: June 17, 2005.

Daniel D. Opalski,

Acting Regional Administrator, Region 10.

■ Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart WW—Washington

■ 2. Section 52.2470 is amended by adding paragraph (c)(85) to read as follows:

§ 52.2470 Identification of plan.

* * * * *

(c) * * *

(85) On November 15, 2004, the Washington State Department of Ecology submitted a PM10 Limited Maintenance Plan and requested the redesignation of the Spokane County PM10 Nonattainment area to attainment for PM10. The State's Limited Maintenance Plan, attainment year emissions inventory, and the redesignation request meet the requirements of the Clean Air Act. EPA approves the State's Limited Maintenance Plan and Moderate Area Plan requirements for the Spokane PM10 nonattainment area and request for redesignation to attainment.

(i) Incorporation by reference.

(A) Spokane County Air Pollution Control Authority (SCAPCA) orders #96-03 (modified October 4, 2000), #96-05 (modified October 4, 2000) and #96-06 (modified October 19, 2000) to regulate particulate matter emissions from the specific emission units of the Kaiser Aluminum and Chemical Corporation, Trentwood aluminum facility.

■ 3. Section 52.2475 is amended by adding paragraph (e) (3) (i) to read as follows:

§ 52.2475 Approval of plans.

(e) * * *

(3) Spokane.

(i) EPA approves as a revision to the Washington State Implementation Plan, the Spokane County PM10 Nonattainment Area Limited Maintenance Plan adopted by the Spokane Regional Clean Air Authority on November 17, 2004, and adopted and submitted by the Washington Department of Ecology on November 30, 2004.

* * * * *

PART 81—[AMENDED]

■ 1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

■ 2. In § 81.348, the table entitled "Washington PM-10" is amended by revising the entry for "Spokane County" to read as follows:

§ 81.348 Washington.

* * * * *

WASHINGTON—PM10

Designated area	Designation		Classification area	
	Date	Type	Date	Type
<p>* * * * *</p> <p>Spokane County: The area bounded on the south by a line from Universal Transmercator (UTM) coordinate 489000mE, 5271000mN west to 458000mE, 5271000mN, thence north along a line to coordinate 458000mE, 5288000mN, thence east to 463000mE, 5288000mN, thence north to 463000mE, 5292000mN, thence east to 481000mE, 5292000mN, thence south to 481000mE, 5288000mN, thence east to 489000mE, 5288000mN, thence south to the beginning coordinate, 489000mE, 5271000mN..</p> <p>* * * * *</p>	8/30/05	Attainment.		

[FR Doc. 05-12946 Filed 6-30-05; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 64**

[Docket No. FEMA-7883]

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 scheduled for suspension 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 not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

EFFECTIVE DATES: The effective date of each community's scheduled 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: Michael M. 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 letter 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.

■ 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 and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in a community	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Region V				
Indiana:				
Beech Grove, City of, Marion County ...	180158	October 29, 1971, Emerg; May 15, 1984, Reg; July 5, 2005, Susp.	July 5, 2005	July 5, 2005

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in a community	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
Southport, City of, Marion County	180161	October 29, 1971, Emerg; May 15, 1984, Reg; July 5, 2005, Susp.do	Do.
Region VII				
Missouri: Caldwell County, Unincorporated Areas.	290788	November 14, 2002, Emerg; July 5, 2005, Reg; July 5, 2005, Susp.do	Do.
Nebraska:				
Pawnee, City of, Pawnee County	310170	June 4, 1975, Emerg; August 1, 1986, Reg; July 5, 2005, Susp.do	Do.
Table Rock, Village of, Pawnee County	310172	May 3, 1993, Emerg; June 2, 2003, Reg; July 5, 2005, Susp.do	Do.

*.....do = Ditto

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

Dated: June 27, 2005.

David I. Maurstad,

*Acting Mitigation Division Director,
Emergency Preparedness and Response
Directorate.*

[FR Doc. 05–12992 Filed 6–30–05; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[DOT Docket No. NHTSA–05–21401]

RIN: 2127–AI43

Federal Motor Vehicle Safety Standards; Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: This document amends the starter interlock requirements of our safety standard on transmission shift position sequence, starter interlock, and transmission braking effect to clarify how the requirements apply to vehicles incorporating emerging technologies. The amendment is intended to facilitate the development of propulsion systems that conserve energy and reduce emissions by stopping the engine (internal combustion engine) when it is not needed. It is also intended to minimize the possibility of crashes in which a driver has mis-shifted into a forward or reverse gear and would be unprepared for the direction of motion by the vehicle when the engine restarts.

DATES: This final rule becomes effective December 28, 2005.

Any petitions for reconsideration of today's final rule must be received by NHTSA not later than August 15, 2005.

ADDRESSES: Petitions for reconsideration should refer to the docket number for this section and be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: For non-legal issues, you may call Mr. William Evans, Office of Crash Avoidance Standards at (202) 366–2272. His FAX number is (202) 366–7002.

For legal issues, you may call Ms. Dorothy Nakama, Office of the Chief Counsel at (202) 366–2992. Her FAX number is (202) 366–3820.

You may send mail to both of these officials at National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, DC, 20590.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Executive Summary
- II. Notice of Proposed Rulemaking (NPRM)
- III. Public Comments to the NPRM
- IV. Public Comments and NHTSA's Response
 - A. Requiring Reverse Creep Force in Vehicles that Allow the ICE to Stop and Start Automatically When the Vehicle's Shift Position is in Reverse
 - B. Applicability to Vehicles Over 10,000 Pounds GVWR
 - C. Specifying a Maximum Throttle Opening Regardless of Driver Throttle Input on Idle-Stop Systems During Automatic ICE Starting
 - D. Requiring a Manual Override to Deactivate the Idle-Stop Feature
 - E. Maximum Time Between Brake Pedal Release and Propulsion System Availability
 - F. Leaving FMVSS No. 102 Unchanged and Placing New Requirements in a Separate Standard
 - G. Use of the Term "Driver Activation"
 - H. "Shift Position" Versus "Shift Lever Position"

I. Clarification of When the ICE May Stop and Start

J. Other Issues Raised in Response to the NPRM

1. Minimum Creep Force Value of 1.5 Percent of GVWR.
2. Applicability of the Phrase "Brake Pedal Released" to Air Brakes
3. Requiring Creep Force in Reverse When the ICE is Both "On" and "Off"
4. Use of the Term "Electric Motor" in the Regulatory Text
5. Use of the Term "Battery" in the Regulatory Text

V. Final Rule

VI. Statutory Bases for the Final Rule

VII. Effective Date

VIII. Regulatory Analyses and Notices

- A. Executive Order 12866; DOT Regulatory Policies and Procedures
- B. Executive Order 13132 (Federalism)
- C. Executive Order 13045 (Economically Significant Rules Affecting Children)
- D. Executive Order 12988 (Civil Justice Reform)
- E. Regulatory Flexibility Act
- F. National Environmental Policy Act
- G. Paperwork Reduction Act
- H. National Technology Transfer and Advancement Act
- I. Plain Language
- J. Regulation Identifier Number (RIN)

Regulatory Text

I. Executive Summary

The existing starter interlock requirement of Federal Motor Vehicle Safety Standard (FMVSS) No. 102 (at S3.1.3) states "the engine starter shall be inoperative when the transmission shift lever is in a forward or reverse drive position." The purpose of this requirement is to prevent injuries and death from the unexpected motion of a vehicle when the driver starts the vehicle with the transmission inadvertently in a forward or reverse gear. Two recently introduced vehicles, the Toyota Prius¹ and the Honda

¹ The Prius is an electric motor-powered vehicle assisted by an internal combustion engine (ICE). When the propulsion system is activated, the