

the Clean Air Act and, hence does not impose any federal intergovernmental mandate, as defined in section 101 of the Unfunded Mandates Act. This action also will not impose a mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector.

D. Petitions for Judicial Review

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 26, 1995. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review, nor does it extend the time within which a petition for judicial review may be filed and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Oxides of nitrogen, Incorporation by reference, Intergovernmental relations, Ozone.

Dated: April 13, 1995.

Valdas V. Adamkus,
Regional Administrator.

40 CFR part 52 is amended as follows.

PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401–7671(q).

Subpart X—Michigan

2. Section 52.1174 is amended by adding paragraph (e) and (f) to read as follows:

§ 52.1174 Control strategy: Ozone

* * * * *

(e) Approval—On July 1, 1994, the Michigan Department of Natural Resources submitted a petition for exemption from the oxides of nitrogen requirements of the Clean Air Act for the East Lansing ozone nonattainment area. The submittal pertained to the exemption from the oxides of nitrogen requirements for conformity and new source review. These are required by sections 176(c) and 182(f) of the 1990 amended Clean Air Act, respectively. If a violation of the ozone standard occurs in the East Lansing ozone nonattainment area, the exemption shall no longer apply.

(f) Approval—On July 8, 1994, the Michigan Department of Natural Resources submitted a petition for exemption from the oxides of nitrogen requirements of the Clean Air Act for the Genesee County ozone nonattainment area. The submittal pertained to the exemption from the oxides of nitrogen requirements for conformity and new source review. These are required by sections 176(c) and 182(f) of the 1990 amended Clean Air Act, respectively. If a violation of the ozone standard occurs in the Genesee County ozone nonattainment area, the exemption shall no longer apply.

[FR Doc. 95–10247 Filed 4–26–95; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA–7615]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638–6620.

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 measures aimed at protecting lives and

new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

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 Associate Director certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

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
New Eligibles—Emergency Program			
North Dakota: Nelson County, unincorporated areas	380683	March 3, 1995	
Georgia: Worth County, unincorporated areas	130196	March 10, 1995	June 2, 1978.
Tennessee:			
Hancock County, unincorporated areas	470226	March 15, 1995	July 14, 1978.
Clay County, unincorporated areas	470382	March 17, 1995	March 30, 1979.
Arkansas: Hempstead County, unincorporated areas	050436	March 28, 1995	June 3, 1977.
New Eligibles—Regular Program			
Missouri:			
Dardenne Prairie, town of, St. Charles County	290899	March 13, 1995	December 15, 1992.
Park Hills, city of, St. Francois County ¹	290920	March 22, 1995	
Florida: Palm Shores, town of, Brevard County	120612	March 27, 1995	August 18, 1992.
Colorado: Severance, town of, Weld County ²	080317	March 28, 1995	September 28, 1982.
Reinstatements			
Indiana: Lewisville, town of, Henry County	180091	October 26, 1976, Emerg.; September 4, 1987, Reg.; September 4, 1987, Susp.; March 10, 1995, Rein.	September 4, 1987.
Virginia: Quantico, town of, Prince William County	510232	March 19, 1975, Emerg.; August 15, 1978, Reg.; January 5, 1995; Susp.; March 29, 1995, Rein.	January 5, 1995.
Regular Program Conversions			
Region I:			
Connecticut:			
Darien, town of, Fairfield County	090005	March 2, 1995, suspension withdrawn.	March 2, 1995.
Ellington, town of, Tolland County	090158	.....do	Do.
Killingly, town of, Windham County	090136	.....do	Do.
New Britain, city of, Hartford County	090032	.....do	Do.
Suffield, town of, Hartford County	090038	.....do	Do.
Region VI:			
Louisiana:			
Grand Isle, city of, Jefferson Parish	225197	March 23, 1995, suspen- sion withdrawn.	March 23, 1995.
Gretna, city of, Jefferson Parish	225198	.....do	Do.
Harahan, city of, Jefferson Parish	225200	.....do	Do.
Jean Lafitte, town of, Jefferson Parish	220371	.....do	Do.
Jefferson Parish, unincorporated areas	225199	.....do	Do.
Kenner, city of, Jefferson Parish	225201	.....do	Do.
Westwego, city of, Jefferson Parish	220094	.....do	Do.

¹ Effective January 1, 1994, the Cities of Flat River (CID 295264), Esther (CID 290730), and Elvins (CID 290322) and the Village of Rivermines (CID 290544) consolidated into one governmental jurisdiction (city) named the "City of Park Hills." The City of Park Hills has adopted the Flood Insurance Study for the City of Flat River with accompanying Flood Insurance Rate Map (FIRM) dated 4-20-73 and revision dated 9-5-75, and has also adopted the Flood Hazard Boundary Maps (FHBMs) for the Cities of Elvins and Esther dated 8-1-87 and 2-21-75, respectively, for flood insurance and floodplain management purposes.

² The Town of Severance has adopted the Weld County (CID 080266) Flood Insurance Rate Map, Panel Number 080266 0475 C, dated September 28, 1982.

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

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

Issued: April 20, 1995.

Frank H. Thomas,

Deputy Associate Director, Mitigation Directorate.

[FR Doc. 95-10352 Filed 4-26-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 15

[CGD 84-060]

RIN 2115-AB67

Licensing of Pilots; Manning of Vessels by Pilots

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is amending the regulations concerning the licensing of pilots and the manning of vessels by pilots. This final rule: defines "coastwise seagoing vessel" for pilotage purposes; describes first class pilotage areas where local pilotage expertise is warranted; allows licensed individuals to serve as pilots in areas not identified as first class pilotage areas on vessels that they are otherwise qualified to control; requires a Federal pilot for vessels in excess of 1,600 gross tons, propelled by machinery and subject to inspection under 46 U.S.C. Chapter 33, that are not authorized by their Certificate of Inspection to proceed beyond the Boundary Line; and provides quick reference tables for Federal pilotage requirements. These changes are necessary to eliminate confusion over where and on what vessels pilotage expertise is required.

EFFECTIVE DATE: May 30, 1995.

ADDRESSES: Unless otherwise indicated, documents referred to in this preamble are available for inspection or copying at the office of the Executive Secretary, Marine Safety Council (G-LRA/3406), U.S. Coast Guard Headquarters, 2100 Second Street SW., room 3406, Washington, DC 20593-0001 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: Mr. John R. Bennett, Merchant Vessel Personnel Division (G-MVP/12), Room 1210, U.S. Coast Guard Headquarters, 2100 Second Street, S.W., Washington, D.C. 20593-0001, telephone (202) 267-6102.

SUPPLEMENTARY INFORMATION:

Drafting Information

The principal persons involved in drafting this document are: Mr. John R. Bennett, Project Manager, Merchant Vessel Personnel Division, Office of Marine Safety, Security and Environmental Protection, and, Mr. Nicholas Grasselli, Project Counsel, Office of Chief Counsel.

Regulatory History

A notice of proposed rulemaking (NPRM) was published June 24, 1985 (50 FR 26117), addressing unresolved pilotage issues. The comment period was originally scheduled to end on September 23, 1985, however, a notice of extension of comment period (50 FR 38557), published in the **Federal Register** on September 23, 1985, extended the comment period to December 22, 1985. In response to that notice, the Coast Guard received 172 written comments, and held two public meetings. One public meeting was held in New York, hosted by the Maritime Association of New York, on November 12, 1985. The second was a meeting of the Towing Safety Advisory Committee Subcommittee on Personnel Manning and Licensing, which was held at Coast Guard Headquarters in Washington, D.C., on December 12, 1985. On June 6, 1988, the Coast Guard published a supplemental notice of proposed rulemaking (SNPRM) (53 FR 20654) addressing the comments received in response to the NPRM and public meetings. The comment period for the SNPRM ended September 6, 1988. Sixteen written comments were received regarding the 1988 SNPRM. Those comments included several recommendations by the Towing Safety Advisory Committee (TSAC).

On February 2, 1994, the Coast Guard published an interim final rule entitled Licensing of Pilots; Manning of Vessels by Pilots in the **Federal Register** (59 FR 4839). The Coast Guard received six letters commenting on the interim final rule. No public hearing was requested, and none was held.

Background and Purpose

Normally, foreign vessels and U.S. vessels operating on a registry endorsement are under State pilotage authority, and U.S. vessels operating on a coastwise endorsement are under Federal pilotage authority. The regulations addressed in this rule deal only with Federal pilotage.

Discussion of Comments and Changes

Six letters commenting on the interim final rule were received. Some of the

comments addressed in these letters raised issues that were not the subject of this rulemaking. The Coast Guard is responding only to those comments relating to this rulemaking.

One comment suggested that there should be only "designated" pilotage areas because otherwise the Coast Guard would be reducing pilotage requirements for tank barges. The Coast Guard is not reducing pilotage requirements for tank barges or any other vessels in this rulemaking.

Another comment stated that "the local pilotage rules are excessive with regard to the round trip required in non-designated areas." This rule places a Federal pilotage requirement on inland route self-propelled vessels greater than 1,600 gross tons. The only other change required by this rule is to require the master, mate or operator of a coastwise seagoing vessel to have made one round trip in the non-designated areas of pilotage waters within the past five years in order to satisfy the pilotage requirement for that area. The Coast Guard does not believe these additional pilotage requirements are excessive.

Several members of the small passenger vessel industry indicated that they are opposed to the rule because it places a new pilotage requirement on their vessels. The interim final rule does not establish a new pilotage requirement for small passenger vessels. Existing pilotage regulatory requirements for these vessels were established in the 1985 Final Rule (50 FR 26106) and in earlier rules. A vessel has a Federal pilotage requirement if it is a coastwise seagoing vessel, not sailing on register, and underway, not on the high seas. This rule does not create a pilotage requirement for certain small passenger vessels, the requirement already exists.

Another comment stated that while it is clear in the quick reference table that a coastwise seagoing tank barge requires a pilot, the text of the regulation does not specifically indicate that it is a "coastwise seagoing" tank barge that requires a pilot, and suggested that the text of the regulation be modified to agree with the quick reference table. The Coast Guard agrees, and the words "coastwise seagoing" are being added to the text of the regulation in § 15.812(a)(1).

The same comment also suggested that the "designated" areas be compiled and published in the Code of Federal Regulations. The Coast Guard does not agree. This information can be readily obtained from the local Coast Guard Captain of the Port (COTP).

The Coast Guard is adopting the interim final rule as published with some minor technical changes. First, the