

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Florida: Orange .....	Unincorporated Areas of Orange County.	June 23, 1995, June 30, 1995, <i>The Orlando Sentinel</i> .	Mr. Ajit Lalchandani, P.E., Acting Director, 4200 South John Young Parkway, Orlando, Florida 32839-9205.	May 22, 1995 .....	120179 D
Illinois: Lake and Cook.	Village of Deerfield .	April 20, 1995, April 27, 1995, <i>Deerfield Review</i> .	The Honorable Bernard Forrest, 850 Waukegan Road, Deerfield, Illinois 60015.	April 13, 1995 .....	170361
North Carolina: Dare.	Unincorporated Areas of Dare County.	March 28, 1995, April 4, 1995, <i>The Coastland Times</i> .	Mr. Robert V. Owens, Chairman of the Dare County Board of Commissioners, P.O. Box 1000, Manteo, North Carolina 27954.	March 20, 1995 ..	375348 D
North Carolina: Dare.	Unincorporated Areas.	June 6, 1995, June 13, 1995, <i>The Coastland Times</i> .	Mr. Robert V. Owens, Chairman of the Dare County Board of Commissioners, P.O. Box 1000, Manteo, North Carolina 27954.	May 30, 1995 .....	375348 D
Pennsylvania: Berks	Township of South Heidelberg.	May 31, 1995, June 7, 1995, Reading Times-Eagle.	Mr. J. Philip Preston, Chairman of the Township of South Heidelberg Board of Supervisors, 68A North Galen Hall Road, Wernersville, Pennsylvania 19656.	May 24, 1995 .....	421107 B
Tennessee: Sevier .	City of Sevierville ...	May 25, 1995, June 1, 1995, The Mountain Press.	The Honorable Bryan Atchley, Mayor of the City of Sevierville, P.O. Box 5500, Sevierville, Tennessee 37864-5500.	May 18, 1995 .....	475444

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

Dated: July 28, 1995.

**Richard T. Moore,**

Associate Director for Mitigation.

[FR Doc. 95-19218 Filed 8-3-95; 8:45 am]

BILLING CODE 6718-03-P

**44 CFR Part 67**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that each 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).

**EFFECTIVE DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing base flood elevations and modified base flood elevations for each community. This date may be obtained by contacting the office where the maps

are available for inspection as indicated on the table below.

**ADDRESSES:** The final 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 table below.

**FOR FURTHER INFORMATION CONTACT:** Michael K. Buckley, P.E., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street, SW., Washington, DC 20472, (202) 646-2756.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA or Agency) makes final determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67.

The Agency has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and Flood Insurance Rate Map available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

**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 final 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. No regulatory flexibility analysis has been prepared.

**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.

**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.

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is 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.

**§ 67.11 [Amended]**

2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	#Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. * Elevation in feet (NGVD)	
<b>CONNECTICUT</b>						
<b>East Lyme (Town), New London County (FEMA Docket No. 7128)</b>		Approximately 300 feet upstream of confluence of Ford Brook and Great Plain Brook .....	*30	<b>Maps available for inspection at the Midland City Planning Department, City Hall, 333 West Ellsworth, Midland, Michigan.</b>		
<i>Latimer Brook:</i> Approximately .3 mile downstream of Rock Fill Dam .... Approximately 1,100 feet upstream of Chapman Drive ...	*79 *98	Approximately 300 feet upstream of the confluence of Goldmine Brook .....	*71	<b>NEW JERSEY</b>		
<b>Maps available for inspection at the Office of Zoning Enforcement, Town Hall, 108 Pennsylvania Avenue, Niantic, Connecticut.</b>						
<b>NEW JERSEY</b>						
<b>Cape May Point (Borough) (FEMA Docket No. 7130)</b>						
<i>Atlantic Ocean:</i>						
Approximately 100 feet southwest of the intersection of Harvard and Coral Avenues						*12
Approximately 300 feet southwest of the intersection of Harvard and Coral Avenues .....						*15
At the intersection of Pearl Avenue and Cape Avenue .....						*10
<b>Maps available for inspection at the Cape May Point Municipal Building, Cape May Point, New Jersey.</b>						
<b>Delran (Township), Burlington County (FEMA Docket No. 7128)</b>						
<i>Swedes Run:</i>						
Approximately 0.82 mile upstream of Broad Street .....						*12
Approximately 850 feet upstream of Bridgeboro Road .						*34
<b>Maps available for inspection at the Township Clerk Office, 1050 Chester Avenue, Delran, New Jersey.</b>						
<b>NEW YORK</b>						
<b>Schroon (Town), Essex County (FEMA Docket No. 7128)</b>						
<i>Schroon Lake:</i> Entire shoreline within community .....						*812
<i>Paradox Lake:</i> Entire shoreline within community .....						*824
<i>Schroon River:</i>						
At confluence with Schroon Lake .....						*812
At the upstream side of U.S. Route 9 .....						*833
<i>Paradox Creek:</i>						
At confluence with Schroon River .....						*823
At downstream side of Fraternaland Road .....						*846
<b>Maps available for inspection at the Town Hall, South Street, Schroon Lake, New York.</b>						
<b>Wilmington (Town), Essex County (FEMA Docket No. 7128)</b>						
<i>West Branch Ausable River:</i>						
<b>CONNECTICUT</b>						
<b>Midland (City), Bay and Midland Counties (FEMA Docket No. 7128)</b>						
<i>Chippewa River:</i>						
At corporate limits (approximately 2.58 miles upstream of the confluence with Tittabawasee River) .....						*617
Approximately 1 mile upstream of corporate limits (approximately 3.53 miles upstream of the confluence with Tittabawasee River) .....						617
<i>Inman Drain:</i>						
At Dublin Road .....						*616
Approximately 1,375 feet upstream of Dublin Road .....						*617
<i>Sturgeon Creek:</i>						
Approximately .4 mile upstream of Cemetary Entrance Road .....						*616
Approximately .5 mile upstream of Cemetary Entrance Road .....						*616
<i>Tittabawasee River:</i>						
At Dublin Road .....						*617
Approximately 1.2 miles upstream of Dublin Road .....						*617

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
<p>Approximately 270 feet downstream of downstream corporate limit .....</p> <p>At State Route 86 (upstream crossing) .....</p> <p><b>Maps available for inspection</b> at the Community Center, Springfield Road, Wilmington, New York.</p>	<p>*805</p> <p>*1,075</p>	<p><b>Meigs County (Unincorporated Areas) (FEMA Docket No. 7124)</b></p> <p><i>Ohio River:</i> Approximately 5.0 river miles downstream of U.S. Route 33 .....</p> <p>Approximately 4.5 river miles upstream of Belleville Dam .</p> <p><b>Maps available for inspection</b> at the Commissioners Office, Courthouse, Second Street, Pomeroy, Ohio.</p>	<p>*574</p> <p>*603</p>	<p><b>Brownsville (Township), Fayette County (FEMA Docket No. 7128)</b></p> <p><i>Monongahela River:</i> Approximately 1,500 feet downstream of CONRAIL bridge .....</p> <p>Approximately 0.43 mile upstream of CONRAIL bridge .</p> <p><i>Dunlap Creek:</i> Approximately 750 feet downstream of CONRAIL bridge .</p> <p>Approximately 1,870 feet downstream of CONRAIL bridge .....</p> <p><i>Redstone Creek:</i> At the confluence with Monongahela River .....</p> <p>Approximately 0.83 mile upstream of CONRAIL bridge .</p> <p><b>Maps available for inspection</b> at the Tax Collector's Office, Union Street, Brownsville, Pennsylvania.</p>	<p>*773</p> <p>*774</p> <p>*774</p> <p>*775</p> <p>*773</p> <p>*773</p>
<b>OHIO</b>					
<p><b>Florida (Village), Henry County (FEMA Docket No. 7130)</b></p> <p><i>Maumee River:</i> Approximately 0.57 mile downstream of the Henry Street bridge .....</p> <p>Approximately 1,700 feet upstream of the Henry Street bridge .....</p> <p><b>Maps available for inspection</b> at the Village of Florida Clerk's Office, East High Street, Route 2, Napoleon, Ohio.</p>	<p>*663</p> <p>*665</p>	<p><b>Allenport (Borough), Washington County (FEMA Docket No. 7128)</b></p> <p><i>Monongahela River:</i> Approximately 0.4 mile downstream of Tributary 1 .....</p> <p>Approximately 2.3 miles upstream of confluence of Hooder Run .....</p> <p><b>Maps available for inspection</b> at the Borough Building, Main Street, Allenport, Pennsylvania.</p>	<p>*766</p> <p>*768</p>	<p><b>Carroll (Township), Washington County (FEMA Docket No. 7128)</b></p> <p><i>Monongahela River:</i> At downstream corporate limits .....</p> <p>Approximately 525 feet upstream of upstream corporate limits .....</p> <p><i>Pigeon Creek:</i> Approximately 0.9 mile downstream of State Route 481 ..</p> <p>At State Route 481 .....</p> <p><b>Maps available for inspection</b> at the Township Hall, 130 Baird Street, Carroll, Pennsylvania.</p>	<p>*756</p> <p>*761</p> <p>*756</p> <p>*756</p>
<b>PENNSYLVANIA</b>					
<p><b>Henry County (Unincorporated Areas) (FEMA Docket No. 7130)</b></p> <p><i>Maumee River:</i> Approximately 1.9 miles downstream of the confluence of Big Creek .....</p> <p>Approximately 2 miles upstream of County Road 2 (Henry Street) .....</p> <p><b>Maps available for inspection</b> at the Henry County Planning Office, 104 East Washington Street, Hahn Center, Suite 301, Napoleon, Ohio.</p>	<p>*650</p> <p>*667</p>	<p><b>Belle Vernon (Borough), Fayette County (FEMA Docket No. 7128)</b></p> <p><i>Monongahela River:</i> Approximately 40 feet upstream of bridge (I-70) (at downstream corporate limit)</p> <p>Approximately 0.88 mile upstream of bridge (I-70) (at upstream corporate limit) ....</p> <p><b>Maps available for inspection</b> at the Borough Hall, 61 Sampson Street, Belle Vernon, Pennsylvania.</p>	<p>*764</p> <p>*765</p>	<p><b>Centerville (Borough), Washington County (FEMA Docket No. 7128)</b></p> <p><i>Monongahela River:</i> Approximately 1.70 miles downstream of confluence of Two Mile Run .....</p> <p>Approximately 1.57 miles upstream of Maxwell Locks and Dam .....</p> <p><b>Maps available for inspection</b> at the Borough Building, Route 40, National Pike West, Centerville, Pennsylvania.</p>	<p>*775</p> <p>*781</p>
<p><b>Laurelville (Village), Hocking County (FEMA Docket No. 7124)</b></p> <p><i>Laurel Run:</i> Approximately 960 feet downstream of downstream corporate limits at the confluence with Salt Creek .....</p> <p>Approximately 50 feet upstream of upstream corporate limits .....</p> <p><i>Salt Creek:</i> Approximately 0.5 mile downstream of the confluence of Laurel Run .....</p> <p>At the confluence of Laurel Run .....</p> <p><b>Maps available for inspection</b> at the Office of the Mayor, Laurelville, Ohio.</p>	<p>*742</p> <p>*745</p> <p>*736</p> <p>*742</p>	<p><b>Brownsville (Borough), Fayette County (FEMA Docket No. 7128)</b></p> <p><i>Monongahela River:</i> Approximately 0.38 mile downstream of U.S. Route 40 bridge .....</p> <p>Approximately 1.09 miles upstream of Brownsville bridge</p> <p><i>Dunlap Creek:</i> At confluence with Monongahela River .....</p> <p>Approximately 0.85 mile upstream of Brownsville Avenue bridge .....</p> <p><b>Maps available for inspection</b> at the Borough Hall, 2nd and High Street, Brownsville, Pennsylvania.</p>	<p>*774</p> <p>*775</p> <p>*775</p> <p>*775</p> <p>*775</p>	<p><b>Eulalia (Township), Potter County (FEMA Docket No. 7128)</b></p> <p><i>Allegheny River:</i></p>	<p>*775</p>

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)	Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
<b>TENNESSEE</b>			
Approximately 700 feet downstream of the Township of Eulalia's downstream corporate limits .....	*1579	<b>Lauderdale County (Unincorporated Areas) (FEMA Docket No. 7128)</b>	
Approximately 0.4 mile upstream of the Township of Eulalia's upstream corporate limits .....	*1632	<i>Cane Creek:</i> At eastern corporate limits with Town of Ripley .....	*333 *335
<b>Maps available for inspection</b> with the Ms. June Bunnell, Township Secretary, RD 3, Coudersport, Pennsylvania.		<b>Maps available for inspection</b> at the Lauderdale County Executive's Office, County Courthouse, 100 Court Square, Ripley, Tennessee.	
<b>WISCONSIN</b>			
<i>Unnamed Tributary to Pine Run:</i> Approximately 1,300 feet downstream of South Manor Street (State Route 403) .....	*1,257	<b>Clintonville (City), Waupaca County (FEMA Docket No. 7128)</b>	
Approximately 1,240 feet upstream of State Route 1025	*1,324	<i>Honey Creek:</i> Just upstream of South Main Street .....	*812
<i>Tributary to Unnamed Tributary to Pine Run:</i> At the confluence with Unnamed Tributary to Pine Run .....	*1,271	Just downstream of West 1st Street .....	*820
Approximately 0.6 mile upstream of confluence with Unnamed Tributary to Pine Run .....	*1,317	<i>Pigeon River:</i> Approximately 50 feet upstream of Klemp Road .....	*794
<b>Maps available for inspection</b> at the Marion Center Milling Company, 101 South Manor, Marion Center, Pennsylvania.		Just upstream of Hemlock Street .....	*808
<b>Newell (Borough), Fayette County (FEMA Docket No. 7128)</b>		<b>Maps available for inspection</b> at the City Hall, 50 Tenth Street, Clintonville, Wisconsin.	
<i>Monongahela River:</i> At downstream corporate limits .....	*769	<b>Ephraim (Village), Door County (FEMA Docket No. 7128)</b>	
At upstream corporate limits ...	*771	<i>Lake Michigan (Green Bay):</i> Entire shoreline within the community .....	*585
<b>Maps available for inspection</b> at the Newell Borough Building, Second Street, Fayette City, Pennsylvania.		<b>Maps available for inspection</b> at the Village of Ephraim Administration Office, 10005 Norway Road, Ephraim, Wisconsin.	
<b>Stroud (Township), Monroe County (FEMA Docket No. 7128)</b>		(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")	
<i>McMichaels Creek:</i> At downstream corporate limits .....	*425	Dated: July 28, 1995.	
At upstream corporate limits ...	*458	<b>Richard T. Moore,</b> <i>Associate Director for Mitigation.</i> [FR Doc. 95-19219 Filed 8-3-95; 8:45 am]	
<b>Maps available for inspection</b> with Mr. W. J. Gtretkowski, Chairman of the Township of Stroud, Monroe County, 1211 North 5th Street, Stroudsburg, Pennsylvania.		<b>BILLING CODE 6718-03-P</b>	

**ACTION:** Final rule.

**SUMMARY:** The Department of Energy (DOE) today issues a final rule to amend the Department of Energy Acquisition Regulation (DEAR) to add regulations regarding the acquisition of Federal Information Processing Resources by contracting. This rule implements pertinent parts of the Federal Information Resources Management Regulation (FIRMR) to prescribe internal DOE policies relevant to the acquisition of Federal Information Processing (FIP) resources. The rule is necessary to establish policy regarding contracting authority for heads of contracting activities and the responsibilities of the contracting officer to comply with the delegated procurement authority provided by the General Services Administration. Further, the rule sets forth the Department's policy concerning contractor acquisition of FIP resources.

**EFFECTIVE DATE:** This final rule will be effective September 5, 1995.

**FOR FURTHER INFORMATION CONTACT:** P. Devers Weaver, Office of Policy (HR-51), Office of Procurement and Assistance Management, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, D.C. 20585, telephone 202-586-8250.

**SUPPLEMENTARY INFORMATION:**

- I. Background.
  - A. Discussion
  - B. Section-by-Section Analysis
- II. Public Comments.
- III. Procedural Requirements.
  - A. Regulatory Review
  - B. Review Under Executive Order 12778
  - C. Review Under the Regulatory Flexibility Act
  - D. Review Under the Paperwork Reduction Act
  - E. Review Under Executive Order 12612
  - F. National Environmental Policy Act

**I. Background**

*A. Discussion*

The FIRMR, codified at 41 CFR Part 201, is the primary Governmentwide regulation for the acquisition, management, and use of FIP resources. The FIRMR is prepared, issued and maintained by the Administrator of the General Services Administration (GSA) under the authority of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 486). Subpart 201.39 of the FIRMR prescribes the contracting policies and procedures to be followed by Federal agencies in acquiring FIP resources. The policies and procedures set out in FIRMR 201-39 are unique to the acquisition of FIP resources, and are to

**DEPARTMENT OF ENERGY**

**48 CFR Part 939**

**RIN 1991-AA81**

**Acquisition Regulation; Acquisition of Federal Information Processing Resources by Contracting**

**AGENCY:** Department of Energy.