

**FOR FURTHER INFORMATION CONTACT:** David F. Garcia, New Source Review Section, Environmental Protection Agency, Region 6, 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733, telephone (214) 665-7217.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: July 26, 1995.

**Russell Rhoades,**

*Acting Regional Administrator (6A).*

[FR Doc. 95-19193 Filed 8-3-95; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

[Docket No. FEMA-7140]

**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:** 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) 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 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:

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
<b>PENNSYLVANIA</b>	
<b>Hatfield (borough), Montgomery County</b>	
<i>West Branch Neshaminy Creek:</i>	
Approximately 300 feet downstream of Lakewood Avenue .....	*300
Approximately 150 feet upstream of Lakewood Avenue .....	*301
<b>Maps available for inspection</b> at the Borough Hall, 401 South Main Street, Hatfield, Pennsylvania.	
Send comments to Mr. Mark A. Curfman, Manager of the Borough of Hatfield, 401 South Main Street, Hatfield, Pennsylvania 19440-0190.	
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<b>Jenkintown (borough), Montgomery County</b>	
<i>Tacony Creek:</i>	
Approximately 200 feet upstream of Greenwood Avenue .....	*206
At the confluence of Baeder Run .....	*220
<i>Baeder Run:</i>	
At the confluence with Tacony Creek	*220
Approximately 586 feet upstream of confluence with Tacony Creek .....	*220
<b>Maps available for inspection</b> at the Jenkintown Borough Offices, 700 Summit Avenue, Jenkintown, Pennsylvania.	
Send comments to Mr. Thomas Oliver, President of the Jenkintown Borough Council, P.O. Box 2176, Jenkintown, Pennsylvania 19046.	
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<b>Lower Salford (township), Montgomery County</b>	
<i>Skippack Creek:</i>	
At Quarry Bridge Road .....	*176
Near Wampole Road approximately 950 feet upstream of State Highway 63 .....	*199
<i>Skippack Creek Tributary No. 2:</i>	
Approximately 150 feet downstream of Wampole Road .....	*211
Approximately 525 feet upstream of Wampole Road .....	*212
<b>Maps available for inspection</b> at the Township Office, 474 Main Street, Harleysville, Pennsylvania.	
Send comments to Mr. Richard Prescott, Chairman of the Lower Salford Township Board of Commissioners, 474 Main Street, Harleysville, Pennsylvania 19438.	

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><b>Pennsburg (borough), Montgomery County</b></p> <p><i>Macoby Creek:</i> Approximately 0.2 mile downstream of Otts Road ..... *331 Approximately 325 feet downstream of Otts Road ..... *334</p> <p><b>Maps available for inspection</b> at the Pennsburg Borough Building, 76 West 6th Street, Pennsburg, Pennsylvania.</p> <p>Send comments to Mr. Larry Raeder, President of the Pennsburg Borough Council, 76 West 6th Street, Pennsburg, Pennsylvania 18073.</p> <p><b>Springfield (township), Montgomery County</b></p> <p><i>Oreland Run:</i> At confluence with Wissahickon Creek ..... *149 Approximately 650 feet upstream of confluence with Wissahickon Creek ..... *150</p>		<p><b>Maps available for inspection</b> at the Springfield Township Municipal Building, 1510 Paper Mill Road, Wyndmoor, Pennsylvania.</p> <p>Send comments to Mr. Donald E. Berger, Springfield Township Manager, 1510 Paper Mill Road, Wyndmoor, Pennsylvania 19038.</p> <p><b>Upper Dublin (township), Montgomery County</b></p> <p><i>Tannery Run (Backwater Area):</i> Approximately 150 feet east of intersection of Butler Avenue and West Maple Avenue ..... *198</p> <p><b>Maps available for inspection</b> at the Municipal Building, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania.</p> <p>Send comments to Mr. Richard R. Rulon, President of the Upper Dublin Township Board of Commissioners, 801 Loch Alsh Avenue, Fort Washington, Pennsylvania 19034.</p>		<p><b>Whitpain (township), Montgomery County</b></p> <p><i>Wissahickon Creek:</i> At a point approximately 320 feet upstream of Swedesford Road ..... *273 At a point approximately 1,200 feet upstream of Swedesford Road ..... *274</p> <p><b>Maps available for inspection</b> at the Whitpain Township Administration Building, 960 Wentz Road, Blue Bell, Pennsylvania.</p> <p>Send comments to Mr. Leigh P. Narducci, Whitpain Township Chairman, P.O. Box 800, Blue Bell, Pennsylvania 19422.</p>	
<p><b>§ 67.4 [Amended]</b></p> <p>3. The tables published under the authority of § 67.4 are proposed to be amended as follows:</p>					

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Maryland .....	Prince George's County (unincorporated areas).	Bald Hill Branch .....	Approximately 1,300 feet upstream of Brae Brook Drive. Approximately 475 feet upstream of confluence with Western Branch.	None *92	*164 *93

Maps available for inspection at the Department of Environmental Resources, Information and Permits Management Section, Inglewood III Office Building, 9400 Peppercorn Place, Sixth Floor, Landover, Maryland.

Send comments to Ms. Malinda Y. Steward, Prince George's County Government, Department of Environmental Resources, Information and Permits Management Section, Inglewood III Office Building, 9400 Peppercorn Place, Sixth Floor, Landover, Maryland 20785.

Minnesota .....	Alvarado (city) Marshall County.	Snake River .....	At downstream corporate limits (State Route 1). At upstream corporate limits (approximately 0.6 mile upstream of State Route 1).	*810 *812	*811 *813
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Maps available for inspection at the Alvarado City Hall, Marshall Street, Alvarado, Minnesota.

Send comments to The Honorable Lloyd Wilke, Mayor of the City of Alvarado, Box 759, Alvarado, Minnesota 56710.

3	Abington (township) Montgomery County.	Sandy Run .....	At confluence with Sandy Run.	*232	*236
		Tributary No. 1 .....	Approximately 850 feet upstream of Johnston Avenue.	*237	*238
		Tacony Creek .....	Approximately 350 feet upstream of Greenwood Avenue.	None	*206
			Approximately 1,200 feet upstream of Greenwood Avenue.	*211	*210
		Pennypack Creek .....	A point approximately 1,700 feet downstream of Moredon Road. A point approximately 1,300 feet downstream of Moredon Road.	*99 *99	*100 *100

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

Maps available for inspection at the Township Engineer's Office, 1176 Old York Road, Abington, Pennsylvania.  
 Send comments to Mr. Richard Fluge, President of the Abington Township Board of Commissioners, 1176 Old York Road, Abington, Pennsylvania 19001.

Pennsylvania .....	Bridgeport (borough) Montgomery County.	Schuylkill River .....	Approximately 1.0 mile downstream of Dekalb Street (U.S. Route 202 North).	*75	*72
			Approximately 50 feet upstream of Norristown Dam.	*78	*76

Maps available for inspection at the Borough Hall, 4th and Mill Street, Bridgeport, Pennsylvania.  
 Send comments to The Honorable Thomas Novitski, Mayor of the Borough of Bridgeport, P.O. Box 148, Bridgeport, Pennsylvania 19405.

Pennsylvania .....	Cheltenham (township) Montgomery County.	Tacony Creek .....	At East Cheltenham Avenue.	*80	*79
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Maps available for inspection at the Cheltenham Township Administrative Building, 8230 Old York Road, Elkins Park, Pennsylvania.  
 Send comments to Mr. Harvey Portner, President of the Cheltenham Township Board of Commissioners, 8230 Old York Road, Elkins Park, Pennsylvania 19027.

Pennsylvania .....	Conewago (township) Adams County.	Plum Creek .....	Approximately 1 mile upstream of confluence with South Branch Conewago Creek.	none	*519
			At county boundary .....	None	*560
			Slagle Run .....	None	*522
			Approximately 150 feet upstream of downstream corporate limits.		
			At county boundary .....	None	*539

Maps available for inspection at the Conewago Township Building, 350 Third Street, Hanover, Pennsylvania.  
 Send comments to Mr. Edwin Calvert, Township Manager of Conewago, 350 Third Street, Hanover, Pennsylvania 17331.

Pennsylvania .....	Franklin (township) Chester County.	Middle Branch, White Clay Creek.	Approximately 0.4 mile downstream of Avondale-New London Road.	None	*301
			Approximately 1,300 feet downstream of Avondale-New London Road.	None	*306

Maps available for inspection at the Franklin Township Building, Appleton Road, Kemblesville, Pennsylvania.  
 Send comments to Mr. Karl Mehn, Zoning Officer, Township of Franklin, P.O. Box 118, Kemblesville, Pennsylvania 19347.

Pennsylvania .....	Hatfield (township) Montgomery County.	West Branch, Neshaminy Creek.	At upstream side of Lexington Road.	*285	*284
			Approximately 110 feet upstream of Lexington Road.	*285	*284

\*Maps available for inspection at the Township Building, 1950 School Road, Hatfield, Pennsylvania.  
 Send comments to Ms. Jean Vandegrift, President of the Hatfield Township Board of Commissioners, 1950 School Road, Hatfield, Pennsylvania 19440.

Pennsylvania .....	Limerick (township) Montgomery County.	Schuylkill River .....	Approximately 2.0 mile downstream of Vincent Dam.	*118	113
			Approximately 1.6 mile upstream of Legislative Route 462 (Main Street).	*129	*125

Maps available for inspection at the Code Enforcement Office, 646 West Ridge Pike, Limerick, Pennsylvania.  
 Send comments to Mr. Mark John, Code Enforcement and Zoning Officer for the Township of Limerick, 646 West Ridge Pike, Limerick, Pennsylvania 19468.

Pennsylvania .....	London Grove (township) Chester County.	Middle Branch, White Clay Creek.	Approximately 1,300 feet downstream of Avondale-New London Road.	None	*306
			Approximately 0.7 mile upstream of Hilton Road.	None	*487

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

Maps available for inspection at the London Grove Township Building, 3 London Way, Avondale, Pennsylvania.

Send comments to Mr. Lewis C. Ross, Chairman of the London Grove Township Board of Supervisors, 3 London Way, Avondale, Pennsylvania 19311.

Pennsylvania .....	Lower Merion (township) Montgomery County.	Mill Creek .....	At confluence with the Schuylkill River.	*56	*53
			Approximately 375 feet upstream of confluence with the Schuylkill River.	*56	*55
			At the county boundary (just downstream of U.S. Route 1).	*38	*37
			Approximately 3.7 miles upstream of confluence of Mill Creek.	*65	*63

Maps available for inspection at the Lower Merion Building Department, 75 E. Lancaster Avenue, Ardmore, Pennsylvania.

Send comments to Mr. David C. Latshaw, Township Manager, 75 E. Lancaster Avenue, Ardmore, Pennsylvania 19003.

Pennsylvania .....	Lower Moreland (township) Montgomery County.	Pennypack Creek .....	Approximately 0.4 mile downstream of confluence of Huntingdon Valley Creek.	*117	*118
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Maps available for inspection at the Lower Moreland Municipal Building, 640 Red Lion Road, Huntingdon Valley, Pennsylvania.

Send comments to Mr. Bernard Kanefsky, President of the Lower Moreland Township Board of Commissioners, 640 Red Lion Road, Huntingdon Valley, Pennsylvania 19006.

Pennsylvania .....	Lower Pottsgrove (township) Montgomery County.	Sanatoga Creek .....	At confluence with the Schuylkill River.	*132	*127
			Approximately 150 feet upstream of Green Lane Road.	*132	*131
		Sprogels Run .....	At confluence with the Schuylkill River.	*145	*130
			At upstream side of Sanatoga Station Road.	*134	*133
		Schuylkill River .....	Approximately 0.7 mile downstream of Sanatoga Road.	*130	*125
Approximately 800 feet upstream of U.S. Route 422.	*140		*137		

Maps available for inspection at the Lower Pottsgrove Municipal Building, 2199 Buchert Road, Pottstown, Pennsylvania.

Send comments to Mr. Gerald G. Richards, President of the Lower Pottsgrove Township Board of Commissioners, 2199 Buchert Road, Pottstown, Pennsylvania 19464.

Pennsylvania .....	Lower Providence (township) Montgomery County.	Schuylkill River .....	Approximately 1,100 feet upstream of U.S. Route 422.	*85	*83
			At confluence of Perkiomen Creek.	*97	*94
		Perkiomen Creek .....	At confluence with Schuylkill River.	*97	*94
			Approximately 400 feet upstream of the confluence with the Schuylkill River.	*97	*96

Maps available for inspection at the Lower Providence Township Building, 100 Park Lane Drive, Eagleville, Pennsylvania.

Send comments to Mr. Richard Brown, Chairman of the Lower Providence Township Board of Supervisors, 100 Park Lane Drive, Eagleville, Pennsylvania 19403.

Pennsylvania .....	New Hanover (township) Montgomery County.	Minister Creek .....	Approximately 0.62 mile upstream of the confluence of Minister Creek Tributary.	*271	*270
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State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
		Swamp Creek .....	Approximately 0.74 mile upstream of the confluence of Minister Creek Tributary.	*273	*271
			Approximately 900 feet upstream of Colonial Road.	None	*235
			Approximately 1,450 feet upstream of Colonial Road.	None	*236

Maps available for inspection at the New Hanover Township Municipal Building, 2943 North Charlotte Street, Gilbertsville, Pennsylvania.  
Send comments to Ms. Anita B. Turner, New Hanover Township Manager, 2943 North Charlotte Street, Gilbertsville, Pennsylvania.

Pennsylvania .....	Norristown (borough) Montgomery County.	Stony Creek .....	At confluence with the Schuylkill River.	*79	*76
			Approximately 380 feet upstream of Factory Bridge.	*79	*78
		Schuylkill River .....	Approximately 0.7 mile downstream of confluence of Sawmill Run.	*75	*72
			Approximately 0.5 mile upstream of Hawes Avenue.	*80	*78

Maps available for inspection at the Borough Hall, 235 East Airy Street, Norristown, Pennsylvania.  
Send comments to The Honorable Jack Salamone, Mayor of the Borough of Norristown, 235 East Airy Street, Norristown, Pennsylvania 19401-5048.

Pennsylvania .....	Penn (township) Chester County.	Middle Branch White Clay Creek.	Approximately 100 feet upstream of Tice Road.	None	*422
			Approximately 1,200 feet upstream of Tice Road.	None	*428

Maps available for inspection at the Penn Township Building, 150 Sunnyside Road, West Grove, Pennsylvania.  
Send comments to Mr. Vincent J. Santucci, Chairman of the Penn Township Board of Supervisors, 475 W. Baltimore Pike, West Grove, Pennsylvania 19390.

Pennsylvania .....	Plymouth (township) Montgomery County.	Schuylkill River .....	Approximately 0.2 mile downstream of Interstate Route 476 (Mid County Expressway).	*70	*67
			Approximately 1,000 feet upstream of I-276 Pennsylvania Turnpike.	*74	*72

Maps available for inspection at the Office of Public Works, 700 Belvior Road, Norristown, Pennsylvania.  
Send comments to Mr. Timothy A. Boyd, P.E., Director of Public Works for the Township of Plymouth, 700 Belvior Road, Norristown, Pennsylvania 19401.

Pennsylvania .....	Pottstown (borough) Montgomery County.	Manatawny Creek .....	At confluence with the Schuylkill River.	*145	*142
			Approximately 400 feet upstream of confluence with the Schuylkill River.	*145	*144
		Sprogels Run .....	Approximately 0.24 mile upstream of U.S. Route 422.	None	*137
			Approximately 0.32 mile upstream of East High Street.	None	*144
		Schuylkill River .....	Approximately 0.4 mile downstream of South Kiem Street.	*140	*137
	Approximately 100 feet upstream of U.S. Route 422.	*148	*145		

Maps available for inspection at the Code Enforcement Office, Borough Hall, 241 King Street, Pottstown, Pennsylvania.  
Send comments to Mr. Robert Jones, Pottstown Borough Manager, Borough Hall, 241 King Street, Pottstown, Pennsylvania 19464.

Pennsylvania .....	Royersford (borough) Montgomery County.	Schuylkill River .....	Approximately 0.6 mile downstream of State Route 683 (Main Street).	*113	*109
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State	City/town/county	Source of flooding	Location	#Depth in feet above ground. * Elevation in feet (NGVD)	
				Existing	Modified
			Approximately 0.6 mile upstream of State Route 683.	*118	*113

Maps available for inspection at the Royersford Borough Hall, 300 Main Street, Royersford, Pennsylvania.

Send comments to The Honorable Ronald Nettles, Mayor of the Borough of Royersford, 300 Main Street, P.O. Box 188, Royersford, Pennsylvania 19468.

Pennsylvania .....	Salford (township) Montgomery County.	East Branch, Perkiomen Creek.	Approximately 100 feet upstream of Moyer Road.	*221	220
			Approximately 1,400 feet upstream of Moyer Road.	*223	*222

Maps available for inspection at the Zoning Office, 139 Ridge Road, Tylersport, Pennsylvania.

Send comments to Mr. Donald R. Lodge, Jr., Chairman of the Salford Township Board of Supervisors, P.O. Box 54, Tylersport, Pennsylvania 18971.

Pennsylvania .....	Upper Frederick (township) Montgomery County.	Swamp Creek .....	Approximately 685 feet upstream of Neiffer Road.	None	*200
			Approximately 1,425 feet upstream of Neiffer Road.	None	*204

Maps available for inspection at the Township Building, 3205 Big Road, Obelisk, Pennsylvania.

Send comments to Mr. Gerald McMahon, Chairman of the Upper Frederick Township Board of Commissioners, 3205 Big Road, Obelisk, Pennsylvania 19492.

Pennsylvania .....	Upper Merion (township) Montgomery County.	Schuylkill River .....	Approximately 0.2 mile upstream of Interstate Route 476 (Mid County Expressway).	*71	*68
			At confluence of Valley Creek.	*93	*88
		Valley Creek .....	Approximately 0.4 mile downstream of the county boundary.	None	*96
			At county boundary .....	None	*104
		Trout Creek .....	At the confluence with the Schuylkill River.	*83	*81
			Approximately 450 feet upstream of the confluence with the Schuylkill River.	*83	*81
		Approximately 300 feet upstream Old State Route 363.	None	*107	
		Approximately 750 feet upstream Old State Route 363.	None	*108	

Maps available for inspection at the Department of Public Works, 175 West Valley Forge Road, King of Prussia, Pennsylvania.

Send comments to Mr. Edward J. Wilkes, Jr., Chairman of the Upper Merion Township Board of Supervisors, 175 West Valley Forge Road, King of Prussia, Pennsylvania 19406.

Pennsylvania .....	Upper Providence (township) Montgomery County.	Schuylkill River .....	At confluence of Perkiomen Creek.	*97	*94
			Approximately 0.8 mile upstream of confluence of Mingo Creek.	*113	*109
		Mingo Creek .....	Approximately 100 feet downstream of Old Mill Road.	None	*149
			Approximately 100 feet upstream of Old Mill Road.	None	*150
		Perkiomen Creek .....	At the confluence with the Schuylkill River.	*97	*94
	Approximately 400 feet upstream of the confluence with the Schuylkill River.	*97	*96		

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)		
				Existing	Modified	
<p>Maps available for inspection at the Upper Providence Township Administration Office, 1286 Black Rock Road, Box 406, Oaks, Pennsylvania. Send comments to Mr. George W. Waterman III, Upper Providence Township Manager, 1286 Black Rock Road, Box 406, Oaks, Pennsylvania 19456.</p>						
Pennsylvania .....	West Grove (borough) Chester County.	Middle Branch White Clay Creek.	Approximately 150 feet downstream of Valley Road.	None	*372	
			Approximately 50 feet up- stream of Valley Road.	None	*373	
<p>Maps available for inspection at the West Grove Borough Building, 117 Rose Hill Avenue, West Grove, Pennsylvania. Send comments to Mr. Charles I. Sensenig, West Grove Borough Council President, 245 West Evergreen Street, West Grove, Pennsylvania 19390.</p>						
Pennsylvania .....	West Norriton (township) Montgomery County.	Schuylkill River .....	Approximately 0.2 mile downstream of U.S. Route 202 (South).	*78	*76	
			Approximately 0.2 mile up- stream of U.S. Route 422.	*85	*83	
<p>Maps available for inspection at the Township Building, 1630 West Marshall Street, Jeffersonville, Pennsylvania. Send comments to Mr. Joseph Estock, Engineer for the Township of West Norriton, 355 South Henderson Road, King of Prussia, Pennsylvania 19406.</p>						
Pennsylvania .....	West Pottsgrove (township) Montgomery County.	Schuylkill River .....	Approximately 100 feet up- stream of U.S. Route 422.	*148	*145	
			Approximately 1.5 miles up- stream of U.S. Route 422 (at the county boundary).	*151	*148	
<p>Maps available for inspection at the Municipal Office, 980 Grosstown Road, Stowe, Pennsylvania. Send comments to Mr. Joseph E. Karpinski, President of the West Pottsgrove Township Board of Commissioners, 823 Monroe Avenue, Stowe, Pennsylvania 19464-6124.</p>						
Pennsylvania .....	Whitemarsh (township) Montgomery County.	Schuylkill River .....	At the county boundary .....	*57	*54	
			Oreland Run .....	Approximately 0.9 mile up- stream of confluence of Andorra Creek.	*64	*62
				At confluence with Wissahickon Creek.	None	*149
			Approximately 1,700 feet upstream of the con- fluence with Wissahickon Creek.	None	*154	
<p>Maps available for inspection at the Whitemarsh Township Administrative Building, 4021 Joshua Road, Lafayette Hill, Pennsylvania. Send comments to Mr. Lawrence J. Gregan, Whitemarsh Township Manager, 4021 Joshua Road, Lafayette Hill, Pennsylvania 19444.</p>						
West Virginia .....	Bath (town) Morgan County	Warm Spring Run .....	Approximately 250 feet up- stream of William Street.	*604	*605	
			At the upstream side of Coughlan Lane.	*621	*622	
			At confluence with Warm Spring Run.	*606	*607	
			Approximately 50 feet up- stream of confluence with Warm Spring Run.	*619	*620	
			Approximately 145 feet up- stream of confluence with Warm Spring Run.	*620	*621	
<p>Maps available for inspection at the Bath Town Hall, 504 North Washington Street, Berkeley Springs, West Virginia. Send comments to The Honorable Thomas Jackson, Mayor of the Town of Bath, 504 North Washington Street, Berkeley Springs, West Virginia 25411.</p>						
West Virginia .....	Morgan County (unincor- porated areas).	Warm Spring Run .....	Approximately 125 feet downstream of con- fluence of Unnamed Trib- utary.	None	*575	

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. * Elevation in feet (NGVD)	
				Existing	Modified
		Potomac River .....	Approximately 0.3 mile upstream of County Route 522/1.	None	*681
			At the confluence of Cherry Run (downstream county boundary).	None	*407
			At upstream county boundary.	None	*539

Maps available for inspection at the Morgan County Courthouse, Berkeley Springs, West Virginia.

Send comments to Mr. Glen R. Stotler, Chairman of the Morgan County Commission, P.O. Box 28, Berkeley Springs, West Virginia 25411.

West Virginia .....	Paw Paw (town) Morgan County.	Potomac River .....	At the Town of Paw Paw corporate limits.	None	*532
			Approximately 1.16 miles upstream of State Route 51.	None	*537

Maps available for inspection at the Paw Paw Town Hall, Paw Paw, West Virginia.

Send comments to The Honorable Helena G. Moser, Mayor of the Town of Paw Paw, P.O. Box 35, Paw Paw, West Virginia 25434.

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

Dated: July 28, 1995.

**Richard T. Moore,**

*Associate Director for Mitigation.*

[FR Doc. 95-19220 Filed 8-3-95; 8:45 am]

BILLING CODE 6718-03-P

**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**49 CFR Part 5**

[Docket No. OST-95-360; Notice 95-9]

RIN 2105-AC11

**Use of Direct Final Rule Making**

**AGENCY:** Department of Transportation; Office of the Secretary.

**ACTION:** Notice of proposed rulemaking

**SUMMARY:** The Office of the Secretary (OST) is proposing to implement a new rulemaking procedure that would expedite the processing of noncontroversial changes to its regulations. Rules that the Secretary judges to be noncontroversial and unlikely to result in adverse public comment would be published as "direct final" rules. Such direct final rules would advise the public that no adverse comment is anticipated, and that, unless written adverse comment or written notice of intent to submit adverse comment is received within the specified time, the rule will become effective a specified number of days after the date it is published in the **Federal Register**. This new procedure should expedite the promulgation of

routine or otherwise noncontroversial rules by reducing the time necessary to develop, review, clear, and publish separate proposed and final rules where OST receives no public comment.

**DATES:** Comments are requested by October 3, 1995. Late-filed comments will be considered only to the extent practicable.

**ADDRESSES:** Comments on this proposal should be sent, preferably in triplicate, to Docket Clerk, Docket No. OST-95-360, Department of Transportation, 400 7th Street SW., Washington, DC 20590. Comments will be available for inspection at this address from 9 a.m. to 5:30 p.m., Monday through Friday.

Commenters who wish the receipt of their comments to be acknowledged should include a stamped, self-addressed postcard with their comments. The Docket Clerk will date-stamp the postcard and mail it back to the commenter.

**FOR FURTHER INFORMATION CONTACT:** Neil Eisner, Assistant General Counsel for Regulation and Enforcement, Office of the General Counsel, U.S. Department of Transportation, 400 7th Street SW., Room 10424, Washington, DC 20590. (202) 366-9307.

**SUPPLEMENTARY INFORMATION:**

**Background**

The National Performance Review, a recent presidential initiative to reorganize and streamline the federal government, and the Administrative Conference of the United States identified several methods to improve the efficiency of agency rulemaking procedures. One was the use of "direct final" rulemaking in order to reduce

needless double review of noncontroversial rules. The use of direct final rulemaking can eliminate an unnecessary second round of internal review and clearance, as well as public review, that presently exists for all proposed rules when the agency receives no adverse comment. The Environmental Protection Agency has been using this process for a number of years with great success, and other Departments, such as Agriculture, have recently adopted this procedure. In order to streamline the regulatory process and to fulfill Departmental missions, the Office of the Secretary proposes to use the direct final rulemaking procedure to promulgate specified categories of rules that are not expected to be controversial and that are unlikely to result in adverse comments.

**The Direct Final Rule Process**

The judgment that a particular rulemaking is noncontroversial and unlikely to result in adverse comment will be based upon the Office of the Secretary's experience with similar rules that were proposed and did not receive adverse public comment in the past. By "adverse" comment, we are referring to comments that are critical of the rule, that suggest that the rule should not be adopted, or that suggest a change should be made in the rule. A comment submitted in support of the rule would not be considered adverse. In addition, a comment suggesting that the policy or requirements of the rule should or should not also be extended to other Departmental programs outside the scope of the rule would not be considered adverse. The Environmental