

State and County	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Mississippi: Oktibbeha County (FEMA Docket No. 7135).	Unincorporated Areas.	February 15, 1995, February 22, 1995, <i>Starkville Daily News</i> .	Mr. David Oswalt, President of the Oktibbeha County, Board of Supervisors, 101 East Main Street, Starkville, Mississippi 39759.	February 8, 1995	280277 B
New Hampshire: Belknap County (FEMA Docket No. 7135).	Town of Tilton.	February 15, 1995, February 22, 1995, <i>Laconia Citizen</i> .	Mr. Kenneth Money, Senior Selectman for the Town of Tilton, 145 East Main Street, Tilton, New Hampshire 03276.	February 8, 1995	330009 B
Rhode Island: Bristol County (FEMA Docket No. 7135).	Town of Barrington.	February 22, 1995, March 1, 1995, <i>Barrington Times</i> .	Mr. Dennis M. Phelan, Barrington Town Manager, 283 County Road, Barrington, Rhode Island 02806.	February 14, 1995	445392 E
South Carolina: Richland County (FEMA Docket No. 7135).	Unincorporated Areas.	February 10, 1995, February 17, 1995, <i>The State</i> .	Mr. W. Anthony McDonald, Richland County Administrator, P.O. Box 192, Columbia, South Carolina 29202.	May 18, 1995	450170 G

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

Dated: August 28, 1995.

Richard T. Moore,

Associate Director for Mitigation.

[FR Doc. 95-21918 Filed 9-1-95; 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)
DELAWARE					
<p>Dewey Beach (town), Sussex County (FEMA Docket No. 7124)</p> <p><i>Atlantic Ocean:</i> Approximately 100 feet east of intersection of Read Avenue and State Route 1.</p> <p>Maps available for inspection at the Town Hall, 105 Rodney Avenue, Dewey Beach, Delaware.</p>	Depth 2'	<p>Approximately 3 miles upstream of the confluence of Carrabasset River.</p> <p><i>Carrabasset River:</i> At the confluence with Kennebec River.</p> <p>Approximately 0.56 mile upstream of the confluence with Big Brook.</p> <p><i>Getchell Brook:</i> Approximately 180 feet downstream of State Routes 43 and 148 (Main Street).</p> <p>Approximately 545 feet upstream of State Routes 43 and 148 (Main Street).</p> <p>Maps available for inspection at the Anson Town Hall, Main Street, Anson, Maine.</p>	*275 *270 *345 *258 *258	<p><i>Unnamed Brook:</i> At approximately 0.3 mile downstream of U.S. Route 201.</p> <p>At approximately 0.24 mile upstream of U.S. Route 201.</p> <p>Maps available for inspection at 26 Weston Avenue, Madison, Maine.</p>	*267 *319
<p>Fenwick Island (town), Sussex County (FEMA Docket No. 7124)</p> <p><i>Atlantic Ocean:</i> Approximately 500 feet east of the intersection of James Street and State Route 1.</p> <p>Approximately 100 feet west of the intersection of Essex Street and Bunting Avenue.</p> <p>Maps available for inspection at the Town Hall, 800 Coastal Highway, Fenwick Island, Delaware.</p>	*13 Depth 2'	<p>Holden (town), Penobscot County (FEMA Docket No. 7136)</p> <p><i>Brewer Lake:</i> Entire shoreline within community.</p> <p><i>Davis Pond:</i> Entire shoreline within community.</p> <p><i>Holbrook Pond:</i> Entire shoreline within community.</p> <p>Maps available for inspection at the Holden Town Office, 1460 Main Road, East Holden, Maine.</p>	*112 *199 *199	<p>Plymouth (charter township), Wayne County (FEMA Docket No. 7130)</p> <p><i>Middle River Rouge:</i> Approximately 2,100 feet downstream of I-275 (At downstream corporate limits).</p> <p>Approximately 1,000 feet upstream of Pheonix Dam (At upstream corporate limits).</p> <p>Maps available for inspection at the Township Hall, 42350 Ann Arbor Road, Plymouth, Michigan.</p>	*667 *731
<p>Sussex County, (unincorporated areas) (FEMA Docket No. 7124)</p> <p><i>Atlantic Ocean:</i> Approximately 100 feet east of the intersection of Palmer Avenue and State Route 1.</p> <p>Maps available for inspection at the Planning and Zoning Office, Courthouse Circle, Georgetown, Delaware.</p>	Depth 2'	<p>Madison (town), Somerset County (FEMA Docket No. 7128)</p> <p><i>Kennebec River:</i> At downstream corporate limits.</p> <p>At approximately 500 feet upstream of upstream corporate limits.</p> <p><i>Jones Brook:</i> At confluence with Kennebec River.</p> <p>At approximately 0.66 mile downstream of Jones Street.</p> <p><i>Cold Brook:</i> At approximately 1,800 feet downstream of Snowmobile bridge.</p> <p>At approximately 30 feet upstream of Snowmobile bridge.</p> <p><i>Hayden Brook:</i> Approximately 50 feet upstream of the confluence with Wesserunsett (Hayden) Lake.</p> <p>At approximately 60 feet upstream of U.S. Route 201.</p>	*193 *275 *234 **276 *205 *206 *338 *357	<p>Plymouth (city), Wayne County (FEMA Docket No. 7130)</p> <p><i>Middle River Rouge:</i> Approximately 400 feet downstream of Edward Hines Drive (Downstream of corporate limits).</p> <p>Approximately 600 feet upstream of Mill Street.</p> <p>Maps available for inspection at the City Hall, 201 South Main Street, Plymouth, Michigan.</p>	*671 *709
MAINE					
<p>Anson (town), Somerset County (FEMA Docket No. 7136)</p> <p><i>Kennebec River:</i> Approximately 5,580 feet downstream of U.S. Route 201A, and U.S. Route 8, 43, and 148.</p>	*201			<p>Plymouth (city), Wayne County (FEMA Docket No. 7130)</p> <p><i>Middle River Rouge:</i> Approximately 400 feet downstream of Edward Hines Drive (Downstream of corporate limits).</p> <p>Approximately 600 feet upstream of Mill Street.</p> <p>Maps available for inspection at the City Hall, 201 South Main Street, Plymouth, Michigan.</p>	*671 *709
NEW YORK					
				<p>Potsdam (village), St. Lawrence County (FEMA Docket No. 7136)</p> <p><i>Raquette River:</i> Approximately 240 feet upstream of downstream corporate limits.</p> <p>Approximately 320 feet downstream of upstream corporate limits.</p> <p>Maps available for inspection at the Code Enforcement Office, Park and Elm Streets, Potsdam, New York.</p>	*399 *411

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)
OHIO					
Oakwood (village), Paulding County (FEMA Docket No. 7130)		Approximately 1,050 feet downstream of Burnthouse Road (T-474). At upstream corporate limits	*533	Oneida (township), Huntingdon County (FEMA Docket No. 7130)	
<i>Auglaize River:</i> Approximately 0.5 mile downstream of Norfolk and Southern Railroad. Approximately 0.6 mile upstream of State Route 613.	*711	<i>Yellow Breeches Creek Northern Split:</i>	*597	<i>Juniata River:</i>	*638
Maps available for inspection at the Village Hall, 228 North First Street, Oakwood, Ohio.		At confluence with Yellow Breeches Creek.	*558	At the Borough of Huntingdon northern corporate limits.	
	*712	At divergence from Yellow Breeches Creek.	*569	Approximately 1,100 feet upstream of the northern corporate limits of the Borough of Huntingdon.	*639
		Maps available for inspection at the Township Building, 219 Mountain View Road, Mount Holly Springs, Pennsylvania.		<i>Standing Stone Creek:</i>	*615
		Hampden (township), Cumberland County (FEMA Docket No. 7130)		At the southern corporate limits of the Borough of Huntingdon.	*615
Paulding County, (unincorporated areas) (FEMA Docket No. 7130)		<i>Navy Ship Parts Control Center Drainage Channel:</i>		Approximately 500 feet upstream of the southeastern corporate limits of the Borough of Huntingdon.	
<i>Maumee River:</i> Approximately 0.6 mile downstream of downstream county boundary.	*695	At the confluence with Trindle Spring Run.	*378	Maps available for inspection at the Township of Oneida, Stone Creek Road, Oneida, Pennsylvania.	
Approximately 0.2 mile upstream of upstream county boundary.	*724	Approximately 0.4 mile upstream of the second Gabion Dam.	*417	Orange (township), Columbia County (FEMA Docket No. 7116)	
<i>Auglaize River:</i> Approximately 880 feet upstream of confluence of Flatrock Creek.	*704	Maps available for inspection at the Hampden Township Building, 230 South Sporting Hill Road, Mechanicsburg, Pennsylvania.		<i>Fishing Creek:</i>	*581
At upstream county boundary.	*715			Approximately 280 feet downstream of State Route 487.	
<i>Flatrock Creek/Auglaize River Overflow Channel:</i>		Mount Holly Springs (borough), Cumberland County (FEMA Docket No. 7130)		Approximately 0.46 mile upstream of State Route 487.	*591
At upstream of County Route 171.	*704	<i>Mountain Creek:</i>	*538	Maps available for inspection at the Township Municipal Building, By appointment—call Suzanne Moore (717) 683-5554.	
At diversion from Auglaize River.	*706	Approximately 900 feet downstream of Conrail.	*601		
Maps available for inspection at the Paulding County Commissioners Office, 115 North William Street, Paulding, Ohio.		Approximately 300 feet downstream of upstream corporate limits.		Rices Landing (borough), Greene County (FEMA Docket No. 7128)	
		Maps available for inspection at the Mount Holly Springs Municipal Building, 200 Harmon Street, Mount Holly Springs, Pennsylvania.		<i>Monongahela River:</i>	*785
		North Charleroi (borough), Washington County (FEMA Docket No. 7128)		Approximately 0.9 mile downstream of the confluence of Pumpkin Run (At the downstream corporate limits).	
<i>Monongahela River:</i>	*766	Downstream corporate limits (approximately 1,000 feet downstream of Monessen-North Charleroi bridge).	*761	Approximately 0.88 mile upstream of the confluence of Pumpkin Run (At the upstream corporate limits).	*786
At the downstream corporate limits (Approximately 675 feet downstream of Downers Run).		<i>Monongahela River:</i>		Maps available for inspection at the Borough Building, 100 Water Street, Rices Landing, Pennsylvania.	
At the upstream corporate limits (Approximately 1,050 feet upstream of Lamb Lick Run).	*767	Downstream corporate limits (approximately 1,000 feet downstream of Monessen-North Charleroi bridge).	*762		
Maps available for inspection at the Borough Hall, 238 Main Street, Fayette City, Pennsylvania.		Upstream corporate limits (approximately 1,600 feet upstream of Monessen-North Charleroi bridge).		South Middleton (township), Cumberland County (FEMA Docket No. 7130)	
		Maps available for inspection at the Borough Secretary's Office, 301 Isabelle Avenue, North Charleroi, Pennsylvania.		<i>Mountain Creek:</i>	*506
Dickinson (township), Cumberland County (FEMA Docket No. 7128)				Approximately 650 feet upstream of confluence with Yellow Breeches Creek.	
<i>Yellow Breeches Creek:</i>					

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)
Approximately 1.1 miles upstream of the Borough of Mount Holly Springs southern corporate limits. Maps available for inspection at the Township Building, 520 Park Drive, Boiling Springs, Pennsylvania.	* 613	Approximately 0.71 mile above confluence with Monongahela River. Maps available for inspection at the City Hall, 500 Dupont Road, Westover, West Virginia.	* 813
Speers (borough), Washington County (FEMA Docket No. 7116) <i>Monongahela River:</i> Approximately 0.70 mile downstream of CONRAIL bridge. Approximately 0.75 mile upstream of Interstate 70 ramp. Maps available for inspection at the Borough Building, 300 Phillips Street, Speers, Pennsylvania.	* 764 * 765	(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.") Dated: August 28, 1995. Richard T. Moore, <i>Associate Director for Mitigation.</i> [FR Doc. 95-21916 Filed 9-1-95; 8:45 am] BILLING CODE 6718-03-P	
Stockdale (borough), Washington County (FEMA Docket No. 7128) <i>Monongahela River:</i> Downstream corporate limits. Upstream corporate limits ... Maps available for inspection at the Borough Building, 438 Locust Street, Stockdale, Pennsylvania.	* 767 * 768	FEDERAL MARITIME COMMISSION 46 CFR Part 552 [Docket No. 94-07] Financial Reporting Requirements and Rate of Return Methodology in the Domestic Offshore Trades AGENCY: Federal Maritime Commission. ACTION: Final rule.	
Union (township), Washington County (FEMA Docket No. 7128) <i>Monongahela River:</i> At downstream corporate limits. At upstream corporate limits Maps available for inspection at the Municipal Building, Finleyville-Elrama Road, Union, Pennsylvania.	* 752 * 755	SUMMARY: The Federal Maritime Commission is amending its regulations governing financial reporting requirements and rate of return methodology applicable to vessel-operating common carriers by water in the domestic offshore trades to discontinue use of the comparable earnings test in determining the reasonableness of a carrier's return on rate base. In its place, the Commission will use the weighted average cost of capital methodology. The Commission is modifying the calculation of the rate of return on rate base to a before-tax basis. In addition, the Commission is amending its rules pertaining to the computation of working capital. The rule addresses a number of shipper and carrier concerns regarding the Commission's current rate of return methodology and would align the Commission's ratemaking methodologies more closely with those used by numerous other regulatory agencies. The intent is to improve the Commission's methodology for evaluating the reasonableness of rates filed by carriers in the domestic offshore trades.	
WEST VIRGINIA			
Westover (city), Monongalia County (FEMA Docket No. 7128) <i>Monongahela River:</i> At confluence of Dents Run Approximately 560 feet upstream of U.S. Route 19 (Westover Bridge). <i>Dents Run:</i> At confluence with Monongahela River.	* 813 * 814 * 813	EFFECTIVE DATE: October 5, 1995. FOR FURTHER INFORMATION CONTACT: Richard R. Speigel or Anne M. McAloon, Bureau of Economics and	

Agreement Analysis, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573-0001, 202-523-5845 or 523-5790
C. Douglass Miller, Office of the General Counsel, Federal Maritime Commission, 800 North Capitol Street, NW., Washington, DC 20573-0001, 202-523-5740

SUPPLEMENTARY INFORMATION: On April 7, 1994, the Federal Maritime Commission ("FMC" or "Commission") published a Notice of Proposed Rulemaking ("NPR" or "proposed rule") (59 FR 16592) which proposed to amend the regulations governing financial reporting requirements and rate of return methodology applicable to vessel-operating common carriers by water in the domestic offshore trades. The Commission proposed to change the method of determining the reasonableness of a carrier's return on rate base from the comparable earnings test ("CET") to the weighted average cost of capital ("WACC") methodology. At the request of Matson Navigation Company ("Matson"), the Commission extended the comment period for interested parties to file until July 20, 1994 (59 FR 27002). The following seven parties filed comments on the NPR: American President Lines ("APL"), Crowley Maritime Corporation ("Crowley"), Matson, Puerto Rico Maritime Shipping Authority ("PRMSA"), the Department of Transportation ("DOT"), Marsoft Incorporated ("Marsoft"), and the State of Hawaii ("Hawaii").

By notice published November 4, 1994, 59 FR 55232 ("Request for Reply Comments"), the Commission invited reply comments on four specific issues—the calculation of the cost of capital, working capital, the selection of proxy groups, and the deletion of alternative methodologies. The Commission extended the time for reply comments until January 6, 1995, partially granting a request of NPR, Inc. (59 FR 62372). Reply comments were received from APL, Crowley, Matson, PRMSA, Hawaii, and Tobias E. Seaman ("Seaman"), president of the National Association of Shippers, Consignees, and Consumers for Maritime Affairs. With the exception of Seaman, all reply commenters had submitted initial comments on the proposed rule.

PRMSA and NPR filed a motion for an evidentiary hearing on December 2, 1994. The Commission does not believe that there is a need to hold an evidentiary hearing as suggested by PRMSA and NPR. There have been two rounds of comments which have given