

EPA will consider partial deletion for portions of sites when no further response is appropriate for that portion of the site. Such portion may be a defined geographic unit of the site, perhaps as small as a residential unit, or may be a specific medium at the site, e.g., groundwater, depending on the nature or extent of the release(s).

Again, EPA wishes to emphasize that the primary purpose of the NPL is to serve as an informational and management tool. Whether property is part of an NPL site is unrelated to CERCLA liability because neither NPL listing nor deletion assigns liability to any party or to the owner of any specific property. Liability under CERCLA is determined under CERCLA section 107, which makes no reference to NPL listing or deletion. Listing or deleting a site from the NPL does not create CERCLA liability where it would not otherwise exist. As with entire sites, deleted portions of sites remain eligible for further Fund-financed remedial actions should future conditions warrant such action. Whenever there is a significant release from a site or portion of a site deleted from the NPL, the site or portion may be restored to the NPL without application of the Hazard Ranking System. See 40 CFR 300.425(e)(3).

Dated: October 24, 1995.

Elliott P. Laws,

Assistant Administrator.

[FR Doc. 95-27069 Filed 10-31-95; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 65

[Docket No. FEMA-7156]

#### Changes in Flood Elevation Determinations

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

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

**DATES:** These modified base flood elevations are currently in effect on the

dates listed in the table and revise the Flood Insurance Rate Map(s) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Associate Director, Mitigation Directorate, reconsider the changes. The modified elevations may be changed during the 90-day period.

**ADDRESSES:** The modified 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 modified base flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to Section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified 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.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

#### 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 modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

#### Regulatory Classification

This interim 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.

#### List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 65 is amended to read as follows:

#### **PART 65—[AMENDED]**

1. The authority citation for Part 65 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.

#### **§ 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.
Arizona: Pima .....	Town of Oro Valley	July 27, 1995, August 3, 1995, <i>Daily Territorial</i> .	The Honorable Cheryl Skalsky, Mayor, Town of Oro Valley, 11000 North La Canada Drive, Oro Valley, Arizona 85737.	June 27, 1995 .....	040109
Arizona: Maricopa .....	City of Phoenix .....	June 15, 1995, June 22, 1995, <i>Arizona Republic</i> .	The Honorable Skip Rimsza, Mayor, City of Phoenix, 200 West Washington Street, 11th Floor, Phoenix, Arizona 85003-1611.	May 26, 1995 .....	040051
Arizona: Pima .....	Unincorporated Areas.	July 27, 1995, August 3, 1995, <i>Daily Territorial</i> .	The Honorable Paul Marsh, Chairman, Pima County Board of Supervisors, 130 West Congress Street, Fifth Floor, Tucson, Arizona 85701.	June 27, 1995 .....	040073
California: Contra Costa ...	Unincorporated Areas.	August 18, 1995, August 25, 1995, <i>West County Times</i> .	The Honorable Gayle Bishop, Chairperson, Contra Costa County, Board of Supervisors, 18 Crow Canyon Court, Suite 120, San Ramon, California 94583.	July 17, 1995 .....	060025
California: Contra Costa ...	City of Richmond ...	August 18, 1995, August 25, 1995, <i>West County Times</i> .	The Honorable Rosemary Corbin, Mayor, City of Richmond, 2600 Barrett Avenue, Richmond, California 94804.	July 17, 1995 .....	060035
California: Riverside .....	City of Riverside ....	July 28, 1995, August 4, 1995, <i>Press Enterprise</i> .	The Honorable Ron Loveridge, Mayor, City of Riverside, 3900 Main Street, Riverside, California 92522.	July 7, 1995 .....	060260
California: Sacramento ....	Unincorporated Areas.	August 4, 1995, August 11, 1995, <i>Sacramento Bee</i> .	Mr. Douglas M. Fraleigh, Administrator, Sacramento County, Public Works Agency, 827 Seventh Street, Room 304, Sacramento, California 95814.	July 3, 1995 .....	060262
California: Santa Barbara .	Unincorporated Areas.	July 28, 1995, August 4, 1995, <i>Santa Barbara News Press</i> .	The Honorable Timothy J. Staffel, Chairman, Santa Barbara County, Board of Supervisors, 105 East Anapamu Street, Fourth Floor, Santa Barbara, California 93101.	June 30, 1995 .....	060331
California: Contra Costa ...	City of San Ramon	July 27, 1995, August 3, 1995, <i>Valley Times</i> .	The Honorable Greg Carr, Mayor, City of San Ramon, 2222 Camino Ramon, San Ramon, California 94583.	July 5, 1995 .....	060710
California: Solano .....	City of Vacaville ....	August 24, 1995, August 31, 1995, <i>Reporter</i> .	The Honorable David A. Fleming, Mayor, City of Vacaville, 650 Merchant Street, Vacaville, California 95688.	July 28, 1995 .....	060373
Colorado: El Paso .....	City of Colorado Springs.	August 4, 1995, August 11, 1995, <i>Gazette Telegraph</i> .	The Honorable Robert Isaac, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, Colorado 80901.	July 14, 1995 .....	080060
Colorado: Adams .....	City of Thornton ....	August 25, 1995, September 1, 1995, <i>Denver Post</i> .	The Honorable Margaret Carpenter, Mayor, City of Thornton, 9500 Civic Center Drive, P.O. Box 291220, Thornton, Colorado 80229-1220.	July 25, 1995 .....	080007
Iowa: Johnson .....	City of Coralville ....	July 28, 1995, August 4, 1995, <i>Iowa City Press Citizen</i> .	The Honorable Allan Axeen, Mayor, City of Coralville, 1512 Seventh Street, Coralville, Iowa 52241.	July 10, 1995 .....	190169
Iowa: Polk .....	City of Grimes .....	August 18, 1995, August 25, 1995, <i>Des Moines Register</i> .	The Honorable Brad Long, Mayor, City of Grimes, P.O. Box 460, Grimes, Iowa 50111.	July 19, 1995 .....	190228
Iowa: Johnson .....	City of Iowa City ....	July 28, 1995, August 4, 1995, <i>Iowa City Press Citizen</i> .	The Honorable Susan Horowitz, Mayor, City of Iowa City, 410 East Washington Street, Iowa City, Iowa 52240.	July 10, 1995 .....	190171

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Oregon: Marion and Polk	City of Salem	August 24, 1995, August 31, 1995, <i>Statesman-Journal</i> .	The Honorable Roger Gertenrich, Mayor, City of Salem, City Hall, 555 Liberty Street, Southeast, Salem, Oregon 97301-3503.	July 20, 1995	410167
South Dakota: Pennington	City of Rapid City	August 21, 1995, August 28, 1995, <i>Rapid City Journal</i> .	The Honorable Edward McLaughlin, Mayor, City of Rapid City, 300 Sixth Street, Rapid City, South Dakota 57701-2724.	July 20, 1995	465420
Texas: Coryell	City of Copperas Cove	August 18, 1995, August 23, 1995, <i>Killeen Daily Herald</i> .	The Honorable J.A. Darossett, Mayor, City of Copperas Cove, P.O. Drawer 1449, Copperas Cove, Texas 76522.	July 18, 1995	480155
Texas: El Paso	City of El Paso	August 23, 1995, August 30, 1995, <i>El Paso Times</i> .	The Honorable Larry Francis, Mayor, City of El Paso, Two Civic Center Plaza, El Paso, Texas 79901-1196.	July 24, 1995	480214
Texas: Tarrant	City of Keller	August 22, 1995, August 29, 1995, <i>Keller Citizen</i> .	The Honorable Ron Lee, Mayor, City of Keller, P.O. Box 770, Keller, Texas 76244.	July 25, 1995	480602
Texas: Bexar, Guadalupe, and Comal.	City of Selma	August 3, 1995, August 10, 1995, <i>San Antonio Express News</i> .	The Honorable Harold Friesenhahn, Mayor, City of Selma, 9375 Corporate Drive, Selma, Texas 78154.	July 12, 1995	480046

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

Dated: October 24, 1995.

Richard T. Moore,  
Associate Director for Mitigation.

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**44 CFR Part 65**

**Changes in Flood Elevation Determinations**

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

**ACTION:** Final rule.

**SUMMARY:** Modified base (1% annual chance) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

**EFFECTIVE DATES:** The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) in effect for each listed community prior to this date.

**ADDRESSES:** The modified 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 makes the final determinations listed below of the final determinations of modified base flood elevations for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Associate Director has resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to Section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the

National Flood Insurance Program (NFIP).

These modified 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 modified 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.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

**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 modified base flood elevations are required by the Flood Disaster