110(a) and part D of the CAA. This approval action will incorporate this rule into the federally approved SIP. The intended effect of approving this rule is to regulate emissions of VOCs in accordance with the requirements of the CAA. Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Regulatory Process

The OMB has exempted this action from review under Executive Order 12866 which superseded Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Final rule; removal.

SUMMARY: On September 21, 1994, the USEPA published a final rule, through the “direct final” procedure, approving three ozone redesignation requests under section 107 of the Clean Air Act (Act) for Preble, Jefferson, and Columbiana Counties in Ohio. See 59 FR 48395. The USEPA is removing this final rule due to adverse comments received on this action. In a subsequent final rule, USEPA will summarize and respond to the comments received on these redesignation requests from the State of Ohio.


ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following location: United States Environmental Protection Agency, Region 5, Air Enforcement Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604.


List of Subjects

40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Ozone.

40 CFR Part 81

Air pollution control.


Valdas V. Adamkus,
Regional Administrator.

Chapter 1, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

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

Authority: 42 U.S.C. 7401–7671q.

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OHIO—OZONE—Continued

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¹ This date is November 15, 1990, unless otherwise noted.


The Reform Act provided for two exceptions to the 30-day waiting period, i.e., (1) when the initial purchase of flood insurance is in connection with the making, increasing, extension, or renewal of a loan and (2) when the initial purchase of flood insurance occurs during the one-year period following notice of the issuance of a revised flood map for a community. A 45-day period was provided for review and comment on the proposed changes. FEMA received comments on the proposed changes from five respondents. The tally of comments included representatives from three private insurance companies participating in the NFIP Write Your Own (WYO) Program, one bank, and a national trade association representing savings and community financial institutions.

All five respondents commented on the waiting period.

One WYO company respondent commented that imposing a longer waiting period before coverage becomes effective "will have a potential negative impact on efforts to market flood insurance" and that imposing a longer waiting period will also result "in an increase in disaster assistance payments since, at the time of a flood, people not yet flooded will be less inclined to buy flood insurance." Whatever the validity of these points may be, the longer waiting period must be implemented since, as the respondent pointed out, the Reform Act mandates such action.

Another WYO company respondent commented that the waiting period does not apply to the initial purchase of flood insurance in connection with the making, increasing, extension, or renewal of a loan and inquired whether this exception extends to transactions related to refinancing and home equity loans. The exception extends to such transactions so long as the purchase of flood insurance is the initial purchase of such insurance. The regulations currently provide for no waiting period in the case of a title transfer, so long as the policy is applied for and the premium is paid at or prior to the title transfer. It is important to point out that the Reform Act does not provide for this exception and, therefore, the current provision related to title transfers will not apply on and after March 1, 1995. This provision has, in essence, been replaced by the loan closing exception which, in most cases, has the same result.

The national trade association respondent commented on the exception to the waiting period in connection with the purchase of new flood insurance coverage for one year after notice of a remapping or redesignation of a flood zone. That respondent noted that the "provision presupposes that the servicer of the loan has an obligation to require purchase by a borrower within a specific period of time following the publication of a notice of remapping or redesignation" and further commented that "it is not clear under either the statute or the proposal just what the nature of the servicer's obligation is as it relates to this form of purchase obligation. The Conference Committee Report refers to 'tripwires' and suggests that the obligation to require purchase by the borrower may only arise when a lender is 'making, increasing, extending or renewing a loan.'"

Based on its interpretation, this respondent commented that "it would be inappropriate to include the one-year limitation * * * because the purchase obligation could arise at any time, not just within one year of publication of map amendments." This respondent further commented that the specific one-year limitation is not included in the language of the statute and suggested that, "Until the issue of timing of the purchase requirement can be resolved", FEMA should eliminate the one-year limitation and replace the opening phrase with the following language: "At any time following the issuance of a revised".

FEMA is not clear about the respondent's concern and points out that the specific one-year period related to map revisions is indeed included in the statute (sec. 579 of the Reform Act) which revises section 1306 of the National Flood Insurance Act of 1968 to add subsection (c). The specific reference to the one-year period is in section 1306(c)(2)(B).

As pointed out in the SUPPLEMENTARY INFORMATION section of the proposed rule, the Reform Act provides that the

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Supplemental Information:

As part of the implementation of the National Flood Insurance Reform Act of 1994 (the Reform Act), on November 15, 1994, the National Flood Insurance Program Policy and to increase the limits of coverage available under the National Flood Insurance Program.