

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The OMB has exempted this action from review under Executive Order 12866 which superseded Executive Order 12866.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

**Note:** Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: January 17, 1995.

**Felicia Marcus,**

*Regional Administrator.*

Part 52, chapter I, 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.

**Subpart F—California**

2. Section 52.220 is amended by adding paragraph (c)(198)(i)(D) to read as follows:

**§ 52.220 Identification of plan.**

\* \* \* \* \*

(c) \* \* \*

(198) \* \* \*

(i) \* \* \*

(D) Sacramento Metropolitan Air Quality Management District.

(1) Rule 458, adopted on June 7, 1994.

\* \* \* \* \*

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**40 CFR Parts 52 and 81**

[OH06-2-6229A, OH01-2-6230A, OH32-2-6231A; FRL-5144-9]

**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.

**EFFECTIVE DATE:** January 30, 1995.

**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.

**FOR FURTHER INFORMATION CONTACT:** William Jones, Environmental Scientist, Regulation Development Section, Air Enforcement Branch (AE-17J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6058.

**List of Subjects**

**40 CFR Part 52**

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

**40 CFR Part 81**

Air pollution control.

Dated: December 14, 1994.

**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.

**§ 52.1885 [Amended]**

2. Section 52.1885 is amended by removing paragraph (a) (5).

**PART 81—DESIGNATION OF AREAS FOR AIR QUALITY PURPOSES—OHIO**

1. The authority citation of part 81 continues to read as follows:

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

2. In § 81.336 the ozone table is amended by revising the entries for Columbiana, Preble, and Jefferson Counties to read as follows:

**§ 81.336 Ohio.**

\* \* \* \* \*

OHIO—OZONE

| Designated area         | Designation         |                     | Classification    |                  |
|-------------------------|---------------------|---------------------|-------------------|------------------|
|                         | Date <sup>1</sup>   | Type                | Date <sup>1</sup> | Type             |
| * * * * *               |                     |                     |                   |                  |
| Columbiana County Area: |                     |                     |                   |                  |
| Columbiana County ..... | March 1, 1995 ..... | Nonattainment ..... | .....             | Incomplete Data. |
| * * * * *               |                     |                     |                   |                  |
| Preble County Area:     |                     |                     |                   |                  |
| Preble County .....     | March 1, 1995 ..... | Nonattainment ..... | .....             | Transitional.    |
| Steubenville Area:      |                     |                     |                   |                  |
| Jefferson County .....  | March 1, 1995 ..... | Nonattainment ..... | .....             | Transitional     |

## OHIO—OZONE—Continued

| Designated area | Designation       |      | Classification    |      |
|-----------------|-------------------|------|-------------------|------|
|                 | Date <sup>1</sup> | Type | Date <sup>1</sup> | Type |
| *               | *                 | *    | *                 | *    |

<sup>1</sup> This date is November 15, 1990, unless otherwise noted.

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 61

RIN 3067-AC29

### National Flood Insurance Program; Insurance Coverage and Rates

**AGENCY:** Federal Insurance  
Administration, FEMA.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the National Flood Insurance Program (NFIP) regulations to increase the waiting period before which flood insurance coverage becomes effective under the Standard Flood Insurance Policy and to increase the limits of coverage available under the NFIP. This final rule is necessary to comply with the waiting period requirement and maximum flood insurance coverage amounts established by the National Flood Insurance Reform Act of 1994. The intent of this final rule is to establish a 30-day waiting period, with certain exceptions, before flood insurance coverage becomes effective under the Standard Flood Insurance Policy and to provide higher limits of flood insurance coverage to current and new policyholders.

**EFFECTIVE DATE:** March 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Charles M. Plaxico, Jr., Federal Emergency Management Agency, Federal Insurance Administration, 500 C Street SW., Washington, DC 20472, (202) 646-3422.

**SUPPLEMENTARY INFORMATION:** As part of the implementation of the National Flood Insurance Reform Act of 1994 (the Reform Act), on November 15, 1994, the Federal Emergency Management Agency (FEMA) published in the **Federal Register** (Vol. 59, page 58808) a proposed rule to increase the waiting period from five days to 30 days before flood insurance coverage becomes effective under the Standard Flood Insurance Policy and to increase the limits of coverage available under the National Flood Insurance Program.

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 noted 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