costs and indirect costs including cost estimates of various types of permit related activities. The estimated hourly cost is $53.60.

Because state law caps hourly fees at $53.00, Pima's hourly charges are capped at $53.00. See 17.12.510.M. Although this cap is 60 cents per hour less than the District's estimated hourly costs for permit processing, EPA finds this provision to be fully approvable. Given the inherent uncertainty in the cost estimates, EPA believes that the difference is insignificant and unlikely to cause a shortfall in revenues. Further, Pima is tracking its program costs and revenues and has committed to provide EPA with periodic updates that will demonstrate whether fee revenues are meeting the costs of the program. If EPA finds that the County is not collecting fees sufficient to fund the title V program, it will require a program revision.

In addition to imposing a cap on hourly fees, state law also limits the maximum chargeable fee for issuing and revising permits. State law and Pima regulations cap Title V permit issuance fees at $30,000. See 17.12.510.G. Pima estimates processing costs for permit issuance at $21,484. Fees for processing permit revisions are capped at $25,000 for significant revisions and $10,000 for minor permit revisions. See 17.12.510.I. Because the workload associated with these classes of permit revisions is likely to vary a great deal, Pima did not attempt to estimate the cost of these actions. The County believes that costs for permit revisions will be less than the maximum allowable fees. (See letter to Dave Howekamp, EPA, from David Esposito, Pima County, dated February 17, 1997.) EPA will periodically review the County program to ensure adequate fees are collected.

III. Administrative Requirements

A. Request for Public Comments

The EPA is requesting comments on all aspects of this proposed approval. Copies of Pima's submittal and other information relied upon for the proposed interim approval are contained in a docket (AZ–Pima–97–1–OPS) maintained at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed interim approval. The principal purposes of the docket are:

(1) to allow interested parties a means to identify and locate documents so that they can effectively participate in the approval process, and

(2) to serve as the record in case of judicial review. The EPA will consider any comments received by May 5, 1997.

B. Regulatory Flexibility Act

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

C. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a federal mandate that may result in estimated costs to state, local, or tribal governments in the aggregate; or to the private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

The EPA has determined that the approval action promulgated today does not include a federal mandate that may result in estimated costs of $100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under state or local law, and imposes no new federal requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

D. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401–7671q.

Dated: March 23, 1997.

Felicia Marcus,

Regional Administrator.

[FR Doc. 97–8691 Filed 4–3–97; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA–7211]

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: Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646–2796.

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 Executive 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:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
Connecticut	Weston (Town) Fairfield County.	West Branch Saugatuck River.	At Westport/Weston corporate limit	*44	*47
			Approximately 170 feet upstream of Kramer Lane.	None	*444
		Beaver Brook	Approximately 40 feet upstream of confluence with Saugatuck River.	*78	*77
			Approximately 840 feet upstream of Slumber Corners bridge.	*82	*81
		Jenning's Brook	At the confluence with Saugatuck River	*124	*125
			Approximately 420 feet above the confluence with Saugatuck River.	*131	*130
Maps available for inspection at the Weston Building Office, 56 Norfield Road, Weston, Connecticut.					
Send comments to Mr. George Guidera, First Selectman of the Town of Weston, 56 Norfield Road, Weston, Connecticut 06883.					
Connecticut	Westport (Town) Fairfield County.	West Branch, Saugatuck River.	At approximately 550 feet above confluence with Saugatuck River.	*31	*32
			At approximately 1,400 feet upstream of Newton Turnpike.	None	*93
Maps available for inspection at the Westport Town Hall, Office of the Town Planner, 110 Myrtle Avenue, Westport, Connecticut.					
Send comments to Mr. Joseph P. Arcudi, First Selectman of the Town of Westport, 110 Myrtle Avenue, Town Hall, Westport, Connecticut 06880.					
New York	Fort Ann (Town) Washington County.	Copeland Pond	Entire shoreline within community	None	*453
		Hadlock Pond	Entire shoreline within community	None	*458
		Lakes Pond	Entire shoreline within community	None	*864
		Lake Nebo	Entire shoreline within community	None	*843
		Lake George	Entire shoreline within community	None	*321
Maps available for inspection at the Fort Ann Town Clerk's office, Route 4 in the Village of Fort Ann, Fort Ann, New York.					
Send comments to Mr. John Aspland, Fort Ann Town Supervisor, RR 1, Box 1303, Fort Ann, New York 12827.					
New York	Sag Harbor (Village) Suffolk County.	Sag Harbor Bay	Approximately 400 feet east of the intersection of Harding Terrace and Taft Place.	*10	*9
			Approximately 350 feet north of the intersection of Harding Terrace and Taft Place.	*12	*11
Maps available for inspection at the Village Office, 55 Main Street, Sag Harbor, New York.					
Send comments to The Honorable Pierce W. Hance, Mayor of the Village of Sag Harbor, P.O. Box 660, Sag Harbor, New York 11963.					

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD)	
				Existing	Modified
New York	Southampton (Town) Suffolk County.	Seatuck Creek	North of Main Street	None	*9
Maps available for inspection at the Southampton Town Hall, Building and Zoning Department, 116 Hampton Road, Southampton, New York.					
Send comments to Mr. Vincent J. Cannuscio, Southampton Town Supervisor, 116 Hampton Road, Southampton, New York 11968.					
Maryland	Frederick County (Unincorporated Areas).	Fishing Creek	Approximately 0.27 mile downstream of Devilbiss Bridge Road.	None	*274
			Approximately 0.84 mile upstream of Mountaindale Road.	None	*665
		Fishing Creek	At confluence with Fishing Creek	None	*471
		Diversion Channel	At divergence from Fishing Creek	None	*523
Maps available for inspection at the Winchester Hall, 12 East Church Street, Frederick, Maryland.					
Send comments to Mr. Mark Hoke, President of the Board of County Commissioners, 12 East Church Street, Frederick, Maryland 21701.					
Michigan	Broomfield (Township) Isabella County.	Chippewa River	Approximately 300 feet downstream of the downstream corporate limits, approximately 0.4 mile upstream of River Road.	None	*857
			Approximately 0.3 mile upstream of the upstream corporate limits, approximately 0.8 mile downstream of School Road.	None	*861
		Chippewa River (Lake Isabella).	For the entire shoreline within the community.	None	*899
Maps available for inspection at the Broomfield Township Hall, 2915 South Rolland Road, Remus, Michigan.					
Send comments to Ms. Betty Findley, Broomfield Township Supervisor, 4620 South Brinton, Remus, Michigan 49340.					
Michigan	Chippewa (Township) Isabella County.	Chippewa River	At downstream corporate limits (county boundary).	None	*685
			Approximately 2.4 miles upstream of Leafon Road.	None	*730
Maps available for inspection at the Chippewa Town Hall, 11050 East Pickard Road, Mount Pleasant, Michigan.					
Send comments to Mr. George Grim, Chippewa Township Supervisor, P.O. Box 459, Shepherd, Michigan 48883.					
Michigan	Coldwater (Township) Isabella County.	Chippewa River	At Vernon Road	None	*939
			Approximately 0.47 mile upstream of Vernon Road.	None	*941
Maps available for inspection at the Coldwater Township Hall, 7450 West Grass Lake Road, Lake, Michigan.					
Send comments to Mr. James Dague, Coldwater Township Supervisor, 11023 West Battle Road, Lake, Michigan 48632.					
Michigan	Deerfield (Township) Isabella County.	Chippewa River	Approximately 800 feet downstream of Meridian Road.	None	*778
			Approximately 200 feet upstream of upstream corporate limits.	None	*861
Maps available for inspection at the Office of the Deerfield Township Clerk, 4385 West Pickard Road, Mt. Pleasant, Michigan.					
Send comments to Mr. Edwin Courser, Deerfield Township Supervisor, 1850 South Gilmore Road, Mt. Pleasant, Michigan 48858.					
Michigan	Mt. Pleasant (City) Isabella County.	Chippewa River	Approximately 1,200 feet upstream of Mission Road.	None	*745
			Approximately 1.1 miles downstream of Lincoln Road.	*763	*764
Maps available for inspection at the Mt. Pleasant City Hall, 401 North Main Street, Mt. Pleasant, Michigan.					
Send comments to The Honorable Susan Smith, Mayor of the City of Mt. Pleasant, 401 North Main Street, Mt. Pleasant, Michigan 48858.					
Michigan	Nottawa (Township) Isabella County.	Chippewa River	Approximately 200 feet downstream of the downstream corporate limits.	None	*860
			Approximately 900 feet upstream of the upstream corporate limits.	None	*862
Maps available for inspection at the Nottawa Township Supervisor's Office, 4668 North LaPearl Road, Weidman, Michigan.					
Send comments to Mr. James W. Faber, Nottawa Township Supervisor, 4668 North LaPearl Road, Weidman, Michigan 48893.					
Michigan	Sherman (Township) Isabella County.	Chippewa River	At the downstream corporate limits	None	*861
			At Vernon Road	None	*939

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 Sherman Township Hall, 3550 North Rolland Road, Weidman, Michigan. Send comments to Mr. Thayne Sizes, Sherman Township Supervisor, 3550 North Rolland Road, Weidman, Michigan 48893.					
Michigan	Union (Charter Township) Isabella County.	Chippewa River	Approximately 2.3 miles upstream of Leaton Road.	None	*730
			At Meridian Road	None	*780
Maps available for inspection at the Union Township Hall, 2010 South Lincoln Road, Mt. Pleasant, Michigan. Send comments to Mr. Jim Collin, Union Charter Township Supervisor, 2010 South Lincoln Road, Mt. Pleasant, Michigan 48858.					
North Carolina	Raleigh (City) Wake County.	Neuse River	Approximately 1.13 miles upstream of State Route 2555.	*171	*172
			Approximately 2,000 feet upstream of Milburn Dam.	*181	*182
Maps available for inspection at the Raleigh City Hall, Planning Department, 222 West Hargett, Room 307, Raleigh, North Carolina. Send comments to The Honorable Tom Fetzer, Mayor of the City of Raleigh, P.O. Box 590, Raleigh, North Carolina 27602.					
North Carolina	Wake County (unincorporated areas).	Neuse River (Basin 15, Stream 1).	Upstream side of State Route 2509	*163	*164
			Approximately 2,000 feet upstream of Milburn Dam.	*181	*182
Maps available for inspection at the Wake County Office Building, Engineering Department, 336 South Salisbury Street, Raleigh, North Carolina. Send comments to Mr. Richard Stephens, Wake County Manager, 337 South Salisbury Street, Raleigh, North Carolina 27601.					
South Carolina	Mullins (City) Marion County.	Fowler Branch	At corporate limits	None	*86
			At State Route 41	None	*92
		White Oak Creek	Approximately 1,975 feet downstream of Cleveland Street.	None	*72
			Approximately 350 feet upstream of U.S. Route 76.	None	*87
Maps available for inspection at the Mullins City Hall, 161 Northeast Front Street, Mullins, South Carolina. Send comments to The Honorable Wayne George, Mayor of the City of Mullins, P.O. Box 408, Mullins, South Carolina 29574.					
Vermont	Waterbury (Town) Washington County.	Winooski River	At Bolton Falls Dam	*405	*409
			Approximately 1,400 feet downstream of the most upstream corporate limits.	*433	*432
Maps available for inspection at the Waterbury Town Office, 51 South Main Street, Waterbury, Vermont. Send comments to Mr. William Shepeluk, Waterbury Town Manager, 51 South Main Street, Waterbury, Vermont 05676.					
Vermont	Waterbury (Village) Washington County.	Winooski River	At U.S. Route 2 bridge	*427	*426
			Approximately 700 feet upstream of U.S. Route 2 bridge.	*428	*427
Maps available for inspection at the Waterbury Village Office, 51 South Main Street, Waterbury, Vermont. Send comments to Mr. William Shepeluk, Waterbury Village Manager, 51 South Main Street, Waterbury, Vermont 05676.					
Virginia	Pulaski County (unincorporated areas).	Claytor Lake/ New River	At downstream county boundary	None	*1,666
			Approximately 6.9 miles upstream of confluence of Sloan Branch.	None	*1,868
		Little River	At confluence with New River	None	*1,759
			At upstream county boundary	None	*1,836
		Peak Creek	Approximately 0.6 mile downstream of the confluence of Thorne Springs Branch.	None	*1,865
			At Town of Pulaski corporate limit	None	*1,887
Maps available for inspection at the Pulaski County Administration Building, 143 Third Street NW, Suite 1, Pulaski, Virginia. Send comments to Mr. Joseph N. Morgan, Pulaski County Administrator, 143 Third Street, NW, Suite 1, Pulaski, Virginia 24301.					

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

Dated: March 27, 1997.

Richard W. Krimm,

Executive Associate Director, Mitigation Directorate.

[FR Doc. 97–8661 Filed 4–3–97; 8:45 am]

BILLING CODE 6718–04–P