

withdrawing the direct final rule will be published in the **Federal Register**, and a notice of proposed rulemaking may be published with a new comment period.

#### Comments Invited

Although this action is in the form of a final rule and was not preceded by a notice of proposed rulemaking, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered and this rule may be amended or withdrawn in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of this action and determining whether additional rulemaking action would be needed.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy-related aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this action will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 99-ACE-22." The postcard will be stamped and returned to the commenter.

#### Agency Findings

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The FAA has determined that this regulation is noncontroversial and unlikely to result in adverse or negative comments. For the reasons discussed in the preamble, I certify that this regulation (1) is not a "significant

regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

Accordingly, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATIONS OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ACE IA E5 Harlan, IA [Revised]

Harlan Municipal Airport, IA  
(Lat. 41°35'04" N., Long. 95°20'23" W.)  
Harlan NDB  
(Lat. 41°34'45" N., Long. 95°20'26" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Harlan Municipal Airport and within 2.6 miles each side of the 135° bearing from the Harlan NDB extending from the 6.4-mile radius to 7.4 miles southeast of the airport.

\* \* \* \* \*

Issued in Kansas City, MO, on April 26, 1999.

#### Donovan D. Schardt,

*Acting Manager, Air Traffic Division, Central Region.*

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#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 60 and 63

[AD-FRL-6338-3]

RIN 2060-AH47

#### National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins and Group IV Polymers and Resins and Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of amendment in direct final rule.

**SUMMARY:** Due to an adverse comment, the EPA is withdrawing an amendment from the March 9, 1999 direct final rule for the National Emission Standards for Hazardous Air Pollutants (NESHAP): Group I Polymers and Resins and Group IV Polymers and Resins and Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry (64 FR 11536). This amendment deals with the oxygen correction factor requirements when complying with the 20 parts per million by volume (ppmv) control device outlet concentration compliance option for continuous front-end process vents. The withdrawal of the amendment from the direct final rule will only affect sources subject to the Group I Polymers and Resins NESHAP. **DATES:** Amendment 6 in the direct final rule, which amends § 63.485, published on March 9, 1999 (64 FR 11542), is withdrawn as of May 7, 1999. The remaining amendments will be effective May 10, 1999 as stated in the March 9 rule.

**ADDRESSES:** Docket No. A-92-44 containing supporting information used in the development of this notice is available for public inspection and copying between 8 a.m. and 5:30 p.m., Monday through Friday, excluding holidays. The docket is located in the EPA's Air and Radiation Docket and Information Center, Waterside Mall, Room M-1500, 401 M Street, SW, Washington, DC 20460, or by calling (202) 260-7548. A reasonable fee may be charged for copying docket materials. **FOR FURTHER INFORMATION CONTACT:** Mr. Robert E. Rosensteel at (919) 541-5608, Emission Standards Division (MD-13), Environmental Protection Agency, Research Triangle Park, North Carolina 27711, electronic mail address "rosensteel.bob@epa.gov".

**SUPPLEMENTARY INFORMATION:** On March 9, 1999, the EPA published a direct final rule (64 FR 11536) and a parallel proposal (64 FR 11555) to amend portions of the Group I and Group IV Polymers and Resins NESHAP. Also on March 9, 1999, the EPA published a notice (64 FR 11560) proposing amendments to the Group I and Group IV Polymers and Resins NESHAP (40 CFR part 63, subparts U and JJJ, respectively) to make changes to the 1996 promulgated rules, in response to technical issues raised through a 1996 petition for review.

The EPA stated in the direct final rule (64 FR 11536, March 9, 1999) that if relevant, adverse comments were received by April 8, 1999, the EPA would publish a notice to withdraw the affected portions of the direct final rule before its effective date of May 10, 1999. The EPA received an adverse comment on Amendment 6 in the direct final rule and, therefore, is withdrawing Amendment 6. This withdrawal of Amendment 6 only affects sources subject to the Group I Polymers and Resins NESHAP (40 CFR part 63, subpart U). Amendment 6 would have changed the requirements in § 63.485(a) to reference a new paragraph (§ 63.485(v)), which would have adjusted the control device outlet concentration of 20 ppmv using a 3 percent oxygen correction factor.

The adverse comment stated that § 63.485(a) in the direct final rule makes reference to paragraphs in separate proposed amendments (64 FR 11560, March 9, 1999), which respond to a 1996 petition for review, rather than to paragraphs in the 1996 promulgated NESHAP (40 CFR part 63, subpart U). The commenter said that Amendment 6 in the direct final rule caused confusion in interpreting the intent of the regulation. The EPA will address this comment on the withdrawn amendment in the subsequent final action on the proposed amendments. The 25 amendments for which we did not receive adverse comments will become effective on May 10, 1999, as provided in the March 9, 1999 direct final rule (64 FR 11536).

Dated: April 29, 1999.

**Robert Perciasepe,**

*Assistant Administrator for Air and Radiation.*

[FR Doc. 99-11561 Filed 5-6-99; 8:45 am]

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**FEDERAL EMERGENCY  
MANAGEMENT AGENCY**

**44 CFR Part 64**

[Docket No. FEMA-7713]

**Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

**EFFECTIVE DATES:** The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

**ADDRESSES:** If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

**FOR FURTHER INFORMATION CONTACT:** Robert F. Shea Jr., Division Director, Program Support Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 et seq., unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 et seq. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be

available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Associate Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

**National Environmental Policy Act**

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act**

The Associate Director has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as