

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

Dated: January 28, 2000.

Michael J. Armstrong,
Associate Director for Mitigation.

[FR Doc. 00-2804 Filed 2-7-00; 8:45 am]

BILLING CODE 6718-04-P

**FEDERAL EMERGENCY
MANAGEMENT AGENCY**

44 CFR Part 67

[Docket No. FEMA-7310]

**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 and modified 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: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) *matt.miller@fema.gov*.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management 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 Associate Director for Mitigation 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 NFIP. No regulatory flexibility analysis has 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

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

§ 67.4 [Amended]

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
Arizona	Santa Cruz County (Unincorporated Areas).	Tubac Creek	At confluence with Santa Cruz River	None	*3,192
			Approximately 0.35 mile (1,850 feet) upstream of Interstate 19.	None	*3,263
		Tubac Creek North Channel.	At confluence with Santa Cruz River	None	*3,189
			At divergence from Tubac Creek approximately 680 feet upstream of Calle De Olivas.	None	*3,251
		Tributary 1 of Tubac Creek.	At confluence with Tubac Creek	None	*3,213
At approximately 0.229 mile (1,210 feet) upstream of Interstate 19.	None		*3,250		

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Tributary 2 of Tubac Creek.	At confluence with Tubac Creek	None	*3,195
			Immediately downstream of East Frontage Road.	None	3,222

Maps are available for inspection at Floodplain Administrator, 2150 N. Congress Drive, Nogales, Arizona.
Send comments to The Honorable Dennis Miller, County Manager, 2150 N. Congress Drive, Nogales, Arizona 85621.

Iowa	Johnston (City) Polk County.	Beaver Creek	Approximately 1,550 feet above its confluence with Des Moines River.	None	*805
			At NW 70th Avenue	*822	*824

Maps are available for inspection at City Hall, 6221 Merle Hay Road, Johnston, Iowa.
Send comments to The Honorable Dallas Patterson, Mayor, City of Johnston, P.O. Box 410, Johnston, Iowa 50131.

Iowa	Urbandale (City) Polk County.	Beaver Creek	Approximately 1,000 feet upstream of Merle Hay Road.	*800	*811
			Approximately 3,600 feet upstream of Merle Hay Road.	*810	*812

Maps are available for inspection at Community Development Department, City Hall, 3315 70th Street, Urbandale, Iowa.
Send comments to The Honorable Brad Zaun, Mayor, City of Urbandale, 3315 70th Street, Urbandale, Iowa 50322.

Louisiana	Tangipahoa Parish (Unincorporated Areas).	Ponchatoula Creek	At Old Genessee Road	None	*54
			Approximately 1,100 feet from confluence with Ponchatoula Creek Tributary 2.	None	*60
		Ponchatoula Creek Tributary 1.	At confluence with Ponchatoula Creek	None	*55
			Approximately 3,300 feet upstream from confluence with Ponchatoula Creek.	None	*57
		Ponchatoula Creek Tributary 2.	At confluence with Ponchatoula Creek	None	*58
			Approximately 2,200 feet upstream from confluence with Ponchatoula Creek.	None	*60

Maps are available for inspection at Parish Permit Office, 15481 Club Deluxe Road, Hammond, Louisiana.
Send comments to The Honorable Gordon Burgess, Parish President, P.O. Box 215, Amite, Louisiana 70422.

Louisiana	Village of Tickfaw (Tangipahoa Parish).	Ponchatoula Creek	Approximately 2,950 feet downstream from Highway 442.	None	*60
			At Niccio Road	None	*65
		Ponchatoula Creek Tributary 1.	Approximately 1,100 feet downstream from the Illinois Central Gulf Railroad.	None	*57
			Approximately 3,000 feet upstream from State Highway 442.	None	*63
		Ponchatoula Creek Tributary 2.	Approximately 1,800 feet downstream from Chapel Road.	None	*60
			At Chapel Road	None	*61

Maps are available for inspection at City Hall, 50081 Highway 51, Tickfaw, Louisiana.
Send comments to The Honorable Anthony Lamonte, Mayor, Village of Tickfaw, P.O. Box 249, Tickfaw, Louisiana 70466.

Louisiana	West Baton Rouge Parish and Incorporated Areas.	Lateral 1-C	At the confluence with the Gulf Intra-coastal Waterway.	*9	*9
			At intersection with Interstate 10	*11	*10
			At intersection with State Highway 986	*17	*16
		Oaks Avenue Canal	At the confluence with the Gulf Intra-coastal Waterway.	None	*10
			Just upstream of LeBlanc Road	None	*19
		Oaks Avenue Canal Tributary No. 1.	At the confluence with Oaks Avenue Canal.	None	*10
			Just upstream of South Jefferson Avenue	None	*25

Maps are available for inspection at Parish Zoning Office, 880 North Alexander, Port Allen, Louisiana.
Send comments to The Honorable Ted Denster, Parish President, P.O. Box 757, Port Allen, Louisiana 70767.

Maps are available for inspection at City Hall, 750 N. Jefferson Avenue, Port Allen, Louisiana.
Send comments to The Honorable Marilyn Robertson, Mayor, City of Port Allen, 750 N. Jefferson Avenue, Port Allen, Louisiana 70767.

Missouri	Creve Coeur (City) St. Louis County.	Monsanto Sunswep Creek.	Approximately 950 feet downstream of Private Bridge.	*531	*532
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State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
			Just upstream of Chilton Lane	None	*561

Maps are available for inspection at City Hall, 300 North New Ballas Road, Creve Coeur, Missouri.

Send comments to The Honorable Annette Kolis-Mandel, Mayor, City of Creve Coeur, 300 North New Ballas Road, Creve Coeur, Missouri 63141.

Missouri	Des Peres (City) St. Louis County.	Des Peres Creek	At confluence with Sugar Creek	*448	*450
			Approximately 450 feet upstream of Hospital Drive.	*460	*459
		Sugar Creek	Approximately 1,150 feet downstream of Old Dougherty Ferry Road.	*445	*446
			Just upstream of Interstate 270	*463	*462

Maps are available for inspection at City Hall, 12325 Manchester Road, Des Peres, Missouri.

Send comments to The Honorable Sharon Burkhardt, Mayor, City of Des Peres, 12325 Manchester Road, Des Peres, Missouri 63131.

Missouri	Frontenac (City) St. Louis County.	Deer Creek	Just upstream of Lindbergh Boulevard	*523	*524
			Approximately 3,300 feet upstream of Spoede Road.	*541	*542
		Monsanto Sunswept Creek.	Approximately 400 feet downstream of Glen Abbey Road.	*527	*528
			Approximately 180 feet upstream of Glen Abbey Road.	*527	*528

Maps are available for inspection at City Hall, 10555 Clayton Road, Frontenac, Missouri.

Send comments to The Honorable Mark C. Brennan, Mayor, City of Frontenac, 10555 Clayton Road, Frontenac, Missouri 63131.

Missouri	Kirkwood (City) St. Louis County.	Sugar Creek	Just upstream of Interstate 270	*463	*462
			Approximately 150 feet upstream of Interstate 270.	*463	*462

Maps are available for inspection at City Hall, 139 South Kirkwood Road, Kirkwood, Missouri.

Send comments to The Honorable Marge Schramm, Mayor, City of Kirkwood, 139 South Kirkwood Road, Kirkwood, Missouri 63122.

Missouri	St. Louis County (Unincorporated Areas).	Grand Glaize Creek	Approximately 400 feet upstream of Dougherty Ferry Road.	*441	*442
			Approximately 3,000 feet upstream of Dougherty Ferry Road.	*445	*446

Maps are available for inspection at the Department of Planning, 41 South Central Avenue, Clayton, Missouri.

Send comments to The Honorable Buzz Westfall, St. Louis County Executive, 41 South Central Avenue, Clayton, Missouri 63105.

Missouri	Valley Park (City) St. Louis County.	Grand Glaize Creek	Grand Glaize Creek.		
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Maps are available for inspection at City Hall, 320 Benton Street, Valley Park, Missouri.

Send comments to The Honorable Daniel Adams, Mayor, City of Valley Park, City Hall, 320 Benton Street, Valley Park, Missouri 63088.

Missouri	Westwood (Village) St. Louis County.	Deer Creek	Approximately 3,300 feet upstream of Spoede Road.	*541	*542
			Approximately 4,500 feet upstream of Spoede Road.	None	*549

Maps are available for inspection at 9 Westwood Country Club Ground Road, Westwood, Missouri.

Send comments to The Honorable Phillip Isserman, Chairman, Board of Trustees, Village of Westwood, 9 Westwood Country Club Gardens, Westwood, Missouri 63131.

Nevada	Washoe County and Incorporated Areas.	Golden Valley Wash	Approximately 2,180 feet upstream of Tholl Drive.	None	4,981
			Approximately 2,700 feet upstream of Spearhead Way.	None	*5,176
		Hidden Valley Wash	Approximately 1,800 feet upstream of its confluence with Steamboat Creek.	None	*4,442
			Approximately 3,420 feet upstream of Parkway Drive.	None	*4,647
		Sun Valley Wash	At the Sun Valley Flood Control Detention Dam.	*4,445	*4,548
		Sun Valley Wash Split Flow.	At East 7th Avenue	None	*4,725
	At convergence with Sun Valley Wash	None	4,647		

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
			At divergence from Sun Valley Wash	None	*4,695

Maps are available for inspection at Washoe County Engineering Department, 1001 E. 9th Street, Reno, Nevada.
 Send comments to The Honorable Jim Galloway, Commission Chairman, P.O. Box 11130, Reno, Nevada 89520.
 Maps are available for inspection at Engineering Department, 431 Prater Way, Sparks, Nevada.
 Send comments to The Honorable Tony Armstrong, Mayor, City of Sparks, 431 Prater Way, Sparks, Nevada 89431.

North Dakota	Fargo (City) Cass County.	County Drain 45	At County Road 14 (52nd Avenue)	None	*893
			Approximately 2,800 feet upstream of 19th Avenue.	None	*894

Maps are available for inspection at City Hall, 200 N. 3rd Street, Fargo, North Dakota.
 Send comments to The Honorable Bruce Furness, Mayor, City of Fargo, 200 N. 3rd Street, Fargo, North Dakota 58102.

North Dakota	Harwood (City) Cass County.	Sheyenne River	At U.S. Highway 81	None	*891
			Approximately 7,600 feet upstream from County Highway 22.	None	*894
		County Drain 40/45	Approximately 3,600 feet downstream from County Highway 22.	None	*890
			Approximately 1,200 feet upstream from County Drain 40/45 split.	None	*897

Maps are available for inspection at City Hall, 202 Dakota Avenue, Harwood, North Dakota.
 Send comments to The Honorable Garry Roth, Mayor, City of Harwood, 108 Lind Boulevard, Harwood, North Dakota 58042.

North Dakota	Reed (Township) Cass County.	Sheyenne River	Approximately 7,400 feet downstream of County Road 17.	*893	*894
			At 52nd Avenue	*895	*896
			Approximately 1,600 feet upstream of its confluence with County Drain 21.	*898	*898
		County Drain 21	At confluence with the Sheyenne River ...	*898	*898
			Approximately 900 feet upstream of its confluence with the Sheyenne River.	None	*898
		County Drain 45	Approximately 5,800 feet downstream of 52nd Avenue.	None	*893
		Maple River	At County Road 20	None	*893
			At its confluence with the Sheyenne River	None	*897
			Approximately 480 feet upstream of its confluence with the Sheyenne River.	None	*897

Maps are available for inspection at City Hall, 7420 40th Avenue North, Fargo, North Dakota.
 Send comments to The Honorable Gene Johnson, Mayor, Reed Township, 7420 40th Avenue North, Fargo, North Dakota 58103.

North Dakota	Reiles Acres (City) Cass County.	County Drain 45	Approximately 5,400 feet downstream from 32nd Avenue.	None	*893
			Approximately 3,000 feet upstream from 32nd Avenue.	None	*893

Maps are available for inspection at 3348 45th Street N.W., Reiles Acres, North Dakota.
 Send comments to The Honorable David Baumann, Mayor, City of Reiles Acres, 3545 46th Street N.W., Fargo, North Dakota 58108.

North Dakota	West Fargo (City) Cass County.	Sheyenne River	Approximately 8,700 feet downstream from 19th Avenue.	None	*898
			At confluence with County Drain 2	None	*899
		County Drain 21	Approximately 1,400 feet downstream from Township Road.	*898	*898
			At divergence of County Drain 21 outlet structure.	None	*899

Maps are available for inspection at City Hall, 800 4th Avenue East, West Fargo, North Dakota.
 Send comments to The Honorable David Stedman, Mayor, City of West Fargo, 800 4th Avenue East, West Fargo, North Dakota 58078.

South Dakota	North Sioux (City) Union County.	Big Sioux River	Approximately 5,900 feet downstream from Military Road.	*1,100	*1,101
			Approximately 7,425 feet upstream from the Chicago Milwaukee St. Paul and Pacific Railroad.	*1,109	*1,108
		Big Sioux River Split at Interstate 29.	Approximately 50 feet downstream from Westshore Drive.	None	*1,109
			At divergence from Big Sioux River	None	*1,110

Maps are available for inspection at City Hall, 301 Military Road, North Sioux City, South Dakota.

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified

Send comments to The Honorable Lieser Hallwas, Mayor, P.O. Box 338 North Sioux City, South Dakota 57049.

South Dakota	Union County (Unincorporated Areas).	Big Sioux River	At mouth of Big Sioux River	*1,090	*1,090
			At Interstate 29	None	*1,094
			At State Route 48	None	*1,143
		Big Sioux River Split at Interstate 29.	Approximately 1,800 feet downstream of Westshore Drive.	None	*1,108
			At divergence from Big Sioux River	None	*1,110

Maps are available for inspection at Union County Planning and Zoning Office, 209 East Main, Elk Point, South Dakota.

Send comments to The Honorable Roger Boldenow, Chairman, Union County Commissioners, County Courthouse, 209 East Main Street, Elk Point, South Dakota 57025.

Texas	Gillespie County and Incorporated Areas.	Baron's Creek	Approximately 4,000 feet upstream of U.S. Highway 290.	*1,611	*1,611
			Approximately 4,200 feet upstream of U.S. Highway 290.	*1,611	*1,612
		Stream FB-1	Downstream of East Main Street	*1,649	*1,650
			At confluence with Baron's Creek	*1,641	*1,641
			Approximately 1,500 feet upstream of confluence with Baron's Creek.	*1,646	*1,647
		Town Creek	Approximately 1,950 feet upstream of Lower Crabapple Road.	None	*1,780
			Approximately 60 feet downstream of Edison Street.	*1,710	*1,710
			Approximately 200 feet upstream of Schubert Road.	*1,712	*1,711
		Pedernales River	Approximately 2,150 feet upstream of Morse Street.	None	*1,751
			At Gillespie/Blanco County Line	None	*1,398
		Salt Branch	Approximately 3,100 feet upstream of Cellemar Lane.	None	*1,473
			At confluence with Pedernales River	None	*1,442
			Approximately 4,300 feet upstream of Highway 290.	None	*1,473
		Stream SB-1	At confluence with Salt Branch	None	*1,444
			Approximately 5,800 feet upstream of Highway 290.	None	*1,465
Split Flow #1	At convergence with Pedernales River	None	*1,422		
	At divergence from Pedernales River	None	*1,435		

Maps are available for inspection at City Hall, 126 W. Main Street, Fredericksburg, Texas.

Send comments to The Honorable Linda Langerhans, Mayor, City of Fredericksburg, P.O. Box 111, Fredericksburg, Texas 78624.

Maps are available for inspection at Gillespie County Floodplain Department, 101 West Main, Unit #9, Fredericksburg, Texas.

Send comments to The Honorable Mark Stroehrer, County Judge, 101 West Main, Unit #9, Fredericksburg, Texas 78624.

Texas	Tom Green County (Unincorporated Areas).	Red Arroyo	Just downstream of eastbound Route 67	None	*1,888
			Approximately 1,300 feet upstream of earthen lake dam.	None	*1,987
		Stream RA-1	At confluence with Red Arroyo	None	*1,897
			Just downstream of O.C. Fisher Dam spillway.	None	*1,928
		Stream RA-2	At confluence with Red Arroyo	None	*1,898
			Just upstream of Arden Road	None	*1,941
		Goodfellow Draw	120 feet downstream of Stock Tank Dam	None	*1,805
790 feet upstream of Stock Tank Dam	None		*1,810		

Maps are available for inspection at the Public Health Building, Two City Hall Plaza, San Angelo, Texas.

Send comments to The Honorable Michael D. Brown, Judge, Tom Green County, County Courthouse, 112 West Beauregard Street, San Angelo, Texas 76902.

Washington	Whatcom County and Incorporated Areas.	Johnson Creek	At the confluence with Sumas River	None	*38
			Approximately 1,500 feet upstream of South Pass Road.	None	*85

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
	Whatcom County Incorporated Areas (Cont'd).	Nooksack River	At Bellingham Bay Approximately 600 feet downstream of Burlington Northern Railroad, at the confluence with South Fork.	None *226	*8 *222
		Nooksack River Right Overbank Divided Flow.	At Lummi Bay Approximately 800 feet upstream of River Road.	None	*8 *26
		Middle Fork Nooksack River.	At the confluence with North Fork Nooksack River. Approximately 11,500 feet upstream of the confluence of Canyon Creek.	None	*284 *406
		North Fork Nooksack River.	At the confluence with South Fork Nooksack River. Approximately 35,600 feet (7 miles) upstream from Mosquito Lake Road.	None	*222 *466
		South Fork Nooksack River.	At the confluence with North Fork Nooksack River. Approximately 7,400 feet upstream of Saxon Road.	*226 *386	*222 *385
		South Fork Nooksack River Divided Flow.	At Burlington Northern Railroad	None	*246
		Samish River	At Acme Road Approximately 2,900 feet downstream of Wickersham Road at the County Boundary.	None None	*280 *267
		Squalicum Creek	At Burlington Northern Railroad Approximately 200 feet upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	None None	*311 *127
		Sumas River	Approximately 2,000 feet upstream of Dewey Road. Approximately 1,700 feet downstream of Jones Road at the International Boundary.	None	*206 *34
		Sumas River Left Overbank Divided Flow.	Approximately 1,000 feet upstream of Massey Road. Approximately 200 feet downstream of Telegraph Road. Approximately 6,300 feet upstream of Kadin Road.	None None None	*93 *56 *69
		Terrell Creek	Approximately 500 feet downstream of Alderson Road. At Helweg Road	None None	*8 *10

Maps are available for inspection at Whatcom County Public Works Department, Division of Engineering, 5280 NW Drive, Suite C, Bellingham, Washington.

Send comments to The Honorable Pete Kremen, County Executive, 311 Grand Avenue #108, Bellingham, Washington 98225.

Maps are available for inspection at the Community Development Department, 210 Lottie Street, Bellingham, Washington.

Send comments to The Honorable Mark Asmundson, Mayor, City of Bellingham, 210 Central Avenue, Bellingham, Washington 98225.

Maps are available for inspection at City Hall, 111 W. Main Street, Everson, Washington.

Send comments to The Honorable Gena Tolle, Mayor, P.O. Box 315, Everson, Washington 98247.

Maps are available for inspection at the Planning Department, 5694 2nd Avenue, Ferndale, Washington.

Send comments to The Honorable Yvonne Goldsmith, Mayor, City of Ferndale, 5694 2nd Avenue, Ferndale, Washington 98248.

Maps are available for inspection at the Planning Department 2828 Kwina Road, Bellingham, Washington.

Send comments to The Honorable Tim Ballew, Tribal Chair, City of Lummi Indian Nation, 2626 Kwina Road, Bellingham, Washington 98226.

Maps are available for inspection at the Planning Department, 323 Front Street, Lynden, Washington.

Send comments to The Honorable Daryl Brennick, Mayor, City of Lynden, 323 Front Street, Lynden, Washington 98264.

Maps are available for inspection at City Hall, 103 W. Madison Street, Nooksack, Washington 98276.

Send comments to The Honorable James S. Ackerman, Mayor, City of Nooksack, P.O. Box 4265, Nooksack, Washington 98276.

Maps are available for inspection at City Hall, 433 Cherry Street, Sumas, Washington 98295.

Send comments to The Honorable Don Peterson, Mayor, City of Sumas, P.O. Box 9 Sumas, Washington 98295.

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

Dated: January 28, 2000.

Michael J. Armstrong,
Associate Director for Mitigation.

[FR Doc. 00-2805 Filed 2-7-00; 8:45 am]

BILLING CODE 6718-04-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 110 and 111

[USCG-1999-6096]

RIN 2115-AF89

Marine Shipboard Electrical Cable Standards

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend its electrical engineering regulations for merchant vessels by adding alternate cable standards that are equivalent to the existing standards. Our intent is to revise requirements that create an unwarranted difference between domestic rules and international standards for marine cable.

DATES: Comments and related material must reach the Docket Management Facility on or before May 8, 2000.

ADDRESSES: To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility (USCG-1999-6096), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By hand delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>.

The Docket Management Facility maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street

SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

You may inspect the material proposed for incorporation by reference at room 1300, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001 between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-267-0658. Copies of the material are available as indicated in the "Incorporation by Reference" section of this preamble.

FOR FURTHER INFORMATION CONTACT: For questions on this proposed rule, call Ms. Dolores Mercier, Project Manager, Office of Design and Engineering Standards (G-MSE), Coast Guard, telephone 202-267-0658. For questions on viewing or submitting material to the docket, call Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202-366-9329.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (USCG-1999-6096), indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one to the Docket Management Facility at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that a public meeting would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

Since the last revision of our electrical engineering regulations in 46 CFR chapter I, subchapter J, (62 FR 23894, May 1, 1997), we have received a number of letters concerning the construction requirements in 46 CFR 111.60-1 and 111.60-3 for cable used on merchant vessels. Sections 111.60-1 and 111.60-3 allow the use of cables meeting certain industry standards listed in those sections. The letters suggest that there are other cable standards beside those listed in the two sections that would provide a level of performance and safety equivalent to the listed standards. The Coast Guard reviewed these standards and found them to be equivalent. Therefore, the purpose for this notice of proposed rulemaking is to gather your comments on whether you agree that these standards do provide an equivalent level of performance and safety for cable used on merchant vessels. The Coast Guard completed equivalency determinations on UL 1309 (1995); IEC 92-350, 1988, amendment 1 (1994); and IEC 92-353 (1995-01). We believe that these standards offer an equivalent level of performance and safety to those standards already listed. These equivalency determinations have been placed in the public docket for the rulemaking.

In the text of the Transportation and Infrastructure Committee report accompanying HR 820, the committee stated that the Coast Guard should undertake a formal rulemaking process before deciding whether IEC 92-350, IEC 92-353, and UL 1309 are approved for use.

The Coast Guard encourages public comment on all aspects of this rulemaking initiative.

Discussion of Proposed Rule

The title and edition of the standards referred to in this discussion are found in proposed § 110.10-1(b) or in existing 46 CFR 110.10-1(b).

Proposed § 111.60-1(a)

This paragraph would be amended to allow the use of marine shipboard cable meeting UL 1309, IEC 92-350, or IEC 92-353, as well as cable meeting one of the standards presently listed.

Proposed § 111.60-1(b)

This paragraph would be amended to specify the flammability requirements for cable meeting IEC 92-350 or IEC 92-353.