

rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. section 804(2).

I. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by May 21, 2001. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2) of the CAA).

J. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use "voluntary consensus standards" (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

In reviewing operating permit programs, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. In this context, in the absence of a prior existing requirement for the state to use VCS, EPA has no authority to disapprove an operating permit program for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews an operating permit program, to use VCS in place of an operating permit program that otherwise satisfies the provisions of the CAA. Thus, the requirements of section 12(d) of NTTAA do not apply.

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.

Dated: March 12, 2001.

A. Stanley Meiburg,
Acting Regional Administrator, Region 4.

For reasons set out in the preamble, Appendix A of part 70 of title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 70—[AMENDED]

1. The authority citation for part 70 continues to read as follows:

Authority: 42 U.S.C. 7401 et seq.

2. Appendix A to part 70 is amended by adding paragraphs (f) and (j) in the entry for Tennessee to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

Tennessee
* * * * *

(f) The Tennessee Department of Environment and Conservation submitted program revisions on July 15, 1997, June 16, 1998, February 5, 1999, February 24, 1999, March 5, 1999, June 16, 1999, July 2, 1999, November 30, 1999, December 30, 1999, and August 21, 2000. The rule revisions contained in the February 5, 1999, February 24, 1999, March 5, 1999, June 16, 1999, and December 30, 1999, submittals adequately addressed the conditions of the interim approval effective on August 28, 1996, and which would expire on December 1, 2001. The State's operating permit program is hereby granted final full approval effective on May 21, 2001.

* * * * *

(j) The Memphis-Shelby County Health Department submitted program revisions on October 11, 1999 and May 2, 2000. The rule revisions contained in the May 2, 2000, submittal adequately addressed the conditions of the interim approval effective on August 28, 1996, and which would expire on December 1, 2001. The County's operating permit program is hereby granted final full approval effective on May 21, 2001.

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[FR Doc. 01-6863 Filed 3-19-01; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA-7750]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the

National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Donna M. Dannels, Division Director, Policy and Assessment Division, Mitigation Directorate, 500 C Street SW., room 411, Washington, DC 20472, (202) 646-3098.

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 measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Associate Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Associate Director finds that the delayed effective dates would be contrary to the public interest. The Associate Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

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 certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

Regulatory Classification

This final 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.

Paperwork Reduction Act

This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for Part 64 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.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State/location	Community No.	Effective date of eligibility	Current effective map date
New Eligibles—Emergency Program			
Georgia:			
Homer, town of, Banks County	130271	January 3, 2001	April 18, 1975.
Jenkinsburg, town of, Butts County	130525	.....do.	
Tennessee: Oakland, town of, Fayette County	470418	.....do.	
Texas:			
Dickens County, unincorporated areas	480198	January 4, 2001.	July 17, 1977 FHBM.
Floyd County, unincorporated areas	480817	.....do.	
Kent County, unincorporated areas	481231	.....do.	Jan. 15, 1982 FHBM.
Kimble County, unincorporated areas	481232	.....do.	
Rule, town of, Haskell County	480854	.....do.	
Schleicher County, unincorporated areas	480999	.....do.	
Wyoming: Kirby, town of, Hot Springs County	560102	Jan. 10, 2001.	
Georgia: Lenox, town of, Cook County	130569	Jan. 12, 2001.	
Michigan: Girard, township of, Branch County	261044	Jan. 16, 2001.	
Ohio: Mount Orab, village of, Brown County	390621	.....do.	
Texas:			
Crane County, unincorporated areas	481211	.....do.	Nov. 12, 1976.
Happy, city of, Swisher County	481011	.....do.	
Jayton, city of, Kent County	481690	.....do.	May 24, 1977.
Parmer County, unincorporated areas	480970	.....do.	
Spur, city of, Dickens County	480788	.....do.	
Texline, town of, Dallam County	481129	.....do.	
Washington County, unincorporated areas	481188	.....do.	
New Eligibles—Regular Program			
Florida: Wellington, village of, Palm Beach County ¹	125157	Jan. 3, 2001.	NSFHA.
North Dakota: Tuttle, city of, Kidder County	380041	.....do.	
Texas:			
Hill Country Village, town of, Bexar County	481106	Jan. 4, 2001	Aug. 23, 1977.
Tioga, town of, Grayson County	481624	Jan. 16, 2001	July 17, 1995.
Missouri: Augusta, village of, St. Charles County	290461	Jan. 31, 2001	Dec. 6, 1999.
Reinstatements			
Pennsylvania: New Kensington, city of, Westmoreland County.	420891	June 14, 1973, Emer	Nov. 20, 2000.
		Sept. 29, 1978, Reg. Dec. 14, 2000, Susp. Jan. 2, 2001, Rein.	
Ohio: Creston, village of, Wayne County	390575	Oct. 17, 1994, Reg	May 3, 1993.
		Jan. 16, 1998, With. Jan. 16, 2001, Rein.	
Illinois: Palos Heights, city of, Cook County	170142	July 16, 1980, Reg	Nov. 6, 2000.
		Jan. 12, 2001, With. Jan. 23, 2001, Rein.	
Orland Park, village of, Cook County	170140	Feb. 4, 1981, Reg.	Do.
		Jan. 12, 2001, With. Jan. 29, 2001, Rein.	
Suspensions			
Illinois:			
La Grange, village of, Cook County	170114	Jan. 12, 2001	Nov. 6, 2000.

State/location	Community No.	Effective date of eligibility	Current effective map date
Lincolnwood, village of, Cook County	171001	.....do	Do.
North Riverside, village of, Cook County	170135	.....do	Do.
Pennsylvania: Gilpin, township of, Armstrong County.	421306	.....do	August 23, 2000.
Virginia: Monterey, town of, Highland County	510379	.....do	Dec. 20, 2000.
Pennsylvania:			
Delaware, township of, Pike County	421963	Jan. 19, 2001	Oct. 6, 2000.
Milford, township of, Pike County	422642	.....do	Do.
Regular Program Conversions			
Region V			
Illinois:			
Bedford Park, village of, Cook County	171007	Jan. 5, 2001, Suspension Withdrawn	Jan. 5, 2001.
Des Plaines, city of, Cook County	170081	.....do	Do.
East Hazel Crest, village of, Cook County	170085	.....do	Do.
Evanston, city of, Cook County	170090	.....do	Do.
Ford Heights, village of, Cook County	170084	.....do	Do.
Golf, village of, Cook County	170098	.....do	Do.
Hanover Park, village of, Cook County	170099	.....do	Do.
Hillside, village of, Cook County	170104	.....do	Do.
Hoffman Estates, village of, Cook County	170107	.....do	Do.
La Grange, village of, Cook County	170114	.....do	Do.
Lincolnwood, village of, Cook County	171001	.....do	Do.
North Riverside, village of, Cook County	170135	.....do	Do.
Oak Forest, city of, Cook County	170136	.....do	Do.
Palos Hills, city of, Cook County	170143	.....do	Do.
Schiller Park, village of, Cook County	170159	.....do	Do.
Indiana: Indianapolis, city of, Marion County.	180159	.....do	Jan. 5, 2001.
Region III			
Pennsylvania:			
Blooming Grove, township of, Pike County	421962	Jan. 19, 2001, Suspension Withdrawn	Oct. 6, 2000.
Delaware, township of, Pike County	421963	.....do	Do.
Dingman, township of, Pike County	421964	.....do	Do.
Greene, township of, Pike County	421965	.....do	Do.
Lackawaxen, township of, Pike County	421966	.....do	Do.
Lehman, township of, Pike County	421967	.....do	Do.
Matamoras, borough of, Pike County	420758	.....do	Do.
Milford, borough of, Pike County	420759	.....do	Do.
Milford, township of, Pike County	422642	.....do	Do.
Palmyra, township of, Pike County	421968	.....do	Do.
Porter, township of, Pike County	422500	.....do	Do.
Shohola, township of, Pike County	421969	.....do	Do.
Westfall, township of, Pike County	421970	.....do	Do.
Virginia: Hardy County, unincorporated areas	540051	.....do	Jan. 19, 2001.
West Virginia: Moorefield, town of, Hardy County ...	540052	.....do	Do.

¹ The Village of Wellington adopted the Palm Beach County Flood Insurance Rate Map (FIRM), dated June 2, 1992, panel 0100B. Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension; With.—Withdrawn; NSFHA.—Non Special Flood Hazard Area.

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

Margaret E. Lawless,

Acting Executive Associate Director for Mitigation.

[FR Doc. 01-6766 Filed 3-19-01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[ET Docket No. 98-206; FCC 00-418]

Fixed Satellite Service and Terrestrial System in the Ku-Band; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: On February 16, 2001 (66 FR 10601), the Commission published final rules in the Report and Order, which permits non-geostationary satellite orbit and fixed-satellite service providers to operate in certain segments of the Ku-

band. This document contains correction to that rule.

DATES: Effective March 19, 2001.

FOR FURTHER INFORMATION CONTACT: Tom Derenge, Office of Engineering and Technology, (202) 418-2451.

SUPPLEMENTARY INFORMATION: The Federal Communications Commission published a document amending part 2 in the **Federal Register** of February 16, 2001 (66 FR 10601). This document corrects the **Federal Register** as it appeared. In rule FR Doc. 01-3710 published on February 16, 2001 (66 FR 10601), the Commission is correcting the table in United States (US) Footnote for US 355 to reflect the correct "degree (°), minute (') , and second (")" symbols.