

**Subpart NN—Pennsylvania**

the existing entry for Carbon Monoxide Maintenance Plan (Philadelphia County) to read as follows:

**§ 52.2020 Identification of plan.**  
 \* \* \* \* \*  
 (e) \* \* \*  
 (1) \* \* \*

■ 4. In Section 52.2020, the table in paragraph (e)(1) is amended by revising

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
Carbon Monoxide Maintenance Plan.	Philadelphia County .....	9/8/95, 10/30/95 9/3/04	1/30/96, 61 FR 2982 ..... [Insert <i>Federal Register</i> publication date] [Insert page number where the document begins].	52.2063(c)(105) Revised Carbon Monoxide Maintenance Plan Base Year Emissions Inventory using MOBILE6.

\* \* \* \* \* existing entry for Carbon Monoxide Maintenance Plan to read as follows:

(e) \* \* \*

**Subpart VV—Virginia**

**§ 52.2420 Identification of plan**  
 \* \* \* \* \*

■ 5. In Section 52.2420, the table in paragraph (e) is amended by revising the

Name of non-regulatory SIP revision	Applicable geographic or nonattainment area	State submittal date	EPA approval date	Additional explanation
Carbon Monoxide Maintenance Plan.	Arlington County and Alexandria City.	10/4/95 3/22/04	1/30/96, 61 FR 2931 ..... [Insert <i>Federal Register</i> publication date] [Insert page number where the document begins].	52.2465(c)(107) Revised Carbon Monoxide Maintenance Plan Base Year Emissions Inventory using MOBILE6.

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 BILLING CODE 6560-50-P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 64**

[Docket No. FEMA-7873]

**Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**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 scheduled for suspension 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 not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

**EFFECTIVE DATES:** The effective date of each community's scheduled 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:** Michael M. Grimm, Mitigation Division, 500 C Street, SW., Room 412, Washington, DC 20472, (202) 646-2878.

**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 Administrator 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 letter 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 Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

**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 and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain federal assistance no longer available in special flood hazard areas
<b>Region V</b>				
Ohio: Lake County, Unincorporated Areas.	390771	October 22, 1975, Emerg; January 2, 1981, Reg; April 5, 2005, Susp.	Apr. 5, 2005 .....	Apr. 5, 2005.
Perry, Village of, Lake County .....	390320	June 11, 1975, Emerg; December 15, 1978, Reg; April 5, 2005, Susp.	.....do .....	Do.
<b>Region IX</b>				
California: West Covina, City of, Los Angeles County.	060666	December 9, 1982, Emerg; September 7, 1984, Reg; April 5, 2005, Susp.	Dec. 2, 2004 .....	Do.

\*-do- = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: March 24, 2005.

**David I. Maurstad,**

*Acting Mitigation Division Director,  
Emergency Preparedness and Response  
Directorate.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 219

[Docket No. 2001-11213, Notice No. 5]

RIN 2130-AA81

#### **Alcohol and Drug Testing: Change of Corporate Name, Address, and Telephone Numbers of Post-Accident Toxicological Testing Laboratory**

**AGENCY:** Federal Railroad Administration (FRA), DOT.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** FRA is amending its alcohol and drug rule to reflect changes to the corporate name, address, and telephone numbers of the laboratory designated to conduct post-accident toxicological testing.

**DATES:** Effective April 4, 2005.

**FOR FURTHER INFORMATION CONTACT:** Lamar Allen, Alcohol and Drug Program Manager, Office of Safety Enforcement, Mail Stop 25, Federal Railroad

Administration, 1120 Vermont Avenue, NW., Washington, DC 20005, (202) 493-6313; or Kathy Schnakenberg, FRA Alcohol/Drug Program Specialist, (816) 561-2714.

**SUPPLEMENTARY INFORMATION:** FRA is amending appendix B to part 219 to reflect changes to the corporate name, address, and telephone numbers of the laboratory designated to conduct post-accident toxicological testing. In 1995, FRA awarded a contract to Northwest Toxicology, Inc. to conduct post-accident toxicological testing. The laboratory has since changed its corporate name twice; in 1998, when Northwest Toxicology, Inc. changed its corporate name to NWT Inc.; and in 2003, when LabOne acquired a division of NWT Inc. and changed the laboratory's name to Northwest Toxicology, a LabOne Company. FRA has modified its post-accident testing contract to recognize the laboratory's name change. Northwest Toxicology, a LabOne Company, recently moved to a new location. For mailing purposes, railroads should ship post-accident toxicological testing specimens to the following address and use the telephone numbers below: Northwest Toxicology/LabOne, Hayes Building, Suite #C, 2282 South Presidents Drive, West Valley City, UT 84120, Telephone: (800) 322-3361 or (801) 293-2300 (Day), (801) 244-5599 (Night/Weekend).

#### **List of Subjects in 49 CFR Part 219**

Alcohol abuse, Drug abuse, Drug testing, Penalties, Railroad safety, Safety, Transportation.

#### **The Final Rule**

■ In consideration of the foregoing, FRA amends chapter II, subtitle B of title 49, Code of Federal Regulations as follows:

#### **PART 219—[AMENDED]**

■ 1. The authority citation for part 219 continues to read as follows:

**Authority:** 49 U.S.C. 20103, 20107, 20140, 21301, 21304, 21311; 28 U.S.C. 2461, note; and 49 CFR 1.49(m).

■ 2. Appendix B to part 219 is revised to read as follows:

#### **Appendix B to Part 219—Designation of Laboratory for Post-Accident Toxicological Testing**

The following laboratory is currently designated to conduct post-accident toxicological analysis under subpart C of this part: Northwest Toxicology/LabOne, Hayes Building, Suite #C, 2282 South Presidents Drive, West Valley City, UT 84120, Telephone: (800) 322-3361 or (801) 293-2300 (Day), (801) 244-5599 (Night/Weekend).

Issued in Washington, DC, on March 29, 2005.

**Robert D. Jamison,**

*Acting Administrator, Federal Railroad  
Administrator.*

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