receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by February 18, 2003.

ADDRESSES: Written comments should be addressed to Walter Wilkie, Acting Branch Chief, Air Quality Planning and Information Services Branch, 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103, and the Pennsylvania Department of Environmental Protection, Bureau of Air Quality Control, PO Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Denis Lohman, (215) 814–2192, or Ellen Wentworth, (215) 814–2034, or by e-mail at *lohman.denny@epa.gov* or *wentworth.ellen@epa.gov.* Please note that while questions may be posed via telephone and e-mail, formal comments must be submitted in writing, as indicated in the **ADDRESSES** section of this document.

SUPPLEMENTARY INFORMATION: For further information, please see the information provided in the direct final action pertaining to the SO_2 attainment demonstration for the Warren County nonattainment areas, and permit emission limitations for two individual sources in Warren County, Pennsylvania, that is located in the ''Rules and Regulations'' section of this **Federal Register** publication. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

Dated: December 4, 2002.

Thomas C. Voltaggio,

Acting Regional Administrator, Region III.

[FR Doc. 03–732 Filed 1–16–03; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA–D–7552]

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 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: Michael M. Grimm, Acting Chief, Hazard Study Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2878, or (email) *mike.grimm@fema.gov.*

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 Administrator, Federal Insurance and Mitigation Administration, 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. 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:

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) • Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
North Carolina Carteret County (Unincorporated Areas)				
Cedar Swamp Creek	At the confluence with Newport River	None	• 9	Town of Newport, Carteret County (Unincorporated Areas)
	Approximately 800 feet upstream of Forest Route #154	None	• 26	
Cypress Drain	At the conference with Newport River	None	• 17	Carteret County (Unincorporated Areas)
	Approximately 1,400 feet upstream of Lake Road	None	• 21	
Hadnot Creek	Approximately 350 feet upstream of Old Church Road	None	• 9	Carteret County (Unincorporated Areas)
	Approximately 2.0 miles upstream of Forest Route $176.	None	• 33	
Hadnot Creek Tributary	At the Confluence with Hadnot Creek	None	• 14	Carteret County (Unincorporated Areas)
	Approximately 1.3 miles upstream of confluence with Hadnot Creek.	None	• 30	
Hunters Creek	At the confluence with White Oak River	None	• 9	Carteret County (Unincorporated Areas)
	Approximately 750 feet upstream of confluence of Wolf Swamp.	None	• 24	
Juniper Branch	At the confluence with Southwest Prong Newport River	None	• 23	Carteret County (Unincorporated Areas)
	Approximately 0.4 mile upstream of Forest Route #177	None	• 30	
Main Prong	At the confluence with Black Creek	None	• 9	Carteret County (Unincorporated Areas)
	Approximately 2.0 miles upstream of confluence with Black Creek.	None	• 23	
Newport River	At upstream side of Highway 70	None	• 9	Town of Newport, Carteret County (Unincorporated Areas)
	Approximately 800 feet upstream of confluence of Cypress Drain.	None	• 18	
Pettiford Creek	At the confluence with Pettiford Creek Bay	None	• 7	Carteret County (Unincorporated Areas)
	Approximately 2.0 miles upstream of Millis Road	None	• 35	
Pettiford Creek Tributary 1	At the confluence with Pettiford	None	• 13	Carteret County (Unincorporated Areas)
	Creek Approximately 1.8 miles upstream of confluence with Pettiford Creek.	None	• 26	
Shoe Branch	At the confluence with Newport River	None	• 10	Town of Newport, Carteret County (Unincorporated Areas)
	Approximately 0.8 mile upstream of Tom Mann Road	None	• 27	
Southwest Prong of Newport River.	At the confluence with Newport River	None	• 11	Town of Newport, Carteret County (Unincorporated Areas)
	Approximately 1,050 feet upstream of confluence of Millis Swamp.	None	• 26	
Wolf Swamp	At the confluence with Hunters Creek	None	• 23	Carteret County (Unincorporated Areas)
	Approximately 430 feet upstream of Forest Route #174	None	• 34	

Town of Newport

Maps available for inspection at the Newport Town Hall, 200 Howard Boulevard, Newport, North Carolina.

Send comments to The Honorable Derryl Garner, Mayor of the Town of Newport, P.O. Box 1869, 200 Howard Boulevard, Newport, North Carolina 28570.

Carteret County (Unincorporated Areas)

Maps available for inspection at the Carteret County Planning and Inspection, Court House Square, Beaufort, North Carolina.

Send comments to Mr. Pete Allen, Carteret County Manager, County Manager's Office, Courthouse Square, Beaufort, North Carolina 28516.

Dated: January 10, 2003.

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

Anthony S. Lowe,

Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 03–1085 Filed 1–16–03; 8:45 am]

BILLING CODE 6718–04–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA—B–7433]

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 (BFEs) and proposed BFE modifications for the communities listed below. The BFEs and modified BFEs 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 90 days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed BFEs 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: Mike M. Grimm, Acting, Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street, SW., Washington, DC 20472, (202) 646–3461, or (e-mail) *mike.grimm@fema.gov*

SUPPLEMENTARY INFORMATION: FEMA proposes to make determinations of BFEs and modified BFEs 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 BFEs and modified BFEs, 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 Administrator, Federal Insurance and Mitigation Administration certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified BFEs 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:

State	City/town/county	Source of flooding	Location	Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
California	Lake Elsinore (City), Riverside County.	Lake Elsinore	At Lake Elsinore	*1,267	*1,263
		San Jacinto River	Approximately 1,400 feet downstream of Lakeshore Drive.	*1,275	*1,274
			Just above U.S. Route 15	*1,275	*1,274
			Approximately 1.6 miles upstream of Summerhill Drive.	*1,309	*1,309
		Tenescal Wash	Just downstream of Riverside Drive	*1,258	*1,258
			At Tenth Street	*1,258	*1,259
			Just downstream of Chaney Street	*1,265	*1,262
Depth in feet above ground					
Maps are available for inspection at City Hall, City Engineers Office, c/o Mr. Richard A. Hess, 130 South Main Street, Lake Elsinore, California 92530.					
Send comments to The Honorable Genie Kelly, Mayor, City of Lake Elsionore, 130 South Main Street, Lake Elsionore, California 92530.					
California	Riverside County	Lakeland Village Channel	Approximately 460 feet downstream of Grand Avenue.	*1,267	*1,265
			Just upstream of Ralley Avenue	*1,293	*1,293