

intent to delete because EPA views this as a noncontroversial revision and anticipates no adverse comment. EPA has explained its reasons for this deletion in the direct final notice of deletion. If EPA receives no adverse comment(s) on this notice of intent to delete or on the direct final notice of deletion, EPA will not take further action on this notice of intent to delete. If EPA receives adverse comment(s), EPA will withdraw the direct final notice of deletion and it will not take effect. EPA will, as appropriate, address all public comments in a subsequent final deletion notice based on this notice of intent to delete. EPA will not institute a second comment period on this notice of intent to delete. Any parties interested in commenting must do so at this time. For additional information, see the direct final notice of deletion which is located in the "Rules and Regulations" section of this **Federal Register**.

**DATES:** Comments concerning this Site must be received by February 12, 2003.

**ADDRESSES:** Written comments should be addressed to: Mr. Hilary M. Thornton, Remedial Project Manager, U.S. EPA Region III (3HS23), 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-3323.

**FOR FURTHER INFORMATION CONTACT:** Mr. Hilary M. Thornton, Remedial Project Manager, U.S. EPA Region III (3HS23), 1650 Arch Street, Philadelphia, PA 19103-2029, (215) 814-3323 or 1-800-553-2509.

**SUPPLEMENTARY INFORMATION:** For additional information, see the direct final notice of deletion which is located in the "Rules and Regulations" section of this **Federal Register**.

*Information Repositories:* Repositories have been established to provide detailed information concerning this decision at the following addresses: U.S. EPA Region III, Regional Center for Environmental Information (RCEI), 1650 Arch Street (2nd Floor), Philadelphia, PA 19103-2029, (215) 814-5254, Monday through Friday, 8 a.m. to 5 p.m.; and in Delaware at the Delaware Department of Natural Resources and Environmental Control, Site Investigation and Restoration Branch, 391 Lukens Drive, New Castle, DE 19720, (302) 395-2600, Monday through Friday, 8 a.m. to 4 p.m.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping

requirements, Superfund, Water pollution control, Water supply.

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601-9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

Dated: December 20, 2002.

**Donald S. Welsh,**

*Regional Administrator, U.S. EPA Region III.*

[FR Doc. 03-514 Filed 1-10-03; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 67

[Docket No. FEMA-D-7550]

#### 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 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:** 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) 646-3461, or (email) [mike.grimm@fema.gov](mailto: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	
<b>MISSISSIPPI</b>				
<b>Rankin County (Unincorporated Areas)</b>				
Eutacutachee Creek .....	Approximately 250 feet from the confluence of Pelahatchie Creek.	None	•333	Rankin County (Unincorporated Areas)
	Approximately 760 feet upstream of International Paper Road.	None	•387	
Eutacutachee Creek Tributary 1.	At the confluence with Eutacutachee Creek .....	None	•360	Rankin County (Unincorporated Areas)
	Approximately 7,070 feet upstream of the confluence with Eutacutachee Creek.	None	•383	
Eutacutachee Creek Tributary 2.	At the confluence with Eutacutachee Creek .....	None	•372	Rankin County (Unincorporated Areas)
	Approximately 4,763 feet upstream of the confluence with Eutacutachee Creek.	None	•380	
Eutacutachee Creek Tributary 3.	At the confluence with Eutacutachee Creek .....	None	•360	Rankin County (Unincorporated Areas)
	Approximately 0.7 mile upstream of Rankin Road	None	•387	
Eutacutachee Creek Tributary 4.	At the confluence with Eutacutachee Creek .....	None	•355	Rankin County (Unincorporated Areas)
	Approximately 100 feet upstream of Gulde-Shiloh Road.	None	•390	
Prairie Branch Tributary 1.	At the confluence with Prairie Branch Canal .....	•280	•279	Town of Flowood
	Approximately 800 feet upstream of U.S. Highway 475.	None	•284	
Pelahatchie Bay Unnamed Tributary.	At Pearl River Valley Water Supply District corporate limits.	None	•307	Rankin County (Unincorporated Areas)
	Approximately 510 feet upstream of Pearl River Valley Water Supply District corporate limits.	None	•307	
Pearl River Tributary 2 ...	At upstream side of Old U.S. Highway 49 .....	•271	•270	City of Richland
	Approximately 0.4 mile upstream of Old U.S. Highway 49.	•271	•270	
Woodrun Creek .....	Approximately 175 feet downstream of Interstate Route 20.	None	•337	City of Brandon, City of Pearl
	Approximately 125 feet upstream of Mississippi Salvage Road.	None	•360	
Terrapin Skin Creek .....	Approximately 0.5 mile downstream of North Deer Ridge.	•372	•371	Rankin County (Unincorporated Areas), City of Brandon
	Approximately 0.7 mile upstream of North Deer Ridge.	None	•395	
Hog Creek .....	Approximately 650 feet upstream of State Route 475.	•283	•282	Town of Flowood
	Approximately 200 feet upstream of State Highway 468.	•284	•285	
Richland Creek .....	Approximately 1.4 miles upstream of State Highway 471.	•343	•344	Rankin County (Unincorporated Areas), City of Brandon
	Approximately 1.1 miles upstream of U.S. Highway 80.	None	•373	
Pelahatchie Creek Tributary 1.	Just upstream of State Route 43 .....	•352	•351	Town of Pelahatchie
	Approximately 375 feet upstream of Ragan Road	None	•370	
Pearl River Tributary 3 ...	Approximately 3,000 feet downstream of U.S. Highway 25.	•283	•282	Town of Flowood
	Approximately 150 feet upstream of Flowood Drive	•283	•282	

**Rankin County (Unincorporated Areas)**

Maps available for inspection at the Rankin County Building, 211 East Government, Brandon, Mississippi.

Send comments to Mr. Ken Martin, President of the Rankin County Board of Supervisors, 211 East Government, Brandon, Mississippi 39042.

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	

**City of Brandon**

Maps available for inspection at the Brandon City Hall, 201 North College Street, Brandon, Mississippi.  
Send comments to The Honorable Truitt M. Grubbs, Mayor of the City of Brandon, P.O. Box 1539, Brandon, Mississippi 39043.

**Town of Flowood**

Maps available for inspection at the Flowood Town Hall, 2101 Airport Road, Flowood, Mississippi.  
Send comments to The Honorable Gary Rhoads, Mayor of the Town of Flowood, P.O. Box 320069, Flowood, Mississippi 39232.

**City of Pearl**

Maps available for inspection at the Pearl City Hall, 2420 Old Brandon Road, Pearl, Mississippi.  
Send comments to The Honorable Jimmy Foster, Mayor of the City of Pearl, P.O. Box 5948, Pearl, Mississippi 39288–5948.

**Town of Pelahatchie**

Maps available for inspection at the Pelahatchie City Hall, 705 Second Street, Pelahatchie, Mississippi.  
Send comments to The Honorable Knox Ross, Jr., Mayor of the Town of Pelahatchie, P.O. Box 229, Pelahatchie, Mississippi 39145.

**City of Richland**

Maps available for inspection at the Richland City Hall, 380 Scarborough Street, Richland, Mississippi.  
Send comments to The Honorable Shirley Hall, Mayor of the City of Richland, P.O. Box 180609, Richland, Mississippi 39218.

**NORTH CAROLINA  
Scotland County (Unincorporated Areas)**

Beaverdam Creek .....	At the confluence with Juniper Creek ..... Approximately 1.5 miles upstream of Nashville Church Road.	None None	•246 •263	Scotland County (Unincorporated Areas)
Big Branch .....	At the confluence with Bridge Creek .....	None	•155	City of Laurinburg, Scotland County (Unincorporated Areas)
Big Muddy Creek .....	Approximately 0.5 mile upstream of Interstate 74 .. At the confluence with the Lumber River .....	None None	•214 •266	Scotland County (Unincorporated Areas)
Bridge Creek .....	At the County boundary .....	None	•311	
	At the confluence with Leith Creek .....	None	•146	City of Laurinburg, Scotland County (Unincorporated Areas)
	Approximately 1,640 feet upstream of Andrew Jackson Highway/Interstate 74—Business.	None	•229	
Crawford Branch .....	At the confluence with Gum Swamp Creek .....	None	•242	Scotland County (Unincorporated Areas)
	Approximately 1.3 miles upstream of Crawford Lake Road.	None	•271	
Crooked Creek .....	Approximately 700 feet downstream of the State boundary.	None	•225	Scotland County (Unincorporated Areas)
	Approximately 100 feet downstream of County Line Road.	None	•243	
Gum Swamp Creek .....	At Pea Bridge Road .....	None	•149	City of Laurinburg, Scotland County (Unincorporated Areas)
	Approximately 0.5 mile upstream of Sneads Grove Road.	None	•329	
Gum Swamp Creek Tributary.	At the confluence with Richmond Mill Lake/Gum Swamp Creek.	None	•210	Scotland County (Unincorporated Areas)
	Approximately 0.7 mile upstream of Gillis Road ....	None	•223	
Joes Creek .....	At the confluence with Gum Swamp Creek .....	None	•178	Scotland County (Unincorporated Areas)
	Approximately 1,000 feet downstream of CSX Transportation.	None	•258	
Joes Creek Tributary .....	At the confluence with Joes Creek .....	None	•219	Scotland County (Unincorporated Areas)
	Approximately 100 feet downstream of Scotland County Line Road.	None	•261	
Jordan Creek .....	At the confluence with Juniper Creek .....	None	•192	Scotland County (Unincorporated Areas)
	Approximately 950 feet downstream of Timmons Road.	None	•300	
Juniper Creek .....	At the confluence with Shoe Heel Creek .....	None	•179	Scotland County (Unincorporated Areas)
	Approximately 1.8 miles upstream of Nashville Church Road.	None	•259	
Juniper Creek Tributary 1	At the confluence with Juniper Creek .....	None	•180	Scotland County (Unincorporated Areas)
	Approximately 750 feet upstream of Lee Lane .....	None	•221	
Leith Creek .....	At the County boundary .....	None	•136	Town of East Laurinburg, City of Laurinburg, Scotland County (Unincorporated Areas)
	Approximately 1,500 feet upstream of Old Wire Road.	None	•248	
Leith Creek Tributary 1 ...	At the confluence with Leith Creek .....	None	•137	Scotland County (Unincorporated Areas)

Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Leith Creek Tributary 2 ...	Approximately 50 feet downstream of Pea Bridge Road.	None	•157	Scotland County (Unincorporated Areas)
	At the confluence with Leith Creek .....	None	•175	
Little Creek .....	Approximately 325 feet downstream of Andrew Jackson Highway/Interstate 74—Business.	None	•189	City of Laurinburg, Scotland County (Unincorporated Areas)
	At the confluence with Leith Creek .....	•180	•186	
Little Juniper Creek .....	Approximately 125 feet downstream of Aberdeen Road/Interstate 501—15.	None	•233	Scotland County (Unincorporated Areas)
	At the confluence with Juniper Creek .....	None	•197	
Little Juniper Creek Tributary.	Approximately 280 feet upstream of Aberdeen Road/Interstates 01—15.	None	•256	Scotland County (Unincorporated Areas)
	At the confluence with Little Juniper Creek .....	None	•227	
Little Shoe Heel Creek ...	Approximately 0.7 mile upstream of Aberdeen Road/Interstate 501—15.	None	•264	Scotland County (Unincorporated Areas)
	At the confluence with Shoe Heel Creek .....	None	•213	
Little Shoe Heel Creek Tributary.	Approximately 1.7 miles upstream of North Turnpike Road.	None	•331	Scotland County (Unincorporated Areas)
	At the confluence with Little Shoe Heel Creek .....	None	•223	
Lower Beaverdam Creek	Approximately 150 feet downstream of Arch McLean Road.	None	•257	Scotland County (Unincorporated Areas)
	At the confluence with Gum Swamp Creek .....	None	•180	
Lumber River .....	Approximately 1,900 feet upstream of Old Wire Road.	None	•215	Scotland County (Unincorporated Areas), Town of Wagram
	Approximately 3.0 miles upstream of McGirts Bridge Road.	None	•205	
Shoe Heel Creek .....	At the County boundary .....	None	•268	Scotland County (Unincorporated Areas)
	Approximately 700 feet downstream of Old Maxton Road.	None	•164	
Steer Branch .....	Approximately 1.6 miles upstream of Jane Shaw Road.	None	•268	Scotland County (Unincorporated Areas)
	At the confluence with Leith Creek .....	None	•144	
Towers Fork .....	Approximately 50 feet downstream of CSX Transportation.	None	•169	Scotland County (Unincorporated Areas)
	At the confluence with Big Muddy Creek .....	None	•302	
Upper Beaverdam Creek	Approximately 1.3 miles upstream of the confluence with Big Muddy Creek.	None	•319	Scotland County (Unincorporated Areas)
	At the confluence with Richmond Mill Lake/Gum Swamp Creek.	None	•210	
Water Creek .....	Approximately 800 feet upstream of Marston Road	None	•225	Scotland County (Unincorporated Areas)
	At the confluence with Gum Swamp Creek .....	None	•153	
	Approximately 1.4 miles upstream of Fox Crossings.	None	•178	

**Scotland County (Unincorporated Areas)**

Maps available for inspection at the Scotland County Governmental Annexation Building, 231 East Cronly Street, Laurinburg, North Carolina. Send comments to Mr. Scott T. Sauer, Scotland County Manager, P.O. Box 489, Laurinburg, NC 28353.

**Town of East Laurinburg**

Maps available for inspection at the East Laurinburg Municipal Building, 28 Fourth Street, Laurinburg, North Carolina.

Send comments to The Honorable Douglas R. Miller, Mayor of the Town of East Laurinburg, P.O. Box 1106, 11 Third Street, East Laurinburg, North Carolina 28353.

**City of Laurinburg**

Maps available for inspection at the Laurinburg City Hall, 305 West Church Street, Laurinburg, North Carolina.

Send comments to The Honorable Ann B. Slaughter, Mayor of the City of Laurinburg, P.O. Box 249, Laurinburg, North Carolina 28352.

**Town of Wagram**

Maps available for inspection at the Wagram Town Offices, 24341 Riverton Road, Wagram, North Carolina.

Send comments to The Honorable Milton W. Farmer, Mayor of the Town of Wagram, P.O. Box 118, Wagram, North Carolina 28396.

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

Dated: December 31, 2002.

**Anthony S. Lowe,**

*Administrator, Federal Insurance and Mitigation Administration.*

[FR Doc. 03-610 Filed 1-10-03; 8:45 am]

**BILLING CODE 6718-04-P**

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

**[Docket No. FEMA-D-7548]**

**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 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:** 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) 646-3461, or (email) [mike.grimm@fema.gov](mailto: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:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground.	
				*Elevation in feet (NGVD)	•Elevation in feet (NAVD)
				Existing	Modified
Massachusetts .....	Chelmsford (Town), Middlesex County.	River Meadow Brook .....	Downstream corporate limit .....	*103	*105
			Approximately 20 feet upstream of Mill Road.	*115	*117
		Putnam Brook .....	At confluence with River Meadow Brook	*111	*112
			Approximately 560 feet above confluence with River Meadow Brook.	*111	*112