

areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and Flood Insurance Rate Map available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act. This 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final 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 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.

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This 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 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.

§ 67.11 [Amended]

■ 2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)
ALABAMA	
Pike Road (Town), Montgomery County (FEMA Docket No. D-7558)	
<i>Little Catoma Creek:</i> Approximately 1.5 miles upstream of the confluence of Little Catoma Creek Tributary 1	*226
Approximately 2.7 miles upstream of the confluence of Little Catoma Creek Tributary 1	*232
<i>Little Catoma Creek Tributary 1:</i> Approximately 4,400 feet upstream of the confluence with Little Catoma Creek ...	*225
Approximately 3,300 feet downstream of Carter Mill Road	*239
Maps available for inspection at the Pike Road Town Office, 915 Meriweather Road, Pike Road, Alabama.	
WEST VIRGINIA	
Smithers (Town), Fayette and Kanawha Counties (FEMA Docket No. D-7556)	
<i>Smithers Creek:</i> Approximately 60 feet upstream of confluence with Kanawha River	*626
Approximately 640 feet upstream of County Route 22	*652
Maps available for inspection at the Smithers Town Hall, 175 Michigan Avenue, Smithers, West Virginia	
WEST VIRGINIA	
White Sulphur Springs (City), Greenbrier County (FEMA Docket No. D-7564)	
<i>Howard Creek:</i> Approximately 850 feet downstream of Greenbrier Avenue	*1,839
At upstream corporate limits	*1,887
<i>Dry Creek:</i> At the confluence with Howard Creek	*1,848
Approximately 0.45 mile of Interstate Route 64	*1,883
Maps available for inspection at the White Sulphur Springs City Hall, 34 West Main Street, White Sulphur Springs, West Virginia.	

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

Dated: July 21, 2003.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

[FR Doc. 03-19245 Filed 7-28-03; 8:45 am]

BILLING CODE 6718-04-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

Final Flood Elevation Determinations

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

ACTION: Final rule.

SUMMARY: Base (1-percent-annual-chance) Flood Elevations and modified Base Flood Elevations (BFEs) are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each 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).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the FIRM is available for inspection as indicated in the table below.

ADDRESSES: The final 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 table below.

FOR FURTHER INFORMATION CONTACT: Mary Jean Pajak, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2831.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes the final determinations listed below of BFEs and modified BFEs for each community listed.

These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division Director of the Emergency Preparedness and Response Directorate has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster

Protection Act of 1973, 42 U.S.C. 4105, and 44 CFR part 67.

The Federal Emergency Management Agency has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act

This 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 Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

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.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This 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 record keeping requirements.

Accordingly, 44 CFR Part 67 is amended to read 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.

§ 67.11 [Amended]

- 2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location of referenced elevation	*Elevation in feet (NGVD) Modified	Communities affected
<i>Joe's Lake:</i> Entire shoreline	*952	FEMA Docket No. 7625. City of Cambridge, OK. Isanti County, OK. (Unincorporated Areas).
<i>Long Lake:</i> Entire shoreline	*919	Isanti County, OK. (Unincorporated Areas).
*National Geodetic Vertical Datum Addresses: Unincorporated Areas of Isanti County, Minnesota: Maps are available for inspection at Isanti County Courthouse, 555 18th Avenue SW, Cambridge, Minnesota. City of Cambridge: Maps are available for inspection at City Hall, 626 N. Main Street, Cambridge, Minnesota.		
<i>Grand Lake O'the Cherokees</i> Entire shoreline	*756	(FEMA Docket No. 7619). Town of Grand Lake Towne.
Unnamed Tributary to Spavinaw Creek approximately 750 feet upstream of the confluence with Spavinaw Creek.	*637	Town of Spavinaw, OK.
<i>Neosho River/Lake Hudson</i> Entire shoreline	*639	Town of Strang, OK.
*National Geodetic Vertical Datum Addresses: Town of Grand Lake Towne: Maps are available for inspection at the Town Hall, Grand Lake Towne, Oklahoma. Town of Spavinaw: Maps are available for inspection at the Town Hall, 215 Lake Avenue, Spavinaw, Oklahoma. Town of Strang: Maps are available for inspection at the Town Hall, Strang, Oklahoma.		
<i>Big Cabin Creek:</i> Just upstream of the confluence with Neosho River	*639	(FEMA Docket No. 7611). Mayes County, OK. (Unincorporated Areas).
<i>Big Cabin Creek:</i> Approximately 550 feet upstream of Abandoned County Road	*642	(FEMA Docket No. 7611). Mayes County, OK. (Unincorporated Areas).
<i>Lake Hudson:</i> Entire shoreline	*637	Mayes County, OK. (Unincorporated Areas). Town of Salina, OK.
<i>Neosho River:</i>		

Source of flooding and location of referenced elevation	*Elevation in feet (NGVD) Modified	Communities affected
Approximately 2,500 feet downstream of Strang Road	*637	Mayes County, OK. (Unincorporated Areas). Town of Langley, OK.
Just downstream of Pensacola Dam	*649	Town of Disney, OK.
<i>Summerfield Creek:</i> At the confluence with Neosho River	*648	Mayes County, OK. (Unincorporated Areas). Town of Disney, OK.
Approximately 6,200 feet upstream of N4475 Road	*658	
<i>Salt Branch Creek:</i> Just upstream of Maple Street	*611	Mayes County, OK. (Unincorporated Areas). City of Pryor Creek, OK.
Approximately 100 feet downstream of N4330 Road	*633	

*National Geodetic Vertical Datum

Addresses:

Unincorporated Areas of Mayes County, Oklahoma:

Maps are available for inspection at the Mayes County Courthouse, Pryor Creek, Oklahoma.

City of Pryor Creek:

Maps are available for inspection at the City Hall, 6 North Adair Street, Pryor Creek, Oklahoma.

Town of Disney:

Maps are available for inspection at the Town Hall, 101 Main Street, Disney, Oklahoma.

Town of Langley:

Maps are available for inspection at City Hall, 3rd Street and Osage Avenue, Langley, Oklahoma.

Town of Salina:

Maps are available for inspection at the Town Hall, Salina, Oklahoma.

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

Dated: July 15, 2003.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

[FR Doc. 03-19246 Filed 7-28-03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 571 and 587

[Docket No. NHTSA-03-15742]

RIN 2127-A105

Federal Motor Vehicle Safety Standards; Side Impact Protection; Fuel System Integrity

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Final rule.

SUMMARY: Pursuant to the agency's grant of a petition for rulemaking from Mr. James E. Stocke, NHTSA updates the Federal motor vehicle safety standards on side impact protection and fuel system integrity by providing that radial tires of certain specifications, instead of bias ply tires, be used on the moving barriers specified in these standards. In

conjunction with that update, NHTSA also deletes certain outdated or inaccurate specifications for the moving barriers in the fuel system integrity standard.

DATES: This final rule is effective September 29, 2003. If you wish to submit a petition for reconsideration of this rule, your petition must be received by September 12, 2003.

ADDRESSES: Petitions for reconsideration should refer to the docket number and be submitted to: Administrator, Room 5220, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: *For technical and policy issues:* Dr. William Fan, Office of Crashworthiness Standards, NVS-112, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366-4922. Fax: (202) 366-4329.

For legal issues: Nancy Bell, Attorney Advisor, Office of the Chief Counsel, NCC-112, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Telephone: (202) 366-2992. Fax: (202) 366-3820.

SUPPLEMENTARY INFORMATION:

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- III. Summary of Comments on the NPRM

- IV. Agency Decision Regarding the Final Rule
- V. Rulemaking Analyses and Notices
- VI. Regulatory Text

I. Background

On February 3, 2000, Mr. James E. Stocke, a retired automotive safety engineer, submitted a petition for rulemaking requesting that NHTSA amend Federal Motor Vehicle Safety Standard (FMVSS) No. 301, *Fuel System Integrity* (49 CFR 571.301), to provide that the moving barrier assembly be equipped with P205/75R15 radial tires inflated to 207 kPa (30 psi), replacing the currently specified G78-15 bias ply tires inflated to 165 kPa (24 psi). Mr. Stocke stated that the bias tire size designation referenced in FMVSS No. 301 was outdated 15 years ago and that bias tires are no longer readily available because they have been replaced with radial tires. Mr. Stocke noted that the Society of Automotive Engineers, Inc. (SAE) J972 Recommended Practice "Moving Rigid Barrier Collision Tests" was revised (in August 1997) to specify both P205/75R15 radial tires and G78-15 bias ply tires for use on moving barriers. In a letter dated August 16, 2000, NHTSA granted Mr. Stocke's petition for rulemaking.

FMVSS No. 214, *Side impact protection* (49 CFR 571.214), and FMVSS No. 301 specify impact tests using moving barriers. Paragraph S6.10 of FMVSS No. 214 contains specifications for a 1,367 kilogram