

one working day) before the scheduled appearance of the witness. If a participant has obtained permission to receive service of documents in hard copy form, hard copy notices of intent to conduct oral cross-examination of witnesses for that participant should be delivered to counsel for that participant and served three or more working days before the announced appearance of the witness, and cross-examination exhibits should be delivered to counsel for the witness at least two calendar days (including one working day) before the scheduled appearance of the witness.

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10. Amend § 3001.31 by:

- a. Revising the first sentence of paragraph (b)(2)(iv);
- b. Revising paragraph (b)(2)(vii);
- c. Removing and reserving paragraph (f);
- d. Removing and reserving paragraph (g);
- e. Revising paragraph (k)(3)(i); and
- f. Revising paragraph (k)(3)(i)(i).

§ 3001.31 Evidence.

* * * * *

(b) * * *

(2) * * *

(iv) *Filing procedure.* Participants filing material as a library reference shall file contemporaneous written notice of this action in conformance with §§ 3001.9 through 3001.12. * * *

* * * * *

(vii) *Electronic version.* Material filed as a library reference shall also be made available on standard PC media, absent a showing of why a version on PC media cannot be supplied or should not be required to be supplied. The material provided on PC media must be submitted in a form that allows it to be replicated using a publicly available PC application. The library reference documentation shall include file names and corresponding descriptions of file contents, and shall identify the applications necessary to execute the files. This documentation should be included in both the hard copy and the electronic version of the library reference.

* * * * *

The revisions are to read as follows:

(k) * * *

(3) *Computer analyses.* (i) In the case of computer analyses that are being offered in evidence, or relied upon as support for other evidence, a foundation for the reception of such materials must be laid by furnishing a general description of the program that includes the objectives of the program, the processing tasks performed, the methods and procedures employed, and

a copy of the input and output data and source codes (or a showing pursuant to paragraph (k)(3)(iii) of this section as to why such codes cannot be so furnished). The copy provided must be submitted in a form that allows it to be replicated using a publicly available PC application. For the purpose of completing such foundation, the following additional items shall be deemed presumptively necessary and shall be furnished upon request of a participant, the Commission, or the presiding officer, unless the presumption is overcome by an affirmative showing.

* * * * *

(i) An expert on the design and operation of the program shall be provided at a technical conference to respond to any oral or written questions concerning information that is reasonably necessary to enable independent replication of the program output. Machine-readable data files and program files shall be provided in a form that allows them to be replicated using a publicly available PC application. Any machine-readable data file or program file so provided must be identified and described in accompanying hard copy documentation. In addition, files in text format must be accompanied by hard copy instructions for printing them. Files in machine code must be accompanied by hard copy instructions for executing them.

* * * * *

11. Amend § 3001.42 by revising paragraph (a) to read as follows:

§ 3001.42 Public information and requests.

* * * * *

(a) *Notice and publication.* Service of intermediate and recommended decisions, advisory opinions and public reports upon parties to the proceedings is provided in §§ 3001.12(c) and 3001.39(d). Descriptions of the Commission's organization, its methods of operation, statements of policy and interpretations, procedural and substantive rules, and amendments thereto will be filed with and published in the **Federal Register**, and are available on the Commission's Web site, www.prc.gov. Commission recommended decisions, advisory opinions and public reports, orders, and intermediate decisions will be released to the press and made available to the public promptly, by posting on the Commission's Web site.

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[FR Doc. 02-12644 Filed 5-20-02; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 438

[FRL-7213-7]

RIN 2040-AB79

Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards for the Metal Products and Machinery Point Source Category; Announcement of Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; announcement of meeting.

SUMMARY: EPA will conduct a public meeting on the upcoming Metal Products and Machinery (MP&M) Notice of Data Availability.

The Office of Science and Technology within EPA's Office of Water is holding the public meeting to inform all interested parties of the status of the MP&M effluent guidelines. EPA intends to finalize effluent limitations guidelines and standards for the Metal Products and Machinery Point Source Category in December 2002. At the meeting, EPA will report on the status of the rulemaking; new data and information available for public comment; revised economic and engineering models and methodologies used for estimating costs, pollutant loads, benefits, and economic impacts; revised limitations and standards; compliance alternatives we developed based on new information; and specific areas where EPA is seeking further comment.

EPA will also use this meeting to ask for informal public comment on any of the issues or information presented in the upcoming NODA and in the Administrative Record supporting that notice. The meeting does not include a pretreatment hearing nor will EPA record the meeting for the Administrative Record. The meeting is open to the public, and limited seating is available on a first-come, first-served basis. For information on the location, see the **ADDRESSES** section below.

DATES: EPA will conduct the MP&M public meeting on Friday, June 7, 2002, from 1 p.m. to 4 p.m. Central Standard Time.

ADDRESSES: The MP&M public meeting will be held at the EPA Region 5 Offices, 77 West Jackson Boulevard, Room 331, Chicago, IL 60604.

FOR FURTHER INFORMATION CONTACT: For additional information, call Mr. Carey A. Johnston at (202) 566-1014 or send

him an e-mail at
johnston.carey@epa.gov.

SUPPLEMENTARY INFORMATION: On January 3, 2001 (66 FR 424), EPA proposed technology-based effluent limitations guidelines and standards under the Clean Water Act (33 U.S.C. 1251 et. seq.) for the Metal Products and Machinery Point Source Category. You can find additional information on these proposed effluent guidelines at: <http://www.epa.gov/waterscience/guide/mpm>.

No meeting materials will be distributed in advance of the public meeting; all materials will be distributed at the meeting. If you need special accommodations at this meeting, such as wheelchair access or special audio-visual needs, you should contact Ms. Krista Durlas, (312) 886-3894, at least five business days before the meeting so that we can make appropriate arrangements. You can also use the EPA Region 5 website (www.epa.gov/region5/visitor/index.htm) for further information on directions, lodging, and transportation. Those who are unable to attend the meeting can get a copy of the presentation and meeting materials after the meeting by making an e-mail or telephone request to Mr. Carey A. Johnston, see the **FOR FURTHER INFORMATION CONTACT** section above.

Dated: May 14, 2002.

Geoffrey H. Grubbs,
Director, Office of Science and Technology.
[FR Doc. 02-12706 Filed 5-20-02; 8:45 am]
BILLING CODE 6560-50-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-D-7528]

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: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) matt.miller@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 Acting Executive Associate Director, Mitigation Directorate, 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
Florida	Gulf County (Unincorporated Areas).	Gulf of Mexico	Along the coast of the Gulf of Mexico approximately 1,000 feet north of Eagle Harbor.	*13	*12