

TABLE 1.—WASTE EXCLUDED FROM NON-SPECIFIC SOURCES—Continued

Facility	Address	Waste description
		<p>(A) If, anytime after disposal of the delisted waste, Tokusen possesses or is otherwise made aware of any environmental data (including but not limited to leachate data or groundwater monitoring data) or any other data relevant to the delisted waste indicating that any constituent identified for the delisting verification testing is at a level higher than the delisting level allowed by the Regional Administrator or his delegate in granting the petition, then the facility must report the data, in writing, to the Regional Administrator or his delegate within 10 days of first possessing or being made aware of that data.</p> <p>(B) If the annual testing of the waste does not meet the delisting requirements in Paragraph 1, Tokusen must report the data, in writing, to the Regional Administrator or his delegate within 10 days of first possessing or being made aware of that data.</p> <p>(C) If Tokusen fails to submit the information described in paragraphs (5), (6)(A) or (6)(B) or if any other information is received from any source, the Regional Administrator or his delegate will make a preliminary determination as to whether the reported information requires Agency action to protect human health or the environment. Further action may include suspending, or revoking the exclusion, or other appropriate response necessary to protect human health and the environment.</p> <p>(D) If the Regional Administrator or his delegate determines that the reported information does require Agency action, the Regional Administrator or his delegate will notify the facility in writing of the actions the Regional Administrator or his delegate believes are necessary to protect human health and the environment. The notice shall include a statement of the proposed action and a statement providing the facility with an opportunity to present information as to why the proposed Agency action is not necessary. The facility shall have 10 days from the date of the Regional Administrator or his delegate's notice to present such information.</p> <p>(E) Following the receipt of information from the facility described in paragraph (6)(D) or (if no information is presented under paragraph (6)(D)) the initial receipt of information described in paragraphs (5), (6)(A) or (6)(B), the Regional Administrator or his delegate will issue a final written determination describing the Agency actions that are necessary to protect human health or the environment. Any required action described in the Regional Administrator or his delegate's determination shall become effective immediately, unless the Regional Administrator or his delegate provides otherwise.</p> <p>(7) <i>Notification Requirements:</i> Tokusen must do following before transporting the delisted waste. Failure to provide this notification will result in a violation of the delisting petition and a possible revocation of the decision:</p> <p>(A) Provide a one-time written notification to any State Regulatory Agency to which or through which they will transport the delisted waste described above for disposal, 60 days before beginning such activities.</p> <p>(B) Update the one-time written notification if they ship the delisted waste into a different disposal facility.</p>
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[FR Doc. 02–32899 Filed 12–30–02; 8:45 am]

BILLING CODE 6560–50–P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

[Docket No. FEMA–7799]

### Suspension of Community Eligibility

**AGENCY:** Federal Emergency Management Agency, FEMA.

**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 suspended 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 be withdrawn by publication in the **Federal Register**.

**EFFECTIVE DATES:** The effective date of each community's 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:** Edward Pasterick, Division Director, Risk Communication Division, Federal Insurance and Mitigation Administration, 500 C Street, SW.; Room 435, Washington, DC 20472, (202) 646–3098.

**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 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>				
Illinois:				
Champaign County Unincorporated Areas	170894	January 14, 1975, Emerg.; March 1, 1984, Reg.; January 2, 2003, Susp.	1/2/03 .....	Jan. 2, 2003.
Mahomet, Village of, Champaign County ..	170029	April 10, 1975, Emerg.; June 15, 1983, Reg.; January 2, 2003, Susp.	.....do .....	Do.
<b>Region VII</b>				
Kansas:				
Hamilton County, Unincorporated Areas ...	200123	October 16, 1996, Emerg.; January 2, 2003, Reg.; January 2, 2003, Susp.	.....do .....	Do.
Syracuse, City of, Hamilton County .....	200124	July 25, 1975, Emerg.; October 17, 1986, Reg. January 2, 2003, Susp.	.....do .....	Do.
<b>Region I</b>				
Massachusetts: Worcester, City of, Worcester County.	250349	January 15, 1974, Emerg.; August 15, 1980, Reg.; January 16, 2003, Susp.	1/16/03 .....	1/16/03
<b>Region IV</b>				
Mississippi: Claiborne County, Unincorporated Areas.	280201	February 14, 1974, Emerg.; May 1, 1978, Reg.; January 16, 2003, Susp.	.....do .....	Do.
Tennessee: Brentwood, City of, Williamson County.	470205	March 23, 1973, Emerg.; February 1, 1978, Reg.; January 16, 2003, Susp.	.....do .....	Do.
<b>Region V</b>				
Michigan, Owosso, City of, Shiawassee County	260596	May 23, 1975, Emerg.; March 1, 1982, Reg.; January 16, 2003, Susp.	.....do .....	Do.

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

Dated: December 24, 2002.

**Anthony S. Lowe,**

*Administrator, Federal Insurance and Mitigation Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 46 CFR Part 10

[USCG-2002-13213]

RIN 2115-AG43

#### **Great Lakes Maritime Academy—Eligibility of Certain Graduates for Unrestricted Third-Mate Licenses**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** On October 18, 2002, we published a direct final rule (67 FR 64313). The direct final rule notified the public of our intent to amend minimum service or training requirements for ocean or near coastal steam or motor vessel third mate licenses so that graduation from the Great Lakes Maritime Academy (GLMA) deck curriculum ocean option will qualify an applicant for licensing on both ocean and near coastal vessels. GLMA graduates who do not complete the ocean option or one of the other approved service or training routes will continue to be eligible for licensing only on near coastal vessels. We have not received an adverse comment, or notice of intent to submit an adverse comment, on this rule. Therefore, this rule will go into effect as scheduled.

**DATES:** The effective date of the direct final rule is confirmed as January 16, 2003.

**FOR FURTHER INFORMATION CONTACT:** Mr. Donald Kerlin, National Maritime Center, U.S. Coast Guard, 202-493-1001.

Dated: December 20, 2002.

**Paul J. Pluta,**

*Rear Admiral, Coast Guard, Assistant Commandant for Marine Safety, Security and Environmental Protection.*

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## DEPARTMENT OF TRANSPORTATION

### Transportation Security Administration

#### 49 CFR Part 1544

[Docket No. TSA-2002-12394; Amendment No. 1544-3]

RIN 2110-AA05

#### **Aviation Security: Private Charter Security Rules**

**AGENCY:** Transportation Security Administration (TSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** In response to comments received, TSA is amending the aviation security requirements concerning private charter passenger operations. TSA issued the existing standard in June 2002, as an emergency final rule and requested comments on it. The rule requires private charter operators using aircraft with a maximum certificated takeoff weight of 95,000 pounds or more, to ensure that passengers and their carry-on baggage are screened prior to boarding. In response to the comments and after further analysis, TSA has determined that the existing threshold does not adequately capture the appropriate group of aircraft. TSA is now adopting an international security standard, in which private charter operations in aircraft with a maximum certificated takeoff weight greater than 45,500 kg (100,309.3 pounds), or with a passenger seating configuration of 61 or more will be subject to the screening requirement. As a result of this amendment, additional aircraft are now covered by the rule that were not previously subject to it. TSA is establishing a new compliance date for operators of these aircraft, in order to provide them sufficient time to develop procedures required by this rule and the security program. Also, in response to comments received, TSA is permitting the use of non-TSA screeners in certain circumstances.

**DATES: Effective Date:** The effective date for this rule is February 1, 2003.

**Compliance Dates:** For all private charter operators that were covered under the rule published June 19, 2002 (67 FR 41635) and continue to be covered under the rule as amended, TSA will issue the final security program no later than January 3, 2003. These operators must be in compliance with the program by February 1, 2003.

The compliance schedule for any private charter operators not covered by the rule published June 19, 2002 (those in aircraft with a maximum certificated takeoff weight less than 95,000 pounds

and with a passenger seating configuration of 61 or more), but covered under this amendment, is as follows: these operators must request a copy of the security program and provide comments to TSA by January 20, 2003; TSA will issue the final security program no later than January 3, 2003; these entities must be in compliance with the final security program by March 1, 2003.

#### **FOR FURTHER INFORMATION CONTACT:**

Emily Chodkowski, Aviation Security Specialist, Transportation Security Administration, Room 3522, Washington, DC 20591, 202-385-1838, [Emily.Chodkowski@tsa.dot.gov](mailto:Emily.Chodkowski@tsa.dot.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Availability of Final Rule**

You can get an electronic copy using the Internet by—

(1) Searching the Department of Transportation's electronic Docket Management System (DMS) Web page <http://dms.dot.gov/search>;

(2) Accessing the Government Printing Office's Web page at [http://www.access.gpo.gov/su\\_docs/aces/aces140.html](http://www.access.gpo.gov/su_docs/aces/aces140.html); or

(3) Visiting the TSA's Laws and Regulations Web page at [http://www.tsa.dot.gov/law\\_policy/law\\_policy\\_index.shtm](http://www.tsa.dot.gov/law_policy/law_policy_index.shtm).

In addition, copies are available by writing or calling the individual in the **FOR FURTHER INFORMATION CONTACT** section. Make sure to identify the docket number of this rulemaking.

##### **Small Entity Inquiries**

The Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 requires TSA to comply with small entity requests for information or advice about compliance with statutes and regulations within TSA's jurisdiction. Any small entity that has a question about this document may contact the person listed in **FOR FURTHER INFORMATION CONTACT** for information. You can get further information regarding SBREFA on the Small Business Administration's Web page at [http://www.sba.gov/advo/laws/law\\_lib.html](http://www.sba.gov/advo/laws/law_lib.html).

##### **Abbreviations and Terms Used in This Document**

ATSA—Aviation and Transportation Security Act

CFR—Code of Federal Regulations

FAA—Federal Aviation Administration

FBO—Fixed Base Operator

ICAO—International Civil Aviation Organization

MTOW—Maximum Certificated Takeoff Weight