

Accounting Office. This Rule is not a major Rule within the meaning of Section 804(2) of the Administrative Procedure Act, as amended.

#### List of Subjects in 33 CFR Part 334

Danger zones, Marine safety, Navigation (water), Restricted Areas, Waterways.

For the reasons set out in the preamble, the Corps proposes to amend 33 CFR Part 334 as follows:

#### PART 334—DANGER ZONE AND RESTRICTED AREA REGULATIONS

1. The authority citation for part 334 continues to read as follows:

**Authority:** 33 U.S.C. 1 and 33 U.S.C. 3.

2. Section 334.45 is added to read as follows: § 334.45 Kennebec River, Bath Iron Works Shipyard, Naval Restricted Area, Bath, Maine.

(a) *The area.* The waters within a coffin shaped area on the west side of the river south of the Carlton (Route 1) highway bridge beginning on the western shore at latitude 43°54'40.7" N, longitude 069°48'44.8" W; thence easterly to latitude 43°54' 40.7" N, longitude 069°48'36.8" W; thence southeasterly to latitude 43°54'10.4" N, longitude 069°48'34.7" W; thence southwesterly to latitude 43°53'55.1" N, longitude 069°48'39.1" W; thence westerly to latitude 43°53'55.1" N, longitude 69°48'51.8" W; thence northerly along the westerly shoreline to the point of origin.

(b) *The regulation.* All persons, swimmers, vessels and other craft, except those vessels under the supervision or contract to local military or Naval authority, vessels of the United States Coast Guard, and local or state law enforcement vessels, are prohibited from entering the restricted areas without permission from the Supervisor of Shipbuilding, USN Bath Maine or his authorized representative

(c) *Enforcement.* The regulation in this section, promulgated by the United States Army Corps of Engineers, shall be enforced by the, Supervisor of Shipbuilding, Conversion and Repair Bath, United States Navy and/or such agencies or persons as he/she may designate.

Dated: April 15, 2002.

**Karen Durham-Aguilera,**

*Acting Chief, Operations Division, Directorate of Civil Works.*

[FR Doc. 02-10123 Filed 4-24-02; 8:45 am]

**BILLING CODE 3710-92-P**

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 271

[FRL-7201-1]

#### Delaware: Final Authorization of State Hazardous Waste Management Program Revision

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Withdrawal of Immediate Final Rule.

**SUMMARY:** EPA is withdrawing the immediate final rule for Delaware: Final Authorization of State Hazardous Waste Management Program Revision published on February 27, 2002, which authorized changes to Delaware's hazardous waste program under the Resource Conservation and Recovery Act (RCRA). EPA stated in the immediate final rule that if EPA received written comments that oppose this authorization during the comment period, EPA would publish a timely notice of withdrawal in the **Federal Register**. Since EPA did receive comments that oppose this authorization, EPA is withdrawing the immediate final rule. EPA will address these comments in a subsequent final action based on the proposed rule also published on February 27, 2002, at 67 FR 8925.

**DATES:** As of April 25, 2002, EPA withdraws the immediate final rule published on February 27, 2002, at 67 FR 8900.

**FOR FURTHER INFORMATION CONTACT:** Lillie Ellerbe, Mailcode 3WC21, RCRA State Programs Branch, U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-2029, Phone number: (215) 814-5454.

**SUPPLEMENTARY INFORMATION:** Because EPA received written comments that oppose this authorization, EPA is withdrawing the immediate final rule for Delaware: Final Authorization of State Hazardous Waste Management Program Revision published on February 27, 2002, at 67 FR 8900, which authorized changes to Delaware's hazardous waste rules. EPA stated in the immediate final rule that if EPA received written comments that oppose this authorization during the comment period, EPA would publish a timely notice of withdrawal in the **Federal Register**. Since EPA received comments that oppose this action, today EPA is withdrawing the immediate final rule. EPA will address the comments received during the comment period in a subsequent final action based on the

proposed rule also published on February 27, 2002. EPA will not provide for additional public comment during the final action.

Dated: April 18, 2002.

**James W. Newsom,**

*Acting Regional Administrator, EPA Region III.*

[FR Doc. 02-10169 Filed 4-24-02; 8:45 am]

**BILLING CODE 6560-50-P**

#### FEDERAL EMERGENCY MANAGEMENT AGENCY

#### 44 CFR Part 67

#### Final Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified 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 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 table below.

**FOR FURTHER INFORMATION CONTACT:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) matt.miller@fema.gov.

**SUPPLEMENTARY INFORMATION:** FEMA makes the final determinations listed below of BFEs and modified BFEs for each community listed. The proposed BFEs and proposed modified BFEs were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed BFEs and proposed modified