

safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the state, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 11, 2011. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Greenhouse gases, Incorporation by reference, Intergovernmental relations, and

Reporting and recordkeeping requirements.

Dated: March 15, 2011.

For H. Curtis Spalding,

Ira W. Leighton,

Acting Regional Administrator, EPA New England.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

■ 1. The authority citation for part 52 continues to read as follows:

Authority: 42.U.S.C. 7401 *et seq.*

Subpart H—Connecticut

■ 2. Section 52.370 is amended by adding paragraph (c)(99) to read as follows:

§ 52.370 Identification of plan.

* * * * *

(c) * * *

(99) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on February 9, 2011.

(i) Incorporation by reference. (A) The additions of subsections (21) and (49) to Section 22a–174–1, effective January 28, 2011.

(B) The revisions to Sections 22a–174–3a(a)(1)(H) through (J), Sections 22a–174–3a(d)(3)(H), Sections 22a–174–3a(j)(1)(E) through (I), Sections 22a–174–3a(k)(1) through (k)(2), and Sections 22a–174–3a(k)(4), effective January 28, 2011.

[FR Doc. 2011–11218 Filed 5–9–11; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2011–0002; Internal Agency Docket No. FEMA–8179]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

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 scheduled for suspension 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 not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

DATES: Effective Dates: The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2953.

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 NFIP, 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. 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, FEMA has identified the Special Flood Hazard Areas (SFHAs) 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 identified SFHAs for communities not participating in the NFIP and identified for more than a year, on FEMA'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 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were

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 remedial action takes place.

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 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

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.*

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 SFHAs
Region III				
Maryland:				
Brookview, Town of, Dorchester County	240097	March 17, 1976, Emerg; January 7, 1977, Reg; May 24, 2011, Susp.	May 24, 2011 ...	May 24, 2011
Cambridge, City of, Dorchester County	240098	August 12, 1975, Emerg; January 16, 1981, Reg; May 24, 2011, Susp.	*.....do	do.
Church Creek, Town of, Dorchester County.	240101	N/A, Emerg; July 25, 1995, Reg; May 24, 2011, Susp.	.....do	do.
Dorchester County, Unincorporated Areas.	240026	January 23, 1974, Emerg; October 15, 1981, Reg; May 24, 2011, Susp.	.....do	do.
Eldorado, Town of, Dorchester County	240105	November 11, 1975, Emerg; December 15, 1978, Reg; May 24, 2011, Susp.	.....do	do.
Galestown, Town of, Dorchester County	240106	June 2, 2004, Emerg; May 24, 2011, Reg; May 24, 2011, Susp.	.....do	do.
Secretary, Town of, Dorchester County	240123	June 13, 1975, Emerg; December 19, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Vienna, Town of, Dorchester County ...	240127	December 12, 1975, Emerg; December 15, 1978, Reg; May 24, 2011, Susp.	.....do	do.
Region IV				
Kentucky:				
Arlington, City of, Carlisle County	210043	September 22, 1980, Emerg; July 2, 1987, Reg; May 24, 2011, Susp.	.....do	do.
Bardstown, City of, Nelson County	210178	August 8, 1975, Emerg; November 19, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Bardwell, City of, Carlisle County	210044	September 3, 1980, Emerg; August 1, 1986, Reg; May 24, 2011, Susp.	.....do	do.
Bloomfield, City of, Nelson County	210179	August 8, 1975, Emerg; June 4, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Campbellsville, City of, Taylor County ..	210213	December 17, 1975, Emerg; August 5, 1986, Reg; May 24, 2011, Susp.	.....do	do.
Estill County, Unincorporated Areas	210279	February 4, 2002, Emerg; May 24, 2011, Reg; May 24, 2011, Susp.	.....do	do.
Fulton, City of, Fulton County	210076	May 30, 1975, Emerg; August 1, 1980, Reg; May 24, 2011, Susp.	.....do	do.

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 SFHAs
Fulton County, Unincorporated Areas ...	210336	December 17, 2004, Emerg; May 24, 2011, Reg; May 24, 2011, Susp.	.....do	do.
Hickman, City of, Fulton County	210077	July 13, 1979, Emerg; July 16, 1987, Reg; May 24, 2011, Susp.	.....do	do.
Irvine, City of, Estill County	210064	July 30, 1975, Emerg; September 27, 1985, Reg; May 24, 2011, Susp.	.....do	do.
Nelson County, Unincorporated Areas ..	210177	July 21, 1975, Emerg; November 5, 1980, Reg; May 24, 2011, Susp.	.....do	do.
New Haven, City of, Nelson County	210180	August 8, 1975, Emerg; November 5, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Ravenna, City of, Estill County	210319	May 19, 1976, Emerg; September 18, 1985, Reg; May 24, 2011, Susp.	.....do	do.
Taylor County, Unincorporated Areas ...	210212	January 7, 1991, Emerg; February 6, 1991, Reg; May 24, 2011, Susp.	.....do	do.
Mississippi:				
Grenada, City of, Grenada County	280061	June 7, 1973, Emerg; March 1, 1979, Reg; May 24, 2011, Susp.	.....do	do.
Grenada County, Unincorporated Areas	280060	January 28, 1974, Emerg; December 1, 1978, Reg; May 24, 2011, Susp.	.....do	do.
South Carolina:				
Dillon, Town of, Dillon County	450065	July 18, 1985, Emerg; July 1, 1991, Reg; May 24, 2011, Susp.	.....do	do.
Dillon County, Unincorporated Areas	450064	N/A, Emerg; April 8, 2008, Reg; May 24, 2011, Susp.	.....do	do.
Lake View, Town of, Dillon County	450066	July 29, 1975, Emerg; March 2, 1989, Reg; May 24, 2011, Susp.	.....do	do.
Latta, Town of, Dillon County	450067	October 29, 1974, Emerg; July 3, 1986, Reg; May 24, 2011, Susp.	.....do	do.
Region V				
Illinois:				
Arthur, Village of, Douglas and Moultrie Counties.	170520	September 2, 1975, Emerg; December 2, 1988, Reg; May 24, 2011, Susp.	.....do	do.
Atwood, Village of, Douglas and Piatt Counties.	170543	March 3, 1976, Emerg; May 25, 1978, Reg; May 24, 2011, Susp.	.....do	do.
Douglas County, Unincorporated Areas	170194	N/A, Emerg; May 17, 1995, Reg; May 24, 2011, Susp.	.....do	do.
Newman, City of, Douglas County	170769	April 8, 2009, Emerg; May 24, 2011, Reg; May 24, 2011, Susp.	.....do	do.
Tuscola, City of, Douglas County	170195	October 17, 1975, Emerg; April 1, 1982, Reg; May 24, 2011, Susp.	.....do	do.
Villa Grove, City of, Douglas County	170196	February 27, 1975, Emerg; February 1, 1979, Reg; May 24, 2011, Susp.	.....do	do.
Region VII				
Missouri:				
Everton, City of, Dade County	290589	August 13, 1976, Emerg; August 1, 1986, Reg; May 24, 2011, Susp.	.....do	do.
Region VIII				
North Dakota:				
Jamestown, City of, Stutsman County ..	385366	March 19, 1971, Emerg; May 26, 1972, Reg; May 24, 2011, Susp.	.....do	do.
Kensal, City of, Stutsman County	380123	January 21, 1976, Emerg; November 20, 1979, Reg; May 24, 2011, Susp.	.....do	do.
Stutsman County, Unincorporated Areas.	380119	February 23, 2010, Emerg; May 24, 2011, Reg; May 24, 2011, Susp.	.....do	do.
Utah:				
Cache County, Unincorporated Areas ..	490012	February 12, 1980, Emerg; February 1, 1987, Reg; May 24, 2011, Susp.	.....do	do.
Clarkston, Town of, Cache County	490014	August 23, 1976, Emerg; August 19, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Hyde Park, Town of, Cache County	490016	March 10, 1975, Emerg; July 29, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Lewiston, City of, Cache County	490018	June 29, 1976, Emerg; July 29, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Logan, City of, Cache County	490019	November 26, 1974, Emerg; September 28, 1984, Reg; May 24, 2011, Susp.	.....do	do.
Mendon, City of, Cache County	490020	August 4, 1976, Emerg; July 22, 1980, Reg; May 24, 2011, Susp.	.....do	do.

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 SFHAs
Millville, Town of, Cache County	490021	March 13, 1985, Emerg; May 24, 2011, Reg; May 24, 2011, Susp.	.....do	do.
Newton, Town of, Cache County	490022	November 15, 1976, Emerg; July 22, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Nibley, Town of, Cache County	490023	March 24, 1975, Emerg; August 5, 1986, Reg; May 24, 2011, Susp.	.....do	do.
North Logan, City of, Cache County	490024	September 26, 1974, Emerg; March 18, 1986, Reg; May 24, 2011, Susp.	.....do	do.
Providence, City of, Cache County	490226	May 2, 1975, Emerg; February 2, 1984, Reg; May 24, 2011, Susp.	.....do	do.
River Heights, City of, Cache County ...	490240	May 12, 2009, Emerg; May 24, 2011, Reg; May 24, 2011, Susp.	.....do	do.
Smithfield, City of, Cache County	490029	December 18, 1974, Emerg; March 18, 1986, Reg; May 24, 2011, Susp.	.....do	do.
Wellsville, City of, Cache County	490031	July 18, 1975, Emerg; July 29, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Region X				
Idaho:				
Caldwell, City of, Canyon County	160036	May 2, 1975, Emerg; September 3, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Canyon County, Unincorporated Areas	160208	June 17, 1975, Emerg; September 28, 1984, Reg; May 24, 2011, Susp.	.....do	do.
Middleton, City of, Canyon County	160037	May 22, 1975, Emerg; September 3, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Nampa, City of, Canyon County	160038	May 20, 1975, Emerg; September 28, 1984, Reg; May 24, 2011, Susp.	.....do	do.
Notus, City of, Canyon County	160147	October 4, 1976, Emerg; March 18, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Parma, City of, Canyon County	160039	July 27, 1976, Emerg; September 30, 1980, Reg; May 24, 2011, Susp.	.....do	do.
Star, City of, Ada and Canyon Counties	160236	N/A, Emerg; September 6, 2002, Reg; May 24, 2011, Susp.	.....do	do.

*.....do = Ditto.

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

Dated: April 26, 2011.

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation.

[FR Doc. 2011-11301 Filed 5-9-11; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA-2011-0002]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Modified Base (1% annual-chance) Flood Elevations (BFEs) are finalized for the communities listed below. These modified BFEs will be used to calculate flood insurance

premium rates for new buildings and their contents.

DATES: The effective dates for these modified BFEs are indicated on the following table and revise the Flood Insurance Rate Maps (FIRMs) in effect for the listed communities prior to this date.

ADDRESSES: The modified 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: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriquez1@dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) makes the final determinations listed below of the modified BFEs for each community listed. These modified BFEs have been published in newspapers of local circulation and

ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator has resolved any appeals resulting from this notification.

The modified BFEs are not listed for each community in this notice. However, this final rule includes the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection.

The modified BFEs are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs 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 to remain qualified for participation in the National Flood Insurance Program (NFIP).