

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, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: January 4, 2012.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

Part 52, Chapter I, Title 40 of the Code of Federal Regulations 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 F—California

- 2. Section 52.220, is amended by adding paragraphs (c)(379)(i)(D) to read as follows:

##### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*  
(379) \* \* \*  
(i) \* \* \*

(D) Placer County Air Pollution Control District

(1) Rule 233, “Biomass Boilers,” amended on December 10, 2009.

\* \* \* \* \*

[FR Doc. 2012–841 Filed 1–18–12; 8:45 am]

BILLING CODE 6560–50–P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA–2011–0002; Internal Agency Docket No. FEMA–8213]

#### 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 Federal flood insurance that is not otherwise generally available from private insurers. 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 the sale of NFIP flood insurance 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. We recognize that 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 publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 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 FIRM for 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
<b>Region III</b>				
Pennsylvania:				
Antrim, Township of, Franklin County ...	421233	March 26, 1974, Emerg; April 24, 1981, Reg; January 18, 2012, Susp.	Jan. 18, 2012 ...	Jan. 18, 2012.
Benezette, Township of, Elk County .....	422612	August 8, 1979, Emerg; June 1, 1987, Reg; January 18, 2012, Susp.	.....do .....	Do.
Bessemer, Borough of, Lawrence County.	422627	August 1, 1975, Emerg; July 9, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Chambersburg, Borough of, Franklin County.	420469	February 2, 1973, Emerg; July 17, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Ellport, Borough of, Lawrence County ..	422462	March 9, 1976, Emerg; November 17, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Ellwood City, Borough of, Lawrence County.	420567	October 3, 1974, Emerg; June 1, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Enon Valley, Borough of, Lawrence County.	422463	August 11, 1975, Emerg; August 3, 1984, Reg; January 18, 2012, Susp.	.....do .....	Do.
Fannett, Township of, Franklin County	422424	February 13, 1976, Emerg; October 29, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Fox, Township of, Elk County .....	421608	December 19, 1975, Emerg; November 2, 1990, Reg; January 18, 2012, Susp.	.....do*	Do.
Greencastle, Borough of, Franklin County.	420470	April 24, 1975, Emerg; September 30, 1976, Reg; January 18, 2012, Susp.	.....do .....	Do.
Greene, Township of, Franklin County	421649	June 18, 1974, Emerg; November 2, 1990, Reg; January 18, 2012, Susp.	.....do .....	Do.
Guilford, Township of, Franklin County	421650	January 20, 1976, Emerg; June 18, 1990, Reg; January 18, 2012, Susp.	.....do .....	Do.
Hamilton, Township of, Franklin County	421651	September 17, 1974, Emerg; June 18, 1990, Reg; January 18, 2012, Susp.	.....do .....	Do.
Hickory, Township of, Lawrence County	421792	April 7, 1975, Emerg; August 2, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Highland, Township of, Elk County .....	421609	January 29, 1976, Emerg; December 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Horton, Township of, Elk County .....	421610	June 12, 1980, Emerg; December 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Jay, Township of, Elk County .....	421611	January 13, 1976, Emerg; December 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Johnsonburg, Borough of, Elk County ..	420443	February 2, 1973, Emerg; September 29, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Jones, Township of, Elk County .....	421612	January 27, 1976, Emerg; December 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Letterkenny, Township of, Franklin County.	422425	April 30, 1979, Emerg; September 17, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Little Beaver, Township of, Lawrence County.	422464	December 22, 1975, Emerg; May 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Lurgan, Township of, Franklin County ..	421652	October 28, 1975, Emerg; September 1, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Mahoning, Township of, Lawrence County.	421793	April 29, 1975, Emerg; February 18, 1983, Reg; January 18, 2012, Susp.	.....do .....	Do.
Mercersburg, Borough of, Franklin County.	420471	August 6, 1975, Emerg; March 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Metal, Township of, Franklin County .....	421653	January 16, 1976, Emerg; September 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Millstone, Township of, Elk County .....	421613	March 8, 1977, Emerg; December 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Mont Alto, Borough of, Franklin County	420472	July 9, 1975, Emerg; July 16, 1990, Reg; January 18, 2012, Susp.	.....do .....	Do.
Montgomery, Township of, Franklin County.	422426	August 1, 1979, Emerg; August 1, 1986, Reg; January 18, 2012, 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
Neshannock, Township of, Lawrence County.	421794	November 22, 1974, Emerg; May 17, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
New Castle, City of, Lawrence County	420568	August 31, 1973, Emerg; August 15, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
New Wilmington, Borough of, Lawrence County.	420569	November 8, 1974, Emerg; August 3, 1984, Reg; January 18, 2012, Susp.	.....do .....	Do.
North Beaver, Township of, Lawrence County.	421795	March 2, 1977, Emerg; August 19, 1987, Reg; January 18, 2012, Susp.	.....do .....	Do.
Peters, Township of, Franklin County ...	421654	August 14, 1975, Emerg; September 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Plain Grove, Township of, Lawrence County.	421797	August 1, 1979, Emerg; August 3, 1984, Reg; January 18, 2012, Susp.	.....do .....	Do.
Pulaski, Township of, Lawrence County	421798	October 21, 1974, Emerg; December 31, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Quincy, Township of, Franklin County ..	421655	September 27, 1982, Emerg; July 16, 1990, Reg; January 18, 2012, Susp.	.....do .....	Do.
Ridgway, Borough of, Elk County .....	420444	September 1, 1972, Emerg; February 15, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
Ridgway, Township of, Elk County .....	420445	May 15, 1973, Emerg; September 29, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Scott, Township of, Lawrence County ..	421799	July 23, 1974, Emerg; November 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Shenango, Township of, Lawrence County.	421029	January 28, 1974, Emerg; April 3, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Slippery Rock, Township of, Lawrence County.	422466	March 1, 1977, Emerg; November 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
South New Castle, Borough of, Lawrence County.	422467	February 18, 1976, Emerg; July 31, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Southampton, Township of, Franklin County.	421657	June 17, 1975, Emerg; May 15, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Spring Creek, Township of, Elk County	421614	March 8, 1977, Emerg; December 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
St. Marys, City of, Elk County .....	420446	October 25, 1973, Emerg; August 15, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
St. Thomas, Township of, Franklin County.	421656	August 15, 1975, Emerg; July 16, 1990, Reg; January 18, 2012, Susp.	.....do .....	Do.
Taylor, Township of, Lawrence County	421800	July 30, 1975, Emerg; August 3, 1984, Reg; January 18, 2012, Susp.	.....do .....	Do.
Union, Township of, Lawrence County	421801	April 21, 1975, Emerg; November 5, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Volant, Borough of, Lawrence County ..	421790	July 23, 1975, Emerg; September 28, 1979, Reg; January 18, 2012, Susp.	.....do .....	Do.
Wampum, Borough of, Lawrence County.	421791	December 26, 1974, Emerg; August 3, 1984, Reg; January 18, 2012, Susp.	.....do .....	Do.
Warren, Township of, Franklin County ..	422427	February 17, 1976, Emerg; September 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Washington, Township of, Franklin County.	421658	July 1, 1975, Emerg; June 3, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Washington, Township of, Lawrence County.	422468	April 3, 1979, Emerg; September 24, 1984, Reg; January 18, 2012, Susp.	.....do .....	Do.
Wayne, Township of, Lawrence County	422469	June 27, 1975, Emerg; May 3, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Waynesboro, Borough of, Franklin County.	420473	May 4, 1973, Emerg; November 1, 1985, Reg; January 18, 2012, Susp.	.....do .....	Do.
Wilmington, Township of, Lawrence County.	421802	August 12, 1974, Emerg; June 1, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
<b>Region IV</b>				
Mississippi:				
Doddsville, Town of, Sunflower County	280162	April 15, 1975, Emerg; July 17, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Drew, City of, Sunflower County .....	280163	June 5, 1973, Emerg; May 1, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Durant, City of, Holmes County .....	280074	April 1, 1974, Emerg; August 19, 1986, Reg; January 18, 2012, Susp.	.....do .....	Do.
Holmes County, Unincorporated Areas	280211	April 11, 1974, Emerg; September 15, 1989, Reg; January 18, 2012, Susp.	.....do .....	Do.
Moorhead, City of, Sunflower County ...	280166	May 24, 1973, Emerg; April 17, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Ruleville, Town of, Sunflower County ...	280167	May 14, 1973, Emerg; May 1, 1978, Reg; January 18, 2012, 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
Sunflower, Town of, Sunflower County	280168	May 14, 1973, Emerg; July 17, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Sunflower County, Unincorporated Areas.	280195	May 4, 1973, Emerg; September 28, 1979, Reg; January 18, 2012, Susp.	.....do .....	Do.
<b>Region V</b>				
Indiana:				
Boone County, Unincorporated Areas ..	180011	November 26, 1975, Emerg; September 16, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Cedar Lake, Town of, Lake County .....	180127	July 25, 1975, Emerg; March 15, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Crown Point, City of, Lake County .....	180128	January 31, 1975, Emerg; March 18, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
Dyer, Town of, Lake County .....	180129	October 10, 1974, Emerg; May 15, 1984, Reg; January 18, 2012, Susp.	.....do .....	Do.
East Chicago, City of, Lake County .....	180130	February 26, 1975, Emerg; June 4, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
Gary, City of, Lake County .....	180132	March 17, 1975, Emerg; March 16, 1981, Reg; January 18, 2012, Susp.	.....do .....	Do.
Griffith, Town of, Lake County .....	185175	February 26, 1971, Emerg; April 14, 1972, Reg; January 18, 2012, Susp.	.....do .....	Do.
Hammond, City of, Lake County .....	180134	December 10, 1974, Emerg; March 16, 1981, Reg; January 18, 2012, Susp.	.....do .....	Do.
Highland, Town of, Lake County .....	185176	May 21, 1971, Emerg; May 19, 1972, Reg; January 18, 2012, Susp.	.....do .....	Do.
Hobart, City of, Lake County .....	180136	February 14, 1975, Emerg; December 4, 1979, Reg; January 18, 2012, Susp.	.....do .....	Do.
Lake County, Unincorporated Areas .....	180126	July 25, 1973, Emerg; September 2, 1981, Reg; January 18, 2012, Susp.	.....do .....	Do.
Lake Station, City of, Lake County .....	180131	March 27, 1975, Emerg; September 5, 1979, Reg; January 18, 2012, Susp.	.....do .....	Do.
Lebanon, City of, Boone County .....	180013	June 25, 1975, Emerg; May 3, 1982, Reg; January 18, 2012, Susp.	.....do .....	Do.
Lowell, Town of, Lake County .....	180137	January 31, 1975, Emerg; December 4, 1979, Reg; January 18, 2012, Susp.	.....do .....	Do.
Merrillville, Town of, Lake County .....	180138	February 16, 1973, Emerg; October 15, 1981, Reg; January 18, 2012, Susp.	.....do .....	Do.
Munster, Town of, Lake County .....	180139	November 11, 1974, Emerg; May 16, 1983, Reg; January 18, 2012, Susp.	.....do .....	Do.
New Chicago, Town of, Lake County ...	180140	March 13, 1975, Emerg; January 2, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
Schererville, Town of, Lake County .....	180142	March 17, 1975, Emerg; May 1, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
Schneider, Town of, Lake County .....	180143	March 3, 1976, Emerg; August 1, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
St. John, Town of, Lake County .....	180141	January 20, 1975, Emerg; November 1, 1979, Reg; January 18, 2012, Susp.	.....do .....	Do.
Thorntown, Town of, Boone County .....	180014	April 29, 1975, Emerg; July 21, 1978, Reg; January 18, 2012, Susp.	.....do .....	Do.
Whitestown, Town of, Boone County ....	180015	August 5, 1975, Emerg; April 5, 1988, Reg; January 18, 2012, Susp.	.....do .....	Do.
Whiting, City of, Lake County .....	180313	March 9, 1977, Emerg; March 6, 1981, Reg; January 18, 2012, Susp.	.....do .....	Do.
Winfield, Town of, Lake County .....	180515	N/A, Emerg; November 14, 1997, Reg; January 18, 2012, Susp.	.....do .....	Do.
Zionsville, Town of, Boone County .....	180016	May 2, 1975, Emerg; December 15, 1981, Reg; January 18, 2012, Susp.	.....do .....	Do.
Michigan: Higgins, Township of, Roscommon County.	261011	December 22, 1997, Emerg; N/A, Reg; January 18, 2012, Susp.	.....do .....	Do.
<b>Region VI</b>				
Oklahoma:				
Mooreland, Town of, Woodward County	400230	August 16, 1974, Emerg; June 19, 1985, Reg; January 18, 2012, Susp.	.....do .....	Do.
Woodward, City of, Woodward County	400232	April 30, 1974, Emerg; December 16, 1980, Reg; January 18, 2012, Susp.	.....do .....	Do.
Woodward County, Unincorporated Areas.	400500	June 29, 1990, Emerg; January 17, 1997, Reg; January 18, 2012, Susp.	.....do .....	Do.

\*do = Ditto.

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

Dated: January 12, 2012.

David L. Miller,

Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2012-929 Filed 1-18-12; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-8211]

#### 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 Federal flood insurance that is not otherwise generally available from private insurers. 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 the sale of NFIP flood insurance 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. We recognize that 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 publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 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 FIRM for 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: