

subject to OMB review. This action merely adds language to 40 CFR 300.805(c) of the NCP to broaden the technology, to include computer telecommunications or other electronic means, that the lead agency is permitted to use to make the administrative record file available to the public. This action will enable the lead agency to serve the information needs of a broader population while maintaining the ability to provide traditional means of public access, such as paper copies and microform, to the administrative record file. This action does not impose any requirements on any entity, including small entities. Therefore, pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), after considering the economic impacts of this action on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. This action does not contain any unfunded mandates or significantly or uniquely affect small governments as described in Sections 202 and 205 of the Unfunded Mandates Reform Act of 1999 (UMRA) (Pub. L. 104-4). This action does not create new binding legal requirements that substantially and directly affect Tribes under Executive Order 13175 (63 FR 67249, November 9, 2000). This action does not have significant Federalism implications under Executive Order 13132 (64 FR 43255, August 10, 1999). Because this action has been exempted from review under Executive Order 12866, this final rule is not subject to Executive Order 13211, entitled Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 et seq., nor does it require any special considerations under Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994). This action does not involve technical standards; thus, the requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272) do not apply. The Congressional Review Act, 5 U.S.C. 801 et seq., generally provides that before certain actions may take effect, the agency promulgating the action must submit a report, which includes a copy of the

action, to each House of the Congress and to the Comptroller General of the United States. Because this action does not contain legally binding requirements, it is not subject to the Congressional Review Act.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: October 26, 2012

**Mathy Stanislaus,**

*Assistant Administrator, Office of Solid Waste and Emergency Response.*

For the reasons set out above, title 40, chapter I of the Code of Federal Regulations is amended as follows:

#### PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

■ 1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p.351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p.193.

■ 2. Section 300.805 is amended by revising paragraph (c) to read as follows:

##### § 300.805 Location of the administrative record file.

\* \* \* \* \*

(c) The lead agency may make the administrative record file available to the public in microform, computer telecommunications, or other electronic means.

[FR Doc. 2012–26970 Filed 11–6–12; 8:45 am]

**BILLING CODE 6560–50–P**

#### DEPARTMENT OF HOMELAND SECURITY

##### Federal Emergency Management Agency

##### 44 CFR Part 64

[Docket ID FEMA–2012–0003; Internal Agency Docket No. FEMA–8253]

##### 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. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

**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, Federal Insurance and Mitigation Administration, 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 measures 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the

suspension of such 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 procedures 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, Section 1315, 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:                                   |               |   |                            |  |
| Ashley, Borough of, Luzerne County ....         | 420596        | December 13, 1974, Emerg; September 30, 1980, Reg; November 2, 2012, Susp.        | Nov. 2, 2012 .....         | Nov. 2, 2012   |
| Avoca, Borough of, Luzerne County .....         | 420597        | March 7, 1975, Emerg; July 16, 1981, Reg; November 2, 2012, Susp.                 | do* .....                  | Do.  |
| Bear Creek, Township of, Luzerne County.        | 421136        | March 12, 1974, Emerg; September 29, 1978, Reg; November 2, 2012, Susp.           | do .....                   | Do.  |
| Bear Creek Village, Borough of, Luzerne County. | 422756        | N/A, Emerg; July 26, 2002, Reg; November 2, 2012, Susp.                           | do .....                   | Do.  |
| Black Creek, Township of, Luzerne County.       | 420598        | March 9, 1973, Emerg; September 3, 1980, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Buck, Township of, Luzerne County .....         | 421824        | February 17, 1976, Emerg; April 15, 1981, Reg; November 2, 2012, Susp.            | do .....                   | Do.  |
| Butler, Township of, Luzerne County ....        | 420599        | August 16, 1973, Emerg; December 16, 1980, Reg; November 2, 2012, Susp.           | do .....                   | Do.  |
| Conyngham, Borough of, Luzerne County.          | 420992        | August 24, 1973, Emerg; July 16, 1980, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Conyngham, Township of, Luzerne County.         | 420600        | February 9, 1973, Emerg; February 16, 1977, Reg; November 2, 2012, Susp.          | do .....                   | Do.  |
| Courtdale, Borough of, Luzerne County           | 420601        | May 1, 1973, Emerg; June 1, 1979, Reg; November 2, 2012, Susp.                    | do .....                   | Do.  |
| Dallas, Borough of, Luzerne County .....        | 421825        | April 15, 1974, Emerg; January 2, 1981, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Dallas, Township of, Luzerne County ...         | 420602        | September 5, 1973, Emerg; April 1, 1988, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Dupont, Borough of, Luzerne County ...          | 422250        | July 29, 1974, Emerg; June 15, 1981, Reg; November 2, 2012, Susp.                 | do .....                   | Do.  |
| Duryea, Borough of, Luzerne County ...          | 420603        | January 12, 1973, Emerg; June 18, 1980, Reg; November 2, 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 |
|---|---------------|---|----------------------------|--|
| Edwardsville, Borough of, Luzerne County.   | 420604        | December 1, 1972, Emerg; April 15, 1977, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Exeter, Township of, Luzerne County ...     | 420606        | January 19, 1973, Emerg; September 15, 1983, Reg; November 2, 2012, Susp.         | do .....                   | Do.  |
| Fairmount, Township of, Luzerne County.     | 421827        | February 9, 1976, Emerg; April 1, 1981, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Fairview, Township of, Luzerne County       | 420993        | January 23, 1974, Emerg; June 1, 1979, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Forty Fort, Borough of, Luzerne County      | 420607        | November 3, 1972, Emerg; April 1, 1977, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Hanover, Township of, Luzerne County        | 420608        | October 20, 1972, Emerg; May 16, 1977, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Hollenback, Township of, Luzerne County.    | 421831        | September 30, 1975, Emerg; September 17, 1980, Reg; November 2, 2012, Susp.       | do .....                   | Do.  |
| Hunlock, Township of, Luzerne County        | 420994        | November 5, 1973, Emerg; April 1, 1980, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Huntington, Township of, Luzerne County.    | 421832        | July 2, 1974, Emerg; April 15, 1981, Reg; November 2, 2012, Susp.                 | do .....                   | Do.  |
| Jackson, Township of, Luzerne County        | 420610        | March 16, 1973, Emerg; September 17, 1980, Reg; November 2, 2012, Susp.           | do .....                   | Do.  |
| Jenkins, Township of, Luzerne County        | 420611        | February 2, 1973, Emerg; May 16, 1977, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Kingston, Borough of, Luzerne County        | 420612        | October 6, 1972, Emerg; June 1, 1977, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| Kingston, Township of, Luzerne County       | 420613        | December 22, 1972, Emerg; January 2, 1981, Reg; November 2, 2012, Susp.           | do .....                   | Do.  |
| Lafin, Borough of, Luzerne County .....     | 420995        | October 4, 1973, Emerg; December 2, 1980, Reg; November 2, 2012, Susp.            | do .....                   | Do.  |
| Lake, Township of, Luzerne County .....     | 421833        | October 24, 1975, Emerg; September 3, 1980, Reg; November 2, 2012, Susp.          | do .....                   | Do.  |
| Larksville, Borough of, Luzerne County      | 420614        | March 23, 1973, Emerg; April 1, 1977, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| Lehman, Township of, Luzerne County         | 420615        | July 10, 1973, Emerg; December 2, 1980, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Luzerne, Borough of, Luzerne County ..      | 420616        | March 2, 1973, Emerg; April 15, 1977, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| Nanticoke, City of, Luzerne County .....    | 420617        | April 4, 1973, Emerg; April 15, 1977, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| Nescopeck, Borough of, Luzerne County.      | 420618        | April 16, 1973, Emerg; February 1, 1980, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Nescopeck, Township of, Luzerne County.     | 420619        | March 2, 1973, Emerg; August 1, 1980, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| New Columbus, Borough of, Luzerne County.   | 421819        | July 9, 1975, Emerg; March 16, 1981, Reg; November 2, 2012, Susp.                 | do .....                   | Do.  |
| Newport, Township of, Luzerne County        | 421822        | December 17, 1975, Emerg; December 2, 1980, Reg; November 2, 2012, Susp.          | do .....                   | Do.  |
| Nuangola, Borough of, Luzerne County        | 422272        | October 15, 1975, Emerg; September 28, 1979, Reg; November 2, 2012, Susp.         | do .....                   | Do.  |
| Penn Lake Park, Borough of, Luzerne County. | 422645        | July 12, 1976, Emerg; December 5, 1980, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Pittston, City of, Luzerne County .....     | 420620        | April 17, 1973, Emerg; May 2, 1977, Reg; November 2, 2012, Susp.                  | do .....                   | Do.  |
| Plymouth, Borough of, Luzerne County        | 420622        | October 27, 1972, Emerg; April 1, 1977, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Plymouth, Township of, Luzerne County       | 420623        | February 2, 1973, Emerg; April 15, 1977, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Pringle, Borough of, Luzerne County ....    | 420624        | January 19, 1973, Emerg; May 2, 1977, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| Rice, Township of, Luzerne County .....     | 420996        | December 6, 1973, Emerg; January 2, 1981, Reg; November 2, 2012, Susp.            | do .....                   | Do.  |
| Ross, Township of, Luzerne County .....     | 421835        | February 9, 1976, Emerg; April 15, 1981, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Salem, Township of, Luzerne County ...      | 420625        | May 23, 1973, Emerg; March 18, 1980, Reg; November 2, 2012, Susp.                 | do .....                   | Do.  |
| Shickshinny, Borough of, Luzerne County.    | 420626        | December 15, 1972, Emerg; December 31, 1976, Reg; November 2, 2012, Susp.         | do .....                   | Do.  |
| Union, Township of, Luzerne County ....     | 421836        | February 18, 1976, Emerg; September 30, 1980, Reg; November 2, 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 |
|--|---------------|---|----------------------------|--|
| West Hazleton, Borough of, Luzerne County. | 421821        | June 6, 1974, Emerg; July 31, 1978, Reg; November 2, 2012, Susp.                  | do .....                   | Do.  |
| West Pittston, Borough of, Luzerne County. | 420628        | November 24, 1972, Emerg; April 15, 1977, Reg; November 2, 2012, Susp.            | do .....                   | Do.  |
| White Haven, Borough of, Luzerne County.   | 420630        | April 4, 1973, Emerg; August 1, 1977, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| Wilkes-Barre, City of, Luzerne County ..   | 420631        | December 10, 1971, Emerg; September 30, 1977, Reg; November 2, 2012, Susp.        | do .....                   | Do.  |
| Wilkes-Barre, Township of, Luzerne County. | 421823        | August 13, 1974, Emerg; December 2, 1980, Reg; November 2, 2012, Susp.            | do .....                   | Do.  |
| Wright, Township of, Luzerne County ...    | 420632        | May 10, 1973, Emerg; January 16, 1981, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Wyoming, Borough of, Luzerne County        | 420633        | November 3, 1972, Emerg; November 16, 1977, Reg; November 2, 2012, Susp.          | .do .....                  | Do.  |
| <b>Region IV</b>                           |               |   |                            |  |
| Florida:                                   |               |   |                            |  |
| Bronson, Town of, Levy County .....        | 120582        | April 11, 1980, Emerg; February 1, 1987, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Cedar Key, City of, Levy County .....      | 120373        | August 6, 1975, Emerg; March 1, 1984, Reg; November 2, 2012, Susp.                | do.                        |  |
| Inglis, Town of, Levy County .....         | 120586        | January 10, 1986, Emerg; January 10, 1986, Reg; November 2, 2012, Susp.           | do .....                   | Do.  |
| Levy County, Unincorporated Areas .....    | 120145        | November 13, 1970, Emerg; March 1, 1984, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Otter Creek, Town of, Levy County .....    | 120592        | February 8, 2005, Emerg; September 1, 2005, Reg; November 2, 2012, Susp.          | do .....                   | Do.  |
| Yankeetown, Town of, Levy County .....     | 120147        | November 13, 1970, Emerg; August 20, 1971, Reg; November 2, 2012, Susp.           | do .....                   | Do.  |
| Georgia:                                   |               |   |                            |  |
| Cobb County, Unincorporated Areas ....     | 130052        | June 12, 1973, Emerg; January 3, 1979, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Marietta, City of, Cobb County .....       | 130226        | September 5, 1974, Emerg; February 15, 1978, Reg; November 2, 2012, Susp.         | do .....                   | Do.  |
| <b>Region V</b>                            |               |   |                            |  |
| Indiana:                                   |               |   |                            |  |
| Batesville, City of, Ripley County .....   | 180507        | N/A, Emerg; March 9, 2010, Reg; November 2, 2012, Susp.                           | do .....                   | Do.  |
| Ripley County, Unincorporated Areas ...    | 180221        | February 11, 1976, Emerg; September 1, 1987, Reg; November 2, 2012, Susp.         | do .....                   | Do.  |
| Wisconsin:                                 |               |   |                            |  |
| Chaseburg, Village of, Vernon County ..    | 550451        | August 25, 1975, Emerg; February 4, 1981, Reg; November 2, 2012, Susp.            | do .....                   | Do.  |
| Coon Valley, Village of, Vernon County     | 550452        | April 7, 1975, Emerg; February 4, 1981, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| De Soto, Village of, Vernon County .....   | 550069        | December 15, 1980, Emerg; January 16, 1981, Reg; November 2, 2012, Susp.          | do .....                   | Do.  |
| Genoa, Village of, Vernon County .....     | 555556        | May 7, 1971, Emerg; February 26, 1972, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Ontario, Village of, Vernon County .....   | 550457        | August 16, 1978, Emerg; N/A, Reg; November 2, 2012, Susp.                         | do .....                   | Do.  |
| Readstown, Village of, Vernon County       | 550458        | April 30, 1971, Emerg; March 16, 1976, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Stoddard, Village of, Vernon County .....  | 555582        | April 23, 1971, Emerg; October 20, 1972, Reg; November 2, 2012, Susp.             | do .....                   | Do.  |
| Vernon County, Unincorporated Areas        | 550450        | September 1, 1972, Emerg; September 29, 1978, Reg; November 2, 2012, Susp.        | do .....                   | Do.  |
| Viola, Village of, Vernon County .....     | 550460        | December 5, 1974, Emerg; June 4, 1990, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| <b>Region VII</b>                          |               |   |                            |  |
| Missouri:                                  |               |   |                            |  |
| Carl Junction, City of, Jasper County ...  | 290179        | October 28, 1975, Emerg; June 1, 1982, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Carterville, City of, Jasper County .....  | 290180        | January 17, 1977, Emerg; July 16, 1984, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Cole County, Unincorporated Areas .....    | 290107        | January 21, 1982, Emerg; January 21, 1982, Reg; November 2, 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 |
|--|---------------|---|----------------------------|--|
| Duenweg, City of, Jasper County .....      | 290182        | N/A, Emerg; April 1, 2004, Reg; November 2, 2012, Susp.                           | do .....                   | Do.  |
| Jasper County, Unincorporated Areas ..     | 290807        | May 15, 1987, Emerg; May 15, 1987, Reg; November 2, 2012, Susp.                   | do .....                   | Do.  |
| Jefferson City, City of, Cole County ..... | 290108        | April 23, 1971, Emerg; April 15, 1980, Reg; November 2, 2012, Susp.               | do .....                   | Do.  |
| Sarcoxie, City of, Jasper County .....     | 290186        | May 29, 1974, Emerg; July 16, 1979, Reg; November 2, 2012, Susp.                  | do .....                   | Do.  |
| Webb City, City of, Jasper County .....    | 290187        | May 19, 1975, Emerg; June 1, 1982, Reg; November 2, 2012, Susp.                   | do .....                   | Do.  |
| <b>Region VIII</b>                         |               |   |                            |  |
| North Dakota:                              |               |   |                            |  |
| Grafton, City of, Walsh County .....       | 380137        | January 17, 1975, Emerg; January 16, 1981, Reg; November 2, 2012, Susp.           | do .....                   | Do.  |
| Minto, City of, Walsh County .....         | 380138        | June 27, 1975, Emerg; January 16, 1981, Reg; November 2, 2012, Susp.              | do .....                   | Do.  |
| Park River, City of, Walsh County .....    | 380139        | February 3, 1975, Emerg; May 1, 1980, Reg; November 2, 2012, Susp.                | do .....                   | Do.  |
| Walsh County, Unincorporated Areas ...     | 380135        | March 28, 1978, Emerg; May 1, 1986, Reg; November 2, 2012, Susp.                  | do .....                   | Do.  |

\*-do- = Ditto.

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

Dated: October 17, 2012.

**David L. Miller,**

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

[FR Doc. 2012–27159 Filed 11–6–12; 8:45 am]

**BILLING CODE 9110–12–P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA–2012–0003]

#### Final Flood Elevation Determinations

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

**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).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) shows BFEs and modified BFEs for each community.

This date may be obtained by contacting the office where the maps are 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:** 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 (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the

proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

**National Environmental Policy Act.** This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

**Regulatory Flexibility Act.** As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601–612, a regulatory flexibility analysis is not required.

**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 final rule involves no policies that have federalism implications under Executive Order 13132.

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

#### List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is amended as follows: