

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2018-0002; Internal Agency Docket No. FEMA-8537]

#### 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 <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

**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 Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212-3966.

**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.* FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.

*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 I</b>				
Massachusetts: Haverhill, City of, Essex County.	250085	April 30, 1974, Emerg; February 16, 1983, Reg; July 19, 2018, Susp	July 19, 2018 ....	July 19, 2018.
<b>Region V</b>				
Ohio:				
Fairfield County, Unincorporated Areas	390158	March 21, 1977, Emerg; April 17, 1989, Reg; July 19, 2018, Susp	.....do * .....	Do.
Lancaster, City of, Fairfield County .....	390161	July 28, 1975, Emerg; May 1, 1980, Reg; July 19, 2018, Susp	.....do .....	Do.
Pickerington, City of, Fairfield and Franklin Counties.	390162	June 11, 1976, Emerg; August 5, 1991, Reg; July 19, 2018, Susp	.....do .....	Do.
<b>Region VI</b>				
Oklahoma:				
Billings, Town of, Noble County .....	400347	September 8, 1983, Emerg; June 19, 1985, Reg; July 19, 2018, Susp	.....do .....	Do.
Tribe of Ponca Indians of Oklahoma, Noble and Kay Counties.	400239	N/A, Emerg; July 15, 2008, Reg; July 19, 2018, Susp	.....do .....	Do.
Red Rock, Town of, Noble County .....	400135	June 12, 1975, Emerg; May 25, 1978, Reg; July 19, 2018, Susp	.....do .....	Do.
<b>Region IX</b>				
California:				
Elk Grove, City of, Sacramento County	060767	N/A, Emerg; October 15, 2001, Reg; July 19, 2018, Susp	.....do .....	Do.
Folsom, City of, Sacramento County ....	060263	March 10, 1977, Emerg; January 6, 1982, Reg; July 19, 2018, Susp	.....do .....	Do.
Rancho Cordova, City of, Sacramento County.	060772	N/A, Emerg; September 15, 2004, Reg; July 19, 2018, Susp	.....do .....	Do.
Sacramento County, Unincorporated Areas.	060262	March 31, 1972, Emerg; March 15, 1979, Reg; July 19, 2018, Susp	.....do .....	Do.

do = Ditto.

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

Dated: June 29, 2018.

**Michael M. Grimm,**

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

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**DEPARTMENT OF TRANSPORTATION****Federal Transit Administration****49 CFR Part 672**

[Docket No. FTA–2015–0014]

RIN 2132–AB25

**Public Transportation Safety  
Certification Training Program**

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The Federal Transit Administration is issuing a final rule for the Public Transportation Safety Certification Training Program to provide revised minimum training requirements for Federal and State

personnel and contractors who conduct safety audits and examinations of transit systems and for transit agency personnel and contractors who are directly responsible for safety oversight. The revised requirements reduce the number of training hours required by the interim training program.

**DATES:** The effective date of this rule is August 20, 2018.

**FOR FURTHER INFORMATION CONTACT:** For program issues, contact FTA, Office of Transit Safety and Oversight (telephone: 202–366–1783 or email: [FTASafetyPromotion@dot.gov](mailto:FTASafetyPromotion@dot.gov)). For legal issues, contact Bruce Walker, FTA, Office of Chief Counsel (telephone: 202–366–9109 or email: [Bruce.Walker@dot.gov](mailto:Bruce.Walker@dot.gov)). Office hours are Monday through Friday from 8 a.m. to 6 p.m. (EST), except Federal holidays.

**SUPPLEMENTARY INFORMATION:****I. Executive Summary**

A. Statutory Authority

B. Summary of Major Provisions

C. Costs and Benefits

**II. Rulemaking Background****III. Summary of NPRM Comments and FTA Responses****IV. Revised Regulatory Evaluation****V. Regulatory Analyses and Notices****I. Executive Summary**

In the Moving Ahead for Progress in the 21st Century Act (MAP–21) (Pub. L. 112–141, July 6, 2012), Congress directed FTA to establish a comprehensive Public Transportation Safety Program (codified at 49 U.S.C. 5329), one element of which is the Public Transportation Safety Certification Training Program (PTSCTP). As a first step to implementing the PTSCTP, FTA developed requirements for the interim safety certification training program (interim training program) which became effective on May 28, 2015 (*see* 80 FR 10619). FTA then published a notice of proposed rulemaking (NPRM) in the **Federal Register** on December 3, 2015 (80 FR 75639), which generally proposed to adopt the interim training program requirements for the PTSCTP final rule. As noted in Appendix A, the requirements in this final rule reduce the number of required training hours from a total of 181 hours (22,625 days) to 143 hours (17,875 days).

More recently, Congress enacted the Fixing America's Surface Transportation Act ("FAST") (Pub. L. 114–94, Dec. 4, 2015). FAST did not make any amendments to 49 U.S.C. 5329(c)(1), the