

Distribution, or Use" (66 FR 28355, May 22, 2001).

*National Technology Transfer Advancement Act*

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), 15 U.S.C. 272, requires Federal agencies to use technical standards that are developed or adopted by voluntary consensus to carry out policy objectives, so long as such standards are not inconsistent with applicable law or otherwise impractical. In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Absent a prior existing requirement for the state to use voluntary consensus standards, EPA has no authority to disapprove a SIP submission for failure to use such standards, and it would thus be inconsistent with applicable law for EPA to use voluntary consensus standards in place of a program submission that otherwise satisfies the provisions of the Clean Air Act. Therefore, the requirements of section 12(d) of the NTTA do not apply.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: March 19, 2007.

**Bharat Mathur,**

*Acting Regional Administrator, Region 5.*  
[FR Doc. E7-6619 Filed 4-6-07; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-B-7713]

**Proposed Flood Elevation Determinations**

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

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed Base (1% annual chance) Flood Elevations (BFEs) and proposed BFEs modifications for the communities listed below. The 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 remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed 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:** William R. Blanton, Jr., Engineering Management Section, Mitigation Division, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood

insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

*National Environmental Policy Act.*

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

*Executive Order 12988, Civil Justice Reform.* This proposed 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 proposed to be amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 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.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	

**Letcher County, Kentucky, and Incorporated Areas**

North Fork Kentucky River ...	Approximately 0.29 miles downstream of Hazard Road ...	None	+1124	Letcher County (Unincorporated Areas).
	Approximately 0.14 miles downstream of the CSX Railroad (City of Whitesburg Corporate Limits).	None	+1137	
	Approximately 0.16 miles downstream of State Route 15 near Piedmont Drive (City of Whitesburg Corporate Limits).	None	+1161	
	Approximately 0.14 miles upstream of State Route 15 near the confluence with Pert Creek.	None	+1176	

\*National Geodetic Vertical Datum.  
#Depth in feet above ground.  
+North American Vertical Datum.

**ADDRESSES**

**Letcher County (Unincorporated Areas)**

Maps are available for inspection at 156 Main Street, Whitesburg, KY 41858  
Send comments to The Honorable Jim Ward, Letcher County Judge Executive, 156 Main Street, Suite 107, Whitesburg, KY 41858

**Trimble County, Kentucky, and Incorporated Areas**

Ohio River .....	Oldham County Line .....	None	+457	Trimble County (Unincorporated Areas)
	City of Milton Corporate Limits .....	None	+463	
	Trimble County Limits (Downstream) .....	*464	+463	
	City of Milton Corporate Limits .....	None	+464	
	Carroll County Line .....	None	+464	
	Trimble County Limits (Upstream) .....	*465	+464	

\*National Geodetic Vertical Datum.  
#Depth in feet above ground.  
+North American Vertical Datum.

**ADDRESSES**

**City of Milton**

Maps are available for inspection at 10179 U.S. Highway 421 North, Milton, KY 40045  
Send comments to The Honorable Donald Oakley, Mayor, City of Milton, 10179 U.S. Highway 421 North, Milton, KY 40045

**Trimble County (Unincorporated Areas):**

Maps are available for inspection at 123 Church Street, Bedford, KY 40006  
Send comments to The Honorable Randy Stevens, Trimble County Judge Executive, P.O. Box 251, Bedford, KY 40006

**Collin County, Texas, and Incorporated Areas**

Cottonwood Creek 1 .....	Approximately 200 feet downstream from Oxbow Creek Lane.	*552	+550	City of Allen. City of McKinney.
	Approximately 600 feet upstream from Ash Lane .....	None	+712	
Doe Branch .....	Approximately 2070 feet downstream from County Rd 51	None	+624	City of Plano.
				City of Celina. Collin County. (Unincorporated Areas).
East Fork Trinity River .....	County Road 94 .....	None	+741	City of Mckinney.
	Approximately 3500 feet downstream from Union Pacific Railroad.	None	+524	City of Melissa.
Muddy Creek (Upper Reach)	Approximately 1600 feet upstream from County Road 279.	None	+570	Collin County (Unincorporated Areas).
	Approximately one mile downstream from FM 544 .....	*486	+487	City of Wylie. Collin County. (Unincorporated Areas).
Rowlett Creek .....	Just upstream from Stinson Road .....	*573	+569	City of Allen.
	McDermott Drive (FM 2170) .....	*609	+606	
	Approximately 3000 feet upstream from Exchange Parkway.	*626	+627	
Stewart Creek Tributary .....	Approximately 2500 feet downstream from Fossil Ridge Drive.	*659	+660	City of Frisco.
	Approximately 2800 feet upstream from Woodstream Drive.	None	+718	
Watters Branch .....	Approximately 2250 feet downstream from Bethany Drive	*586	+585	City of Allen.
	State Hwy 121 .....	*698	+691	
West Rowlett Creek .....	Confluence with Rowlett Creek .....	*611	+609	City of Allen.

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) +Elevation in feet (NAVD) # Depth in feet above ground.		Communities affected
		Effective	Modified	
	Approximately 1000 feet downstream from State Hwy 121.	*638	+633	City of Plano Collin County (Unincorporated Areas).

\*National Geodetic Vertical Datum.

#Depth in feet above ground.

+North American Vertical Datum.

#### ADDRESSES

##### City of Allen

Maps are available for inspection at One Butler Circle, Allen, TX 75013

Send comments to The Honorable Stephen Terrell, Mayor, City of Allen, 305 Century Parkway, Allen, TX 75013

##### City of Celina

Maps are available for inspection at City of Celina, 320 West Walnut, Celina, TX 75009

Send comments to The Honorable Corbett Howard, Mayor, City of Celina, 302 West Walnut, Celina, TX 75009

##### City of Frisco

Maps are available for inspection at City of Frisco, 6891 Main Street, Frisco, TX 75034

Send comments to The Honorable Michael Simpson, Mayor, City of Frisco, 6101 Frisco Square Blvd, Frisco, TX 75034

##### City of Lucas

Maps are available for inspection at 151 Country Club Road, Lucas, TX 75002

Send comments to The Honorable Bob Sanders, Mayor, City of Lucas, 151 Country Club Road, Lucas, TX 75002

##### City of McKinney

Maps are available for inspection at City of McKinney, 222 North Tennessee Street, McKinney, TX 75070

Send comments to The Honorable Bill Whitfield, Mayor, City of McKinney, 222 North Tennessee, McKinney, TX 75070

##### City of Melissa

Maps are available for inspection at City of Melissa, 109 U.S. Hwy 121, Melissa, TX 75454

Send comments to The Honorable David Dorman, Mayor, City of Melissa, P.O. Box 409, Melissa, TX 75454

##### City of Parker

Maps are available for inspection at City of Parker, 5700 East Parker Road, Parker, TX 75002

Send comments to The Honorable Jerry Tartaglino, Mayor, City of Parker, 5700 East Parker Road, Parker, TX 75002

##### City of Plano

Maps are available for inspection at City of Plano, 1520 Avenue K, Plano, TX 75086

Send comments to The Honorable Pat Evans, Mayor, City of Plano, P.O. Box 860358, Plano, TX 75086

##### City of Wylie

Maps are available for inspection at City of Wylie, 114 North Ballard Avenue, Wylie, TX 75098

Send comments to The Honorable John Mondy, Mayor, City of Wylie, 2000 Hwy 78 North, Wylie, TX 75098

##### Collin County (Unincorporated Areas)

Maps are available for inspection at Collin County Department of Public Works, 210 South McDonald Street, McKinney, TX 75069

Send comments to The Honorable Ron Harris, Judge, Collin County, 210 South McDonald, McKinney, TX 75069

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated March 26, 2007.

**David I. Maurstad,**

*Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.*

[FR Doc. E7-6555 Filed 4-6-07; 845 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 544

[Docket No.: NHTSA-2007-27240]

RIN 2127-AJ98

#### Insurer Reporting Requirements; List of Insurers Required To File Reports

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document proposes to amend Appendices A, B, and C of 49 CFR Part 544, insurer reporting requirements. The appendices list those

passenger motor vehicle insurers that are required to file reports on their motor vehicle theft loss experiences. An insurer included in any of these appendices would be required to file three copies of its report for the 2004 calendar year before October 25, 2007. If the passenger motor vehicle insurers remain listed, they must submit reports by each subsequent October 25. We are proposing to add and remove several insurers from relevant appendices.

**DATES:** Comments must be submitted not later than June 8, 2007. Insurers listed in the appendices are required to submit reports on or before October 25, 2007.

**ADDRESSES:** You may submit comments, identified by docket number: NHTSA-