

^v The neutral red uptake basal cytotoxicity assay, which may be used to estimate the starting dose for the mammalian toxicity-acute endpoint, is available in docket ID number EPA-HQ-OPPT-2007-0531 at the EPA Docket Center, Rm. 3334, EPA West Bldg., 1301 Constitution Ave., NW., Washington, DC 20004, telephone number: (202) 566-1744, from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays.

[FR Doc. 2010-33313 Filed 1-6-11; 8:45 am]
BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2010-0003]

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) showing 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 (e-mail) *luis.rodriquez1@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 Federal Insurance and Mitigation Administrator 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:

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.

§ 67.11 [Amended]

■ 2. The tables published under the authority of § 67.11 are amended as follows:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Stephenson County, Illinois, and Incorporated Areas Docket No.: FEMA-B-1087			
Indian Creek	Approximately 0.61 mile upstream of State Route 73	+782	Unincorporated Areas of Stephenson County.
Pecatonica River	Approximately 0.78 mile upstream of State Route 73 Approximately 1.2 miles downstream of North Rock City Road.	+782 +749	Village of Ridott.
Pecatonica River	Approximately 1.93 miles upstream of North Rock City Road.	+754	City of Freeport.
Pecatonica River	Approximately 0.43 mile downstream of State Route 75 (Stephenson Street). Approximately 4.0 miles upstream of State Route 26	+762 +767	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Pecatonica River	Approximately 1.61 miles upstream of West McConnell Road. At the Illinois/Wisconsin State boundary	+779 +782	Unincorporated Areas of Stephenson County.
Yellow Creek	Approximately 400 feet downstream of Pearl City Road Approximately 0.49 mile upstream of Pearl City Road	+814 +815	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.
^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

City of Freeport

Maps are available for inspection at City Hall, 230 West Stephenson Street, Freeport, IL 61032.

Unincorporated Areas of Stephenson County

Maps are available for inspection at the Stephenson County Courthouse, 15 North Galena Avenue, Freeport, IL 61032.

Village of Ridott

Maps are available for inspection at the Village Hall, 200 East 3rd Street, Ridott, IL 61607.

**Moniteau County, Missouri, and Incorporated Areas
Docket No.: FEMA-B-1087**

Missouri River	Approximately 3,000 feet upstream of the Cole County boundary. Approximately 375 feet downstream of the Cooper County boundary.	+574 +587	City of Lupus, Unincorporated Areas of Moniteau County
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* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.
^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

City of Lupus

Maps are available for inspection at 3750 Main Street, Lupus, MO 65046.

Unincorporated Areas of Moniteau County.

Maps are available for inspection at 200 East Main Street, California, MO 65018.

**Highland County, Ohio, and Incorporated Areas
Docket No.: FEMA-B-1085**

Clear Creek	Approximately 1.4 miles upstream of State Route 138	+938	City of Hillsboro, Unincorporated Areas of Highland County.
Turtle Creek	Approximately 2.0 miles upstream of State Route 138	+943	
	At the confluence with East Fork Little Miami River	+985	Unincorporated Areas of Highland County.
	Just downstream of Sycamore Street	+991	
	Approximately 1,840 feet upstream of Sycamore Street Approximately 0.4 mile upstream of Sycamore Street	+996 +996	

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.
^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

City of Hillsboro

Maps are available for inspection at City Hall, 130 North High Street, Hillsboro, OH 45133.

Unincorporated Areas of Highland County

Maps are available for inspection at 119 Governor Foraker Place, Suite 206, Highland, OH 45133.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: December 27, 2010.

Sandra K. Knight,

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

[FR Doc. 2011-131 Filed 1-6-11; 8:45 am]

BILLING CODE 9110-12-P