

respect to the effective date of this action, EPA is invoking the good cause exception to the 30-day notice requirement of the APA because the purpose of this notice is to relieve a restriction (5 U.S.C. § 553(d)(1)).

### III. Statutory and Executive Order Reviews

This action defers Federal sanctions and imposes no additional requirements.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a “significant regulatory action” and therefore is not subject to review by the Office of Management and Budget.

This action is not subject to Executive Order 13211, “Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use” (66 FR 28355, May 22, 2001) because it is not a significant regulatory action.

The administrator certifies that this action will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

This rule does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4).

This rule does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999).

This rule is not subject to Executive Order 13045, “Protection of Children from Environmental Health Risks and Safety Risks” (62 FR 19885, April 23, 1997), because it is not economically significant.

The requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272) do not apply to this rule because it imposes no standards.

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to Congress and the Comptroller General. However, section 808 provides that any rule for which the issuing agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2).

EPA has made such a good cause finding, including the reasons therefore, and established an effective date of July 28, 2011. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a “major rule” as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by September 26, 2011. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purpose of judicial review nor does it extend the time within which petition for judicial review may be filed, and 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 regulations, Ozone, Reporting and recordkeeping requirements.

Dated: July 19, 2011.

**Jared Blumenfeld**,

*Regional Administrator, Region IX.*

[FR Doc. 2011–18992 Filed 7–27–11; 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–8189]

#### 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 flood insurance which is generally not otherwise available. 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 flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 *et seq.*; 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. However, 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 has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). 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 legally 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 flood insurance map of 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>				
Maryland: Baltimore County, Unincorporated Areas.	240010	March 24, 1972, Emerg; March 2, 1981, Reg; August 2, 2011, Susp.	Aug. 2, 2011 .....	Aug. 2, 2011.
<b>Region IV</b>				
Kentucky:				
Midway, City of, Woodford County .....	210477	N/A, Emerg; September 17, 2008, Reg; August 2, 2011, Susp.	.....do* .....	Do.
Versailles, City of, Woodford County.. ..	210231	April 21, 1989, Emerg; May 1, 1990, Reg; August 2, 2011, Susp.	.....do .....	Do.
Woodford County, Unincorporated Areas.	210230	March 30, 1973, Emerg; June 1, 1978, Reg; August 2, 2011, Susp.	.....do .....	Do.
Mississippi:				
Attala County, Unincorporated Areas ....	280301	April 23, 1979, Emerg; June 1, 1988, Reg; August 2, 2011, Susp.	.....do .....	Do.
Ethel, Town of, Attala County .....	280006	December 1, 2008, Emerg; October 6, 2009, Reg; August 2, 2011, Susp.	.....do .....	Do.
Kosciusko, City of, Attala County .....	280007	November 15, 1974, Emerg; July 2, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
McCool, Town of, Attala County .....	280008	July 23, 2009, Emerg; N/A, Reg; August 2, 2011, Susp.	.....do .....	Do.
South Carolina:				
Lockhart, Township of, Union County. ..	450241	April 8, 1987, Emerg; February 1, 1991, Reg; August 2, 2011, 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
Union, City of, Union County. ....	450186	June 19, 1975, Emerg; July 16, 1981, Reg; August 2, 2011, Susp.	.....do .....	Do.
<b>Region V</b>				
Illinois:				
Abingdon, City of, Knox County .....	170348	July 24, 1975, Emerg; February 6, 1984, Reg; August 2, 2011, Susp.	.....do .....	Do.
Buda, Village of, Bureau County .....	171011	July 21, 1983, Emerg; July 21, 1983, Reg; August 2, 2011, Susp.	.....do .....	Do.
Bureau County, Unincorporated Areas	170729	July 25, 1973, Emerg; June 15, 1984, Reg; August 2, 2011, Susp.	.....do .....	Do.
Cherry, Village of, Bureau County .....	170011	September 20, 1976, Emerg; January 14, 1983, Reg; August 2, 2011, Susp.	.....do .....	Do.
Dalzell, Village of, Bureau County .....	170851	February 20, 1976, Emerg; September 24, 1984, Reg; August 2, 2011, Susp.	.....do .....	Do.
DePue, Village of, Bureau County .....	170012	August 13, 1974, Emerg; May 1, 1985, Reg; August 2, 2011, Susp.	.....do .....	Do.
Galesburg, City of, Knox County .....	170349	April 3, 1975, Emerg; June 19, 1985, Reg; August 2, 2011, Susp.	.....do .....	Do.
Knox County, Unincorporated Areas .....	170914	January 6, 1976, Emerg; August 24, 1984, Reg; August 2, 2011, Susp.	.....do .....	Do.
Knoxville, City of, Knox County .....	170350	July 16, 1975, Emerg; February 27, 1984, Reg; August 2, 2011, Susp.	.....do .....	Do.
London Mills, Village of, Knox County ..	170763	January 7, 1976, Emerg; October 15, 1982, Reg; August 2, 2011, Susp.	.....do .....	Do.
Manlius, Village of, Bureau County .....	170013	October 1, 1975, Emerg; January 28, 1983, Reg; August 2, 2011, Susp.	.....do .....	Do.
Princeton, City of, Bureau County .....	170014	March 24, 1975, Emerg; September 4, 1985, Reg; August 2, 2011, Susp.	.....do .....	Do.
Spring Valley, City of, Bureau County ..	170015	April 28, 1975, Emerg; September 18, 1985, Reg; August 2, 2011, Susp.	.....do .....	Do.
Tiskilwa, Village of, Bureau County .....	170016	September 8, 1975, Emerg; August 19, 1985, Reg; August 2, 2011, Susp.	.....do .....	Do.
Walnut, Village of, Bureau County .....	170017	April 14, 1975, Emerg; March 15, 1984, Reg; August 2, 2011, Susp.	.....do .....	Do.
Indiana:				
Bristol, Town of, Elkhart County .....	180060	July 11, 1975, Emerg; April 16, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
Elkhart, City of, Elkhart County .....	180057	February 9, 1973, Emerg; August 1, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
Elkhart County, Unincorporated Areas ..	180056	February 9, 1973, Emerg; November 1, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
Goshen, City of, Elkhart County .....	180058	March 30, 1973, Emerg; August 1, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
Middlebury, Town of, Elkhart County ....	180460	August 17, 1983, Emerg; August 17, 1983, Reg; August 2, 2011, Susp.	.....do .....	Do.
Nappanee, City of, Elkhart County .....	180059	May 30, 1975, Emerg; August 15, 1983, Reg; August 2, 2011, Susp.	.....do .....	Do.
Ohio:				
Covington, Village of, Miami County .....	390399	July 24, 1975, Emerg; September 2, 1982, Reg; August 2, 2011, Susp.	.....do .....	Do.
Fletcher, Village of, Miami County .....	390900	N/A, Emerg; September 4, 1996, Reg; August 2, 2011, Susp.	.....do .....	Do.
Laura, Village of, Miami County .....	390835	N/A, Emerg; May 11, 1995, Reg; August 2, 2011, Susp.	.....do .....	Do.
Miami County, Unincorporated Areas ...	390398	April 1, 1976, Emerg; January 19, 1983, Reg; August 2, 2011, Susp.	.....do .....	Do.
Piqua, City of, Miami County .....	390400	May 27, 1975, Emerg; November 9, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
Troy, City of, Miami County .....	390402	March 12, 1975, Emerg; June 15, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
West Milton, Village of, Miami County ..	390403	June 24, 1975, Emerg; June 15, 1979, Reg; August 2, 2011, Susp.	.....do .....	Do.
Wisconsin:				
Cleveland, Village of, Manitowoc County.	550237	September 7, 1973, Emerg; May 15, 1978, Reg; August 2, 2011, Susp.	.....do .....	Do.
Kiel, City of, Manitowoc County .....	550239	July 10, 1975, Emerg; January 3, 1985, Reg; August 2, 2011, Susp.	.....do .....	Do.
Manitowoc, City of, Manitowoc County	550240	May 21, 1971, Emerg; April 15, 1977, Reg; August 2, 2011, 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
Manitowoc County, Unincorporated Areas.	550236	July 18, 1973, Emerg; September 15, 1978, Reg; August 2, 2011, Susp.	.....do .....	Do.
Mishicot, Village of, Manitowoc County	555566	April 9, 1971, Emerg; May 13, 1972, Reg; August 2, 2011, Susp.	.....do .....	Do.
Reedsville, Village of, Manitowoc County.	550242	June 23, 1975, Emerg; September 30, 1988, Reg; August 2, 2011, Susp.	.....do .....	Do.
Two Rivers, City of, Manitowoc County	550243	August 22, 1973, Emerg; April 3, 1978, Reg; August 2, 2011, Susp.	.....do .....	Do.
<b>Region VI</b>				
Arkansas:				
Charleston, City of, Franklin County .....	050080	May 19, 1975, Emerg; November 15, 1985, Reg; August 2, 2011, Susp.	.....do .....	Do.
Franklin County, Unincorporated Areas	050432	July 15, 1987, Emerg; July 17, 1997, Reg; August 2, 2011, Susp.	.....do .....	Do.
<b>Region VII</b>				
Iowa:				
Burlington, City of, Des Moines County	190114	April 15, 1975, Emerg; July 2, 1981, Reg; August 2, 2011, Susp.	.....do .....	Do.
Des Moines County, Unincorporated Areas..	190113	N/A, Emerg; July 20, 1993, Reg; August 2, 2011, Susp.	.....do .....	Do.
Iowa County, Unincorporated Areas. ....	190878	June 9, 2008, Emerg; May 1, 2011, Reg; August 2, 2011, Susp.	.....do .....	Do.
Ladora, City of, Iowa County. ....	190425	July 14, 2010, Emerg; May 1, 2011, Reg; August 2, 2011, Susp.	.....do .....	Do.
Marengo, City of, Iowa County. ....	190157	September 4, 1974, Emerg; January 16, 1980, Reg; August 2, 2011, Susp.	.....do .....	Do.
Victor, City of, Iowa County. ....	190426	June 14, 1976, Emerg; August 1, 1986, Reg; August 2, 2011, Susp.	.....do .....	Do.
Williamsburg, City of, Iowa County. ....	190427	November 15, 1976, Emerg; September 6, 1989, Reg; August 2, 2011, Susp.	.....do .....	Do.
Missouri:				
Perry County, Unincorporated Areas ....	290280	April 6, 1982, Emerg; January 6, 1988, Reg; August 2, 2011, Susp.	.....do .....	Do.
Perryville, City of, Perry County. ....	290282	July 29, 1975, Emerg; August 4, 1983, Reg; August 2, 2011, Susp.	.....do .....	Do.

\* -do- = Ditto.

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

Dated: July 13, 2011.

**Edward L. Connor,**

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

[FR Doc. 2011-19044 Filed 7-27-11; 8:45 am]

**BILLING CODE 9110-12-P**