

Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. 104–4).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, section 12(d) (15 U.S.C. 272 note).

#### XI. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to each House of the Congress and to the Comptroller General of the United States. 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 this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

#### List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 3, 2012.

**Keith Mathews,**

*Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.*

Therefore, 40 CFR chapter I is amended as follows:

#### PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.1299 is revised to read as follows:

#### § 180.1299 Prohydrojasmon; temporary exemption from the requirement of a tolerance.

A temporary exemption from the requirement of a tolerance is established for residues of prohydrojasmon, propyl-3-oxo-2-pentylcyclo-pentylacetate, when used as a plant growth regulator on red apples varieties and grapes pre-harvest, in accordance with good agricultural practices and the terms of Experimental Use Permit No. 62097–EUP–1, and will expire on August 1, 2014.

[FR Doc. 2012–12106 Filed 5–17–12; 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–8231]

#### 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:** 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:				
Annville, Township of, Lebanon County	420570	March 16, 1973, Emerg; April 15, 1977, Reg; June 5, 2012, Susp.	June 5, 2012 ....	June 5, 2012.
Bethel, Township of, Lebanon County ..	420967	January 23, 1974, Emerg; September 30, 1981, Reg; June 5, 2012, Susp.	.....do* .....	Do.
Cleona, Borough of, Lebanon County ...	420571	March 9, 1973, Emerg; April 1, 1977, Reg; June 5, 2012, Susp.	.....do .....	Do.
Cornwall, Borough of, Lebanon County	420968	April 17, 1973, Emerg; August 5, 1985, Reg; June 5, 2012, Susp.	.....do .....	Do.
East Hanover, Township of, Lebanon County.	421012	April 10, 1973, Emerg; August 15, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
Heidelberg, Township of, Lebanon County.	420969	August 27, 1973, Emerg; January 20, 1982, Reg; June 5, 2012, Susp.	.....do .....	Do.
Jackson, Township of, Lebanon County	421805	January 21, 1975, Emerg; September 30, 1981, Reg; June 5, 2012, Susp.	.....do .....	Do.
Jonestown, Borough of, Lebanon County.	420572	December 29, 1972, Emerg; December 4, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
Lebanon, City of, Lebanon County .....	420573	January 26, 1973, Emerg; December 4, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
Millcreek, Township of, Lebanon County.	420574	August 27, 1973, Emerg; November 18, 1983, Reg; June 5, 2012, Susp.	.....do .....	Do.
Myerstown, Borough of, Lebanon County.	420575	August 27, 1973, Emerg; July 5, 1977, Reg; June 5, 2012, Susp.	.....do .....	Do.
North Annville, Township of, Lebanon County.	420970	October 19, 1973, Emerg; September 28, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
North Cornwall, Township of, Lebanon County.	420576	March 16, 1973, Emerg; January 2, 1981, Reg; June 5, 2012, Susp.	.....do .....	Do.
North Lebanon, Township of, Lebanon County.	421131	March 8, 1974, Emerg; September 2, 1981, Reg; June 5, 2012, Susp.	.....do .....	Do.
North Londonderry, Township of, Lebanon County.	420577	August 29, 1973, Emerg; September 28, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
South Annville, Township of, Lebanon County.	420580	May 11, 1973, Emerg; December 16, 1980, Reg; June 5, 2012, Susp.	.....do .....	Do.
South Lebanon, Township of, Lebanon County.	420581	March 16, 1973, Emerg; December 15, 1981, Reg; June 5, 2012, Susp.	.....do .....	Do.
South Londonderry, Township of, Lebanon County.	421043	February 15, 1974, Emerg; March 4, 1986, Reg; June 5, 2012, Susp.	.....do .....	Do.
Swatara, Township of, Lebanon County	420582	August 9, 1973, Emerg; December 1, 1981, Reg; June 5, 2012, Susp.	.....do .....	Do.
Union, Township of, Lebanon County ...	421806	October 10, 1974, Emerg; December 4, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
West Cornwall, Township of, Lebanon County.	420583	March 23, 1973, Emerg; December 14, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
West Lebanon, Township of, Lebanon County.	421166	April 26, 1974, Emerg; April 15, 1977, Reg; June 5, 2012, Susp.	.....do .....	Do.
West Virginia:				
Albright, Town of, Preston County .....	540161	June 23, 1975, Emerg; August 1, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
Bruceon Mills, Town of, Preston County.	540162	May 22, 1975, Emerg; August 1, 1987, Reg; June 5, 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
Kingwood, City of, Preston County .....	540254	April 28, 1977, Emerg; November 12, 1986, Reg; June 5, 2012, Susp.	.....do .....	Do.
Newburg, Town of, Preston County .....	540268	June 9, 1975, Emerg; August 1, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
Preston County, Unincorporated Areas	540160	August 20, 1976, Emerg; March 1, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
Reedsville, Town of, Preston County ....	540269	November 24, 1975, Emerg; August 1, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
Rowlesburg, Town of, Preston County	540163	November 8, 1974, Emerg; August 1, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
Terra Alta, Town of, Preston County ....	540257	September 3, 1975, Emerg; August 25, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
<b>Region IV</b>				
Alabama:				
Atmore, City of, Escambia County .....	010071	April 2, 1975, Emerg; June 24, 1977, Reg; June 5, 2012, Susp.	.....do .....	Do.
Brewton, City of, Escambia County .....	010072	April 4, 1975, Emerg; December 18, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
East Brewton, City of, Escambia Coun- ty.	010073	June 25, 1975, Emerg; December 4, 1979, Reg; June 5, 2012, Susp.	.....do .....	Do.
Escambia County, Unincorporated Areas.	010251	March 31, 1998, Emerg; September 28, 2007, Reg; June 5, 2012, Susp.	.....do .....	Do.
Flomaton, Town of, Escambia County ..	010074	August 26, 1975, Emerg; December 17, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
Pollard, Town of, Escambia County .....	010075	February 28, 1992, Emerg; September 28, 2007, Reg; June 5, 2012, Susp.	.....do .....	Do.
Riverview, Town of, Escambia County	010076	June 25, 1975, Emerg; September 4, 1986, Reg; June 5, 2012, Susp.	.....do .....	Do.
Kentucky:				
Clark County, Unincorporated Areas ....	210278	May 13, 1976, Emerg; December 4, 1986, Reg; June 5, 2012, Susp.	.....do .....	Do.
Menifee County, Unincorporated Areas	210344	January 25, 1999, Emerg; June 5, 2012, Reg; June 5, 2012, Susp.	.....do .....	Do.
Winchester, City of, Clark County .....	210056	February 27, 1975, Emerg; July 3, 1986, Reg; June 5, 2012, Susp.	.....do .....	Do.
<b>Region V</b>				
Indiana:				
Cloverdale, Town of, Putnam County ...	180215	May 9, 1975, Emerg; June 17, 1986, Reg; June 5, 2012, Susp.	.....do .....	Do.
Putnam County, Unincorporated Areas	180213	January 8, 1988, Emerg; October 1, 1992, Reg; June 5, 2012, Susp.	.....do .....	Do.
<b>Region VI</b>				
Arkansas:				
Benton County, Unincorporated Areas	050419	April 29, 1988, Emerg; September 18, 1991, Reg; June 5, 2012, Susp.	.....do .....	Do.
Bentonville, City of, Benton County .....	050012	January 3, 1975, Emerg; July 16, 1980, Reg; June 5, 2012, Susp.	.....do .....	Do.
Centerton, City of, Benton County .....	050399	August 14, 1975, Emerg; August 24, 1982, Reg; June 5, 2012, Susp.	.....do .....	Do.
Gould, City of, Lincoln County .....	050127	July 26, 1974, Emerg; August 19, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
Grady, City of, Lincoln County .....	050128	May 1, 1975, Emerg; October 12, 1982, Reg; June 5, 2012, Susp.	.....do .....	Do.
Highfill, Town of, Benton County .....	050581	N/A, Emerg; July 22, 2003, Reg; June 5, 2012, Susp.	.....do .....	Do.
Star City, City of, Lincoln County .....	050368	May 30, 1975, Emerg; March 1, 1988, Reg; June 5, 2012, Susp.	.....do .....	Do.
Texas:				
Corsicana, City of, Navarro County .....	480498	December 19, 1974, Emerg; August 17, 1981, Reg; June 5, 2012, Susp.	.....do .....	Do.
Frost, City of, Navarro County .....	480954	July 9, 1976, Emerg; August 8, 1978, Reg; June 5, 2012, Susp.	.....do .....	Do.
Kerens, City of, Navarro County .....	480955	September 8, 1975, Emerg; May 25, 1978, Reg; June 5, 2012, Susp.	.....do .....	Do.
Powell, City of, Navarro County .....	480390	July 7, 2010, Emerg; June 5, 2012, Reg; June 5, 2012, Susp.	.....do .....	Do.
Rice, City of, Navarro County .....	480957	N/A, Emerg; April 9, 2009, Reg; June 5, 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
<b>Region VII</b>				
Missouri:				
Benton, City of, Scott County .....	290852	September 26, 1975, Emerg; August 24, 1984, Reg; June 5, 2012, Susp.	.....do .....	Do.
Blodgett, Village of, Scott County .....	290771	September 21, 1976, Emerg; June 1, 1987, Reg; June 5, 2012, Susp.	.....do .....	Do.
Chaffee, City of, Scott County .....	290409	March 6, 1975, Emerg; September 27, 1985, Reg; June 5, 2012, Susp.	.....do .....	Do.
Commerce, City of, Scott County .....	290410	April 1, 1974, Emerg; June 1, 1978, Reg; June 5, 2012, Susp.	.....do .....	Do.
Haywood City, Village of, Scott County	290598	May 9, 1975, Emerg; February 11, 1976, Reg; June 5, 2012, Susp.	.....do .....	Do.
Miner, City of, Scott County .....	290687	July 24, 1975, Emerg; December 21, 1984, Reg; June 5, 2012, Susp.	.....do .....	Do.
Morley, City of, Scott County .....	290412	May 6, 1975, Emerg; September 10, 1984, Reg; June 5, 2012, Susp.	.....do .....	Do.
Scott City, City of, Scott County .....	290414	November 28, 1975, Emerg; May 4, 1988, Reg; June 5, 2012, Susp.	.....do .....	Do.
Sikeston, City of, Scott County .....	295270	August 3, 1971, Emerg; August 3, 1971, Reg; June 5, 2012, Susp.	.....do .....	Do.
<b>Region VIII</b>				
Montana:				
Hot Springs, Town of, Sanders County	300073	April 20, 1976, Emerg; October 15, 1985, Reg; June 5, 2012, Susp.	.....do .....	Do.
Plains, Town of, Sanders County .....	300074	September 14, 1977, Emerg; April 15, 1986, Reg; June 5, 2012, Susp.	.....do .....	Do.
Sanders County, Unincorporated Areas	300072	December 20, 1995, Emerg; March 1, 1996, Reg; June 5, 2012, Susp.	.....do .....	Do.

\* do = Ditto.

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

Dated: May 4, 2012.

**David L. Miller,**

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

[FR Doc. 2012-12122 Filed 5-17-12; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 110831547-2425-03]

RIN 0648-BB26

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Ecosystem-Based Amendment 2 for the South Atlantic Region; Correction

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Correcting amendment.

**SUMMARY:** This action corrects the final rule implementing the Comprehensive

Ecosystem-Based Amendment 2 (CE-BA 2) for the South Atlantic region, which was published in the **Federal Register** on December 30, 2011. This correcting amendment removes a paragraph of regulatory text that was incorrectly retained and will eliminate any possible confusion over what the regulations require.

**DATES:** This correction is effective May 18, 2012.

**FOR FURTHER INFORMATION CONTACT:** Anne Marie Eich, 727-824-5305; email: [AnneMarie.Eich@noaa.gov](mailto:AnneMarie.Eich@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 30, 2011, NMFS published a final rule to implement CE-BA 2 (76 FR 82183). On January 30, 2012, NMFS published a correction to that final rule which revised the organization of the regulatory text implemented in CE-BA 2 (77 FR 4493). That final rule (76 FR 82183) and the correction (77 FR 4493) in part modified the fishery management unit (FMU) for octocorals under the Fishery Management Plan (FMP) for Coral, Coral Reefs, and Live/Hard Bottom Habitats of the South Atlantic Region (South Atlantic Coral FMP) in the South Atlantic exclusive economic zone (EEZ).

On December 29, 2011, NMFS published a final rule to implement the Generic Annual Catch Limits/Accountability Measures Amendment (Generic ACL Amendment) to the Red Drum, Reef Fish Resources, Shrimp, and Coral and Coral Reefs FMPs for the Gulf of Mexico (Gulf)(76 FR 82044). That final rule in part modified the FMU for octocorals under the Coral and Coral Reefs FMP (Gulf Coral FMP) in the Gulf EEZ.

Prior to implementation of the final rules for CE-BA 2 and the Generic ACL Amendment, a 50,000 colony quota for allowable octocoral was in place in the Gulf and South Atlantic EEZs and a prohibition on the harvest of octocorals north of Florida, in the South Atlantic EEZ was in effect. CE-BA 2 removed octocorals from the FMU off Florida, in the South Atlantic EEZ, and as such modified the FMU for octocorals under the South Atlantic Coral FMP to include octocorals in the EEZ off North Carolina, South Carolina, and Georgia only. CE-BA 2 included an ACL for octocorals in the EEZ off North Carolina, South Carolina, and Georgia of zero. The Generic ACL Amendment removed octocorals from the FMU in the Gulf EEZ. Therefore, Federal management of octocorals in the South Atlantic EEZ off