

and all associated environmental attributes from the point of generation to the facility which sells or uses the fuel for transportation purposes.

(ii) Documents demonstrating the volume and energy content of biogas, or kilowatts of renewable electricity, relied upon under § 80.1426(f)(10) that was delivered to the facility which sells or uses the fuel for transportation purposes.

(iii) Documents demonstrating the volume and energy content of biogas, or kilowatts of renewable electricity, relied upon under § 80.1426(f)(11), or biogas relied upon under § 80.1426(f)(12), that was placed into the common carrier pipeline (for biogas) or transmission line (for renewable electricity).

(iv) Documents demonstrating the volume and energy content of biogas, or kilowatts of renewable electricity, relied upon under § 80.1426(f)(12) at the point of distribution.

(v) Affidavits from the biogas or renewable electricity producer and all parties that held title to the biogas or renewable electricity confirming that title and environmental attributes of the biogas or renewable electricity relied upon under § 80.1426(f)(10) and

(11) were used for transportation purposes only, and that the environmental attributes of the biogas relied upon under § 80.1426(f)(12) were used for process heat at the renewable fuel producer's facility, and for no other purpose. The renewable fuel producer shall create and/or obtain these affidavits at least once per calendar quarter.

(vi) The biogas or renewable electricity producer's Compliance Certification required under Title V of the Clean Air Act.

(vii) The biogas or renewable electricity producer's Compliance Certification required under Title V of the Clean Air Act.

(viii) Such other records as may be requested by the Administrator.

(2) Biogas and electricity in pathways involving grain sorghum as feedstock.

(i) Contracts and documents memorializing the purchase and sale of biogas and the transfer of biogas from the point of generation to the ethanol production facility.

(ii) If the advanced biofuel pathway is used, documents demonstrating the total kilowatt-hours (kWh) of electricity used from the grid, and the total kWh of grid electricity used on a per gallon of ethanol basis, pursuant to § 80.1426(f)(13).

(iii) Affidavits from the producer of biogas used at the facility, and all parties that held title to the biogas, confirming that title and environmental

attributes of the biogas relied upon under § 80.1426(f)(13) were used for producing ethanol at the renewable fuel production facility and for no other purpose. The renewable fuel producer shall obtain these affidavits at least once per calendar quarter.

(iv) The biogas producer's Compliance Certification required under Title V of the Clean Air Act.

(v) Such other records as may be requested by the Administrator.

* * * * *

[FR Doc. 2012-30100 Filed 12-14-12; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2012-0003; Internal Agency Docket No. FEMA-8259]

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 <http://www.fema.gov/fema/csb.shtm>.

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, 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 |
|---|---------------|---|----------------------------|--|
| Region III | | | | |
| Virginia: Chesterfield County, Unincorporated Areas. | 510035 | January 26, 1973, Emerg; March 16, 1983, Reg; December 18, 2012, Susp. | December 18, 2012 | December 18, 2012. |
| Region IV | | | | |
| Florida: Astatula, Town of, Lake County | 120581 | N/A, Emerg; March 4, 1998, Reg; December 18, 2012, Susp. | December 18, 2012 | December 18, 2012. |
| Clermont, City of, Lake County | 120133 | February 18, 1975, Emerg; August 15, 1984, Reg; December 18, 2012, Susp. |do* | Do. |
| Eustis, City of, Lake County | 120134 | May 30, 1975, Emerg; June 4, 1987, Reg; December 18, 2012, Susp. |do | Do. |
| Fruitland Park, City of, Lake County. | 120387 | July 17, 1975, Emerg; September 5, 1984, Reg; December 18, 2012, Susp. |do | Do. |
| Groveland, City of, Lake County | 120135 | May 16, 1975, Emerg; September 5, 1984, Reg; December 18, 2012, Susp. |do | Do. |
| Howey in the Hills, Town of, Lake County. | 120585 | July 18, 1979, Emerg; August 15, 1984, Reg; December 18, 2012, Susp. |do | Do. |
| Lady Lake, Town of, Lake County | 120613 | November 14, 1984, Emerg; November 14, 1984, Reg; December 18, 2012, Susp. |do | Do. |
| Lake County, Unincorporated Areas. | 120421 | December 21, 1978, Emerg; April 1, 1982, Reg; December 18, 2012, Susp. |do | Do. |
| Leesburg, City of, Lake County | 120136 | July 23, 1975, Emerg; July 18, 1985, Reg; December 18, 2012, Susp. |do | Do. |
| Mascotte, City of, Lake County | 120591 | December 18, 1984, Emerg; December 18, 1984, Reg; December 18, 2012, Susp. |do | Do. |
| Minneola, City of, Lake County | 120412 | January 24, 1977, Emerg; August 15, 1984, Reg; December 18, 2012, Susp. |do | Do. |
| Montverde, Town of, Lake County | 120614 | N/A, Emerg; June 11, 1991, Reg; December 18, 2012, Susp. |do | Do. |
| Mount Dora, City of, Lake County | 120137 | February 3, 1975, Emerg; April 5, 1988, Reg; December 18, 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 |
|--|---------------|---|----------------------------|--|
| Tavares, City of, Lake County | 120138 | May 15, 1975, Emerg; March 16, 1988, Reg; December 18, 2012, Susp. |do | Do. |
| Umatilla, City of, Lake County | 120139 | June 13, 1975, Emerg; April 3, 1989, Reg; December 18, 2012, Susp. |do | Do. |
| Region V | | | | |
| Wisconsin: | | | | |
| Marquette County, Unincorporated Areas.. | 550601 | N/A, Emerg; January 27, 1992, Reg; December 18, 2012, Susp. |do | Do. |
| Montello, City of, Marquette County | 550266 | June 5, 1975, Emerg; November 16, 1990, Reg; December 18, 2012, Susp. |do | Do. |
| Neshkoro, Village of, Marquette County. | 550267 | July 21, 1975, Emerg; September 1, 1988, Reg; December 18, 2012, Susp. |do | Do. |
| Oxford, Village of, Marquette County. | 550268 | October 22, 1975, Emerg; August 16, 1988, Reg; December 18, 2012, Susp. |do | Do. |
| Westfield, Village of, Marquette County. | 550269 | June 26, 1975, Emerg; January 17, 1991, Reg; December 18, 2012, Susp. |do | Do. |
| Region VI | | | | |
| Arkansas: | | | | |
| Black Rock, City of, Lawrence County. | 050118 | June 18, 1975, Emerg; January 3, 1986, Reg; December 18, 2012, Susp. |do | Do. |
| Hoxie, City of, Lawrence County ... | 050119 | April 14, 1975, Emerg; April 15, 1980, Reg; December 18, 2012, Susp. |do | Do. |
| Imboden, Town of, Lawrence County. | 050120 | December 28, 1982, Emerg; September 4, 1985, Reg; December 18, 2012, Susp. |do | Do. |
| Lawrence County, Unincorporated Areas.. | 050443 | August 30, 1982, Emerg; June 3, 1991, Reg; December 18, 2012, Susp. |do | Do. |
| Portia, Town of, Lawrence County | 050121 | May 5, 1975, Emerg; August 31, 1982, Reg; December 18, 2012, Susp. |do | Do. |
| Powhatan, Town of, Lawrence County. | 050572 | August 17, 1978, Emerg; March 22, 1982, Reg; December 18, 2012, Susp. |do | Do. |
| Ravenden, Town of, Lawrence County. | 050470 | December 22, 1982, Emerg; August 19, 1985, Reg; December 18, 2012, Susp. |do | Do. |
| Sedgwick, Town of, Lawrence County. | 050576 | February 1, 1988, Emerg; June 16, 2009, Reg; December 18, 2012, Susp. |do | Do. |
| Walnut Ridge, City of, Lawrence County. | 050122 | June 4, 1975, Emerg; August 1, 1987, Reg; December 18, 2012, Susp. |do | Do. |
| Region VII | | | | |
| Iowa: | | | | |
| Coulter, City of, Franklin County | 190388 | September 3, 2010, Emerg; N/A, Reg; December 18, 2012, Susp. |do | Do. |
| Franklin County, Unincorporated Areas.. | 190867 | January 13, 2010, Emerg; N/A, Reg; December 18, 2012, Susp. |do | Do. |
| Hampton, City of, Franklin County | 190131 | August 16, 1974, Emerg; May 1, 1979, Reg; December 18, 2012, Susp. |do | Do. |
| Sheffield, City of, Franklin County | 190132 | November 21, 1990, Emerg; July 1, 1991, Reg; December 18, 2012, Susp. |do | Do. |
| Region VIII | | | | |
| Colorado: | | | | |
| Boulder, City of, Boulder County ... | 080024 | April 16, 1971, Emerg; July 17, 1978, Reg; December 18, 2012, Susp. |do | Do. |
| Boulder County, Unincorporated Areas.. | 080023 | May 14, 1971, Emerg; February 1, 1979, Reg; December 18, 2012, Susp. |do | Do. |
| Erie, Town of, Boulder County | 080181 | July 22, 1975, Emerg; October 17, 1978, Reg; December 18, 2012, Susp. |do | Do. |
| Jamestown, Town of, Boulder County. | 080216 | June 25, 1975, Emerg; July 18, 1983, Reg; December 18, 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 |
|--|---------------|---|----------------------------|--|
| Lafayette, City of, Boulder County | 080026 | August 7, 1975, Emerg; March 18, 1980, Reg; December 18, 2012, Susp. |do | Do. |
| Longmont, City of, Boulder County | 080027 | November 26, 1971, Emerg; July 5, 1977, Reg; December 18, 2012, Susp. |do | Do. |
| Louisville, City of, Boulder County | 085076 | March 3, 1972, Emerg; May 4, 1973, Reg; December 18, 2012, Susp. |do | Do. |
| Nederland, Town of, Boulder County. | 080255 | May 2, 1977, Emerg; August 1, 1979, Reg; December 18, 2012, Susp. |do | Do. |
| Superior, Town of, Boulder County | 080203 | July 15, 1975, Emerg; September 28, 1979, Reg; December 18, 2012, Susp. |do | Do. |
| Utah: Annabella, Town of, Sevier County. | 490122 | April 14, 1976, Emerg; October 30, 1979, Reg; December 18, 2012, Susp. |do | Do. |
| Central Valley, Town of, Sevier County. | 495519 | November 17, 2011, Emerg; N/A, Reg; December 18, 2012, Susp. |do | Do. |
| Elsinore, Town of, Sevier County .. | 490125 | September 26, 1975, Emerg; August 14, 1979, Reg; December 18, 2012, Susp. |do | Do. |
| Joseph, Town of, Sevier County | 490127 | March 23, 1976, Emerg; August 28, 1979, Reg; December 18, 2012, Susp. |do | Do. |
| Koosharem, Town of, Sevier County. | 490128 | July 16, 1979, Emerg; February 2, 1984, Reg; December 18, 2012, Susp. |do | Do. |
| Richfield, City of, Sevier County | 490131 | September 26, 1974, Emerg; September 29, 1986, Reg; December 18, 2012, Susp. |do | Do. |
| Sevier County, Unincorporated Areas.. | 490121 | November 14, 1975, Emerg; July 1, 1986, Reg; December 18, 2012, Susp. |do | Do. |
| Region IX | | | | |
| California: | | | | |
| Tulare County, Unincorporated Areas.. | 065066 | January 29, 1971, Emerg; September 29, 1986, Reg; December 18, 2012, Susp. |do | Do. |

*.....do = Ditto.
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: November 26, 2012.

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

[FR Doc. 2012-30260 Filed 12-14-12; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2012-0003]

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 (email) Luis.Rodriguez3@fema.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 Associate Administrator for Mitigation 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