

Act, EPA is fully approving this rule into the California SIP.

#### IV. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this action merely approves State law as meeting Federal requirements and does not impose additional requirements beyond those imposed by State law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and
- Does not provide EPA with the discretionary authority to address disproportionate human health or environmental effects with practical, appropriate, and legally permissible methods under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country

located in the State, and EPA notes that it will not impose substantial direct costs on tribal governments or preempt tribal law.

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, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this action 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 action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by January 3, 2012. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a 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 relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: October 6, 2011.

**Keith Takata,**

*Acting Regional Administrator, Region IX.*

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

#### PART 52—[AMENDED]

- 1. The authority citation for Part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

#### Subpart F—California

- 2. Section 52.220, is amended by adding paragraph (c)(378)(i)(D) to read as follows:

#### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(378) \* \* \*

(i) \* \* \*

(D) San Joaquin Valley Air Pollution Control District

(1) Rule 4311, "Flares," amended on June 18, 2009.

\* \* \* \* \*

[FR Doc. 2011-28391 Filed 11-2-11; 8:45 am]

**BILLING CODE 6560-50-P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2011-0002]

#### 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](mailto: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 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:

State	City/town/county	Source of flooding	Location	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified
<b>Unincorporated Areas of Claiborne County, Tennessee</b> <b>Docket No.: FEMA-B-1151</b>				
Tennessee .....	Unincorporated Areas of Claiborne County.	Clinch River .....	Approximately 2.3 miles downstream of Big Barren Creek. Approximately 28 miles upstream of Big Sycamore Creek.	+1032  +1032

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

#### ADDRESSES

##### Unincorporated Areas of Claiborne County

Maps are available for inspection at the Claiborne County Courthouse, 1740 Main Street, Tazewell, TN 37879.

##### City of Poquoson, Virginia (Independent City)

##### Docket No.: FEMA-B-1137

Virginia .....	City of Poquoson .....	Chesapeake Bay .....	At the intersection of Hunt Wood Drive and Oscars Court.	+7
Virginia .....	City of Poquoson .....	Chesapeake Bay/ Cedar Creek.	At the intersection of Villa Drive and Huntlandia Way. Approximately 400 feet north of the intersection of State Route 171 and City Hall Avenue.	+7  +7

\* 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 Poquoson

Maps are available for inspection at the Building Official's Office, 500 City Hall Avenue, Poquoson, VA 23662.

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
<b>Lee County, Alabama, and Incorporated Areas Docket No.: FEMA-B-1054</b>			
Bird Creek .....	At the confluence with Saugahatchee Creek .....	+507	Unincorporated Areas of Lee County.
	Approximately 1.9 miles upstream of the confluence with Saugahatchee Creek.	+537	
Branch 1 of Saugahatchee Creek.	At the confluence with Saugahatchee Creek .....	+574	City of Auburn.
	Approximately 622 feet upstream of Dunford Avenue .....	+673	
Branch 1 of Saugahatchee Creek Tributary 1.	At the confluence with Branch 1 of Saugahatchee Creek ..	+594	City of Auburn.
	Approximately 1,505 feet upstream of Shug Jordan Parkway.	+646	
Branch 1 of Saugahatchee Creek Tributary 2.	At the confluence with Branch 1 of Saugahatchee Creek ..	+607	City of Auburn.
	Approximately 1,440 feet upstream of Boykin Road .....	+678	
Branch 2 of Saugahatchee Creek.	At the confluence with Saugahatchee Creek .....	+578	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 640 feet upstream of Gatewood Drive .....	+693	
Branch 2 of Saugahatchee Creek Tributary 1.	At the confluence with Branch 2 of Saugahatchee Creek ..	+584	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 2,553 feet upstream of the confluence with Branch 2 of Saugahatchee Creek.	+632	
Branch 2 of Saugahatchee Creek Tributary 2.	At the confluence with Branch 2 of Saugahatchee Creek ..	+594	City of Auburn.
	Approximately 1,581 feet upstream of North Cary Drive ....	+652	
Branch 2 of Saugahatchee Creek Tributary 3.	At the confluence with Branch 2 of Saugahatchee Creek ..	+606	City of Auburn.
	Approximately 171 feet upstream of North Dean Road .....	+716	
Branch 2 of Saugahatchee Creek Tributary 3.1.	At the confluence with Branch 2 of Saugahatchee Creek Tributary 3.	+637	City of Auburn.
	Approximately 801 feet upstream of Hollins Road .....	+707	
Branch 2 of Saugahatchee Creek Tributary 4.	At the confluence with Branch 2 of Saugahatchee Creek ..	+673	City of Auburn.
	Approximately 201 feet upstream of Rick Drive .....	+726	
Branch of Parkerson Mill Creek	Approximately 471 feet downstream of Timberwood Drive	+441	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 39 feet upstream of Timberwood Drive .....	+447	
Chewacla Creek .....	Approximately 1,500 feet upstream of the Lee County boundary.	+354	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 3,592 feet upstream of Lee Road 112 .....	+557	
Chewacla Creek Tributary 12 ...	At the confluence with Chewacla Creek .....	+550	Unincorporated Areas of Lee County.
	Approximately 2,807 feet upstream of Johnson Lake earthen dam.	+558	
Chewacla Creek Tributary 14 ...	At the confluence with Chewacla Creek .....	+539	Unincorporated Areas of Lee County.
	Approximately 2,999 feet upstream of the confluence with Chewacla Creek.	+548	
Chewacla Creek Tributary 15 ...	At the confluence with Chewacla Creek .....	+533	Unincorporated Areas of Lee County.
	Approximately 4,154 feet upstream of the confluence with Chewacla Creek.	+555	
Chewacla Creek Tributary 23 ...	At the confluence with Chewacla Creek .....	+436	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 157 feet upstream of Springhill Drive .....	+484	
Chewacla Creek Tributary 29 ...	At the confluence with Chewacla Creek .....	+369	Unincorporated Areas of Lee County.
	Approximately 3,138 feet upstream of the confluence with Chewacla Creek.	+384	

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
Choctawhatchee Creek .....	Approximately 505 feet upstream of the Lee County boundary.	+375	City of Auburn, Unincorporated Areas of Lee County.
Choctawhatchee Creek Tributary 10	Approximately 1.5 miles upstream of Beehive Road .....	+474	
	At the confluence with Choctawhatchee Creek .....	+468	Unincorporated Areas of Lee County.
Choctawhatchee Creek Tributary 10.1.	Approximately 1,552 feet upstream of the earthen dam ....	+534	
	At the confluence with Choctawhatchee Creek .....	+487	Unincorporated Areas of Lee County.
Choctawhatchee Creek Tributary 9	Approximately 2,848 feet upstream of the confluence .....	+527	
	At the confluence with Choctawhatchee Creek .....	+465	City of Auburn, Unincorporated Areas of Lee County.
Cossey Branch .....	Approximately 1.7 miles upstream of Wire Road .....	+632	
	Approximately 1,954 feet upstream of the Lee County boundary.	+356	Unincorporated Areas of Lee County.
Cossey Branch Tributary 5 .....	Approximately 1.1 miles upstream of Highway 29 .....	+452	
	At the confluence with Cossey Branch .....	+380	Unincorporated Areas of Lee County.
	Approximately 5,610 feet upstream of the confluence with Cossey Branch.	+403	
Cossey Branch Tributary 8 .....	At the confluence with Cossey Branch .....	+407	Unincorporated Areas of Lee County.
	Approximately 1.0 mile upstream of the confluence with Cossey Branch.	+428	
Halawakee Creek Tributary 8 ...	At the confluence with Halawakee Creek .....	+645	City of Opelika, Unincorporated Areas of Lee County.
	Approximately 2,282 feet upstream of Jeter Avenue .....	+748	
Halawakee Creek Tributary 8.5	At the confluence with Halawakee Creek Tributary 8 .....	+649	City of Opelika.
	Approximately 2,000 feet upstream of the confluence with Halawakee Creek Tributary 8.	+653	
Halawakee Creek Tributary 8.6	At the confluence with Halawakee Creek Tributary 8 .....	+668	City of Opelika.
	Approximately 254 feet upstream of U.S. Route 280 .....	+677	
Halawakee Creek Tributary 8.7	At the confluence with Halawakee Creek Tributary 8 .....	+679	City of Opelika.
	Approximately 1,067 feet upstream of South Fox Run Parkway.	+712	
Halawakee Creek Tributary 8.7.3.	At the confluence with Halawakee Creek Tributary 8.7 ....	+693	City of Opelika.
	Approximately 4,500 feet upstream of the confluence with Halawakee Creek Tributary 8.7.	+718	
Halawakee Creek Tributary 8.8	At the confluence with Halawakee Creek Tributary 8 .....	+679	City of Opelika.
	Approximately 269 feet upstream of Jeter Avenue .....	+707	
Halawakee Tributary 8.7.1 .....	At the confluence with Halawakee Creek Tributary 8.7 ....	+689	City of Opelika.
	Approximately 2,538 feet upstream of the confluence with Halawakee Creek Tributary 8.7.	+707	
Halawakee Tributary 8.7.2 .....	At the confluence with Halawakee Creek Tributary 8.7 ....	+693	City of Opelika.
	Approximately 1,585 feet upstream of Highway 51 .....	+717	
Little Loblockee Creek .....	At the confluence with Loblockee Creek .....	+598	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 2.2 miles upstream of Highway 280 .....	+701	
Loblockee Creek .....	At the confluence with Saugahatchee Creek .....	+522	Unincorporated Areas of Lee County.
	Approximately 11,694 feet upstream of U.S. Route 280 ....	+686	
Loblockee Creek Tributary 12 ..	At the confluence with Loblockee Creek .....	+612	Unincorporated Areas of Lee County.
	Approximately 3,748 feet upstream of the confluence with Loblockee Creek.	+631	
Loblockee Creek Tributary 3 ....	At the confluence with Loblockee Creek .....	+562	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 2.0 miles upstream of Farmville Road .....	+666	
Miles Creek .....	Approximately 188 feet upstream of the Lee County boundary.	+386	Unincorporated Areas of Lee County.
	Approximately 881 feet upstream of County Road 393 ....	+458	

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
Moore's Mill Creek .....	At the confluence with Chewacla Creek .....	+414	City of Auburn, City of Opelika, Unincorporated Areas of Lee County.
Moore's Mill Creek Tributary 2	Approximately 2.0 miles upstream of Bent Creek Road .... At the confluence with Moore's Mill Creek .....	+687 +527	City of Auburn.
Moore's Mill Creek Tributary 3	Approximately 1,561 feet upstream of VFW Road .....	+609	City of Auburn.
Moore's Mill Creek Tributary 4	At the confluence with Moore's Mill Creek .....	+531	City of Auburn.
Moore's Mill Creek Tributary 5	Approximately 86 feet upstream of the earthen dam .....	+594	City of Auburn.
Moore's Mill Creek Tributary 6	At the confluence with Moore's Mill Creek .....	+543	City of Auburn.
Moore's Mill Creek Tributary 6.2	Approximately 1,135 feet upstream of Core Drive .....	+608	City of Auburn.
	At the confluence with Moore's Mill Creek .....	+553	City of Auburn.
	Approximately 85 feet upstream of Lauren Lane .....	+628	City of Auburn.
	At the confluence with Moore's Mill Creek .....	+573	City of Auburn.
	Approximately 562 feet upstream of Burke Place .....	+706	City of Auburn.
	At the confluence with Moore's Mill Creek Tributary 6 ....	+618	City of Auburn.
	Approximately 3,057 feet upstream of East University Drive.	+707	
Nash Creek .....	At the confluence with Chewacla Creek .....	+495	City of Auburn, Unincorporated Areas of Lee County.
Nash Creek Tributary 1 .....	Approximately 142 feet upstream of Society Hill Road .....	+548	City of Auburn, Unincorporated Areas of Lee County.
	At the confluence with Nash Creek .....	+537	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 2,366 feet upstream of the confluence with Nash Creek.	+578	
Odom Creek .....	At the confluence with Cossey Branch .....	+412	Unincorporated Areas of Lee County.
Parkerson Mill Creek .....	Approximately 1.2 miles upstream of County Road 27 .....	+447	City of Auburn, Unincorporated Areas of Lee County.
	At the confluence with Chewacla Creek .....	+387	City of Auburn, Unincorporated Areas of Lee County.
Parkerson Mill Creek Tributary 10.	Approximately 2,604 feet upstream of Wire Road .....	+645	City of Auburn.
	At the confluence with Parkerson Mill Creek .....	+597	City of Auburn.
	Approximately 2,801 feet upstream of the confluence with Parkerson Mill Creek.	+650	
Parkerson Mill Creek Tributary 3.	At the confluence with Parkerson Mill Creek .....	+514	City of Auburn, Unincorporated Areas of Lee County.
Parkerson Mill Creek Tributary 6.	Approximately 1,469 feet upstream of Longleaf Drive .....	+576	City of Auburn, Unincorporated Areas of Lee County.
	At the confluence with Parkerson Mill Creek .....	+527	City of Auburn, Unincorporated Areas of Lee County.
Parkerson Mill Creek Tributary 6.1.	Approximately 367 feet upstream of Webster Road .....	+657	City of Auburn, Unincorporated Areas of Lee County.
	At the confluence with Parkerson Mill Creek Tributary 6 ...	+606	City of Auburn, Unincorporated Areas of Lee County.
Parkerson Mill Creek Tributary 6.2.	Approximately 339 feet upstream of Webster Road .....	+637	City of Auburn, Unincorporated Areas of Lee County.
	At the confluence with Parkerson Mill Creek Tributary 6 ...	+587	City of Auburn, Unincorporated Areas of Lee County.
Parkerson Mill Creek Tributary 7.	Approximately 116 feet upstream of Raptor Road .....	+631	City of Auburn.
	At the confluence with Parkerson Mill Creek .....	+530	City of Auburn.
	Approximately 1,557 feet upstream of the confluence with Parkerson Mill Creek Tributary 7.	+566	
Parkerson Mill Creek Tributary 7.1.	At the confluence with Parkerson Mill Creek Tributary 7 ...	+546	City of Auburn.
Parkerson Mill Creek Tributary 9.	Approximately 538 feet upstream of the earthen dam .....	+569	City of Auburn.
	At the confluence with Parkerson Mill Creek .....	+568	City of Auburn.
	Approximately 157 feet upstream of Shug Jordan Parkway.	+687	
Pepperell Creek .....	Approximately 120 feet upstream of Gateway Drive .....	+710	City of Opelika.
	Approximately 68 feet upstream of Fruitland Avenue .....	+753	City of Opelika.
Pepperell Creek Tributary 4 .....	At the confluence with Pepperell Creek .....	+707	City of Opelika.

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
Pepperell Creek Tributary 7 .....	Approximately 2,554 feet upstream of U.S. Route 280 .....	+753	
	At the confluence with Pepperell Creek .....	+723	City of Opelika.
	Approximately 742 feet upstream of South Long Street ....	+740	
Pepperell Creek Tributary 8 .....	At the confluence with Pepperell Creek .....	+726	City of Opelika.
	Approximately 158 feet upstream of Hurst Street .....	+740	
Robinson Creek .....	At the confluence with Chewacla Creek .....	+557	Unincorporated Areas of Lee County.
	Approximately 2.6 miles upstream of Moores Mill Road ....	+618	
Rocky Creek .....	Approximately 1,370 feet downstream of India Road .....	+717	City of Opelika.
	Approximately 279 feet upstream of Rocky Brook Road ...	+752	
Rocky Creek Tributary 6 .....	At the confluence with Rocky Creek .....	+683	City of Opelika.
	Approximately 271 feet upstream of Bonita Avenue .....	+720	
Rocky Creek Tributary 7 .....	At the confluence with Rocky Creek .....	+696	City of Opelika.
	Approximately 146 feet upstream of Preston Street .....	+776	
Rocky Creek Tributary 9 .....	At the confluence with Rocky Creek .....	+719	City of Opelika.
	Approximately 1,246 feet upstream of the confluence with Rocky Creek.	+734	
Saugahatchee Creek 34.4 .....	At the confluence with Saugahatchee Creek Tributary 34	+589	City of Auburn.
	Approximately 3,190 feet upstream of Willow Creek Road	+641	
Saugahatchee Creek 34.5 .....	At the confluence with Saugahatchee Creek Tributary 34	+590	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 5,000 feet upstream of the confluence with Saugahatchee Creek Tributary 34.	+658	
Saugahatchee Creek 34.5.2 .....	At the confluence with Saugahatchee Creek Tributary 34.5.	+599	City of Auburn.
	Approximately 2,000 feet upstream of the confluence with Saugahatchee Creek Tributary 34.5.	+621	
Saugahatchee Creek 34.7 .....	At the confluence with Saugahatchee Creek Tributary 34	+642	City of Auburn.
	Approximately 1,115 feet upstream of Martin Luther King Drive.	+669	
Saugahatchee Creek Tributary 18.	At the confluence with Saugahatchee Creek .....	+613	City of Opelika, Unincorporated Areas of Lee County.
	Approximately 711 feet upstream of the railroad .....	+721	
Saugahatchee Creek Tributary 29.	At the confluence with Saugahatchee Creek .....	+571	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 3,331 feet upstream of the confluence with Saugahatchee Creek.	+642	
Saugahatchee Creek Tributary 34.	At the confluence with Saugahatchee Creek .....	+553	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 1.7 miles upstream of the confluence with Saugahatchee Creek.	+688	
Saugahatchee Creek Tributary 34.3.	At the confluence with Saugahatchee Creek Tributary 34	+568	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 3,949 feet upstream of the confluence with Saugahatchee Creek Tributary 34.	+614	
Saugahatchee Creek Tributary 44.	At the confluence with Saugahatchee Creek .....	+540	Unincorporated Areas of Lee County.
	Approximately 9,127 feet upstream of the confluence with Saugahatchee Creek.	+573	
Town Creek .....	At the confluence with Chewacla Creek .....	+401	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 796 feet upstream of Thach Avenue .....	+601	
Town Creek Tributary 1 .....	At the confluence with Town Creek .....	+460	City of Auburn, Unincorporated Areas of Lee County.
	Approximately 602 feet upstream of Donahue Drive .....	+589	
Town Creek Tributary 2 .....	At the confluence with Town Creek .....	+512	City of Auburn.
	Approximately 1,319 feet upstream of Janabrooke Lane ...	+540	
Town Creek Tributary 3 .....	At the confluence with Town Creek .....	+584	City of Auburn.
	Approximately 112 feet upstream of East University Drive	+614	
Town Creek Tributary 4 .....	At the confluence with Town Creek .....	+590	City of Auburn.

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
Town Creek Tributary 6 .....	Approximately 404 feet upstream of College Street .....	+654	City of Auburn.
	At the confluence with Town Creek .....	+631	
	Approximately 331 feet upstream of Thach Avenue .....	+656	
Unnamed Tributary 1 .....	Approximately 52 feet upstream of the Lee County boundary.	+376	Unincorporated Areas of Lee County.
	Approximately 976 feet upstream of the Lee County boundary.	+400	
Unnamed Tributary 2 .....	Approximately 120 feet upstream of the Lee County boundary.	+372	Unincorporated Areas of Lee County.
	Approximately 1,500 feet upstream of the Lee County boundary.	+384	
Webb Branch .....	At the confluence with Loblockee Creek .....	+594	Unincorporated Areas of Lee County.
Webb Branch Tributary 3 .....	Approximately 2.7 miles upstream of Farmville Road .....	+655	Unincorporated Areas of Lee County.
	At the confluence with Webb Branch .....	+599	
Webb Branch Tributary 4 .....	Approximately 2,340 feet upstream of the confluence with Webb Branch.	+606	Unincorporated Areas of Lee County.
	At the confluence with Webb Branch .....	+611	
	Approximately 2,461 feet upstream of the confluence with Webb Branch.	+624	

\* 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 Auburn**

Maps are available for inspection at 144 Tichenor Avenue, Suite 1, Auburn, AL 36830.

**City of Opelika**

Maps are available for inspection at the Planning Department, 700 Fox Trail, Opelika, AL 36803.

**Unincorporated Areas of Lee County**

Maps are available for inspection at 909 Avenue A, Opelika, AL 36801.

**Hardin County, Illinois, and Incorporated Areas  
Docket No.: FEMA-B-1134**

Beaver Creek .....	Approximately 1.58 miles upstream of IL-1 .....	+366	Unincorporated Areas of Hardin County.
Ohio River .....	Approximately 1.92 miles upstream of IL-1 .....	+366	City of Rosiclare, Unincorporated Areas of Hardin County, Village of Elizabethtown.
	Approximately 1.34 miles downstream of Ferry Road extended (River Mile 894).	+356	
Unnamed Tributary to Beaver Creek (East).	Approximately 1.97 miles upstream of Main Street extended (River Mile 887).	+359	Unincorporated Areas of Hardin County.
	Approximately 1,500 feet upstream of the confluence with Beaver Creek.	+366	
Unnamed Tributary to Beaver Creek (West).	Approximately 0.69 mile upstream of the confluence with Beaver Creek.	+366	Unincorporated Areas of Hardin County.
	Approximately 1,500 feet upstream of the confluence with Beaver Creek.	+366	
Unnamed Tributary to Saline River.	Approximately 0.99 mile upstream of the confluence with Beaver Creek.	+366	Unincorporated Areas of Hardin County.
	Approximately 1,800 feet upstream of the confluence with the Saline River.	+366	
	Approximately 2,000 feet upstream of the confluence with the Saline River.	+366	

\* 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 Rosiclare**

Maps are available for inspection at City Hall, Main Street, Rosiclare, IL 62982.

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
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**Unincorporated Areas of Hardin County**

Maps are available for inspection at the Hardin County Courthouse, 203 North Main Street, Elizabethtown, IL 62931.

**Village of Elizabethtown**

Maps are available for inspection at the Village Hall, 1 Locust Street, Elizabethtown, IL 62931.

**McCracken County, Kentucky, and Incorporated Areas**  
**Docket No.: FEMA-B-1144**

Arnold Branch (backwater effects from Ohio River).	From the confluence with Blizzards Ponds Drainage Ditch to approximately 0.7 mile upstream of the Blizzards Ponds Drainage Canal.	+341	Unincorporated Areas of McCracken County.
Bayou Creek (backwater effects from Ohio River).	From the confluence with the Ohio River to approximately 1.0 mile downstream of Ogden Landing Road.	+336	Unincorporated Areas of McCracken County.
Blizzards Ponds Drainage Canal (backwater effects from Ohio River).	From the confluence with West Fork Clarks River to approximately 275 feet upstream of Husband Road.	+341	Unincorporated Areas of McCracken County.
Camp Creek (backwater effects from Ohio River).	From the confluence with West Fork Clarks River to approximately 0.5 mile downstream of KY-348.	+341	Unincorporated Areas of McCracken County.
Clarks River (backwater effects from Ohio River).	From the confluence with the Ohio River to approximately 0.7 mile upstream of KY-787.	+341	Unincorporated Areas of McCracken County.
Crooked Creek .....	At the confluence with Perkins Creek .....	+363	Unincorporated Areas of McCracken County.
	Approximately 400 feet upstream of U.S. Route 62 .....	+402	
Cross Creek .....	Just upstream of the Illinois Central Railroad Yard .....	+331	Unincorporated Areas of McCracken County.
	Approximately 345 feet upstream of South 24th Street .....	+341	
Deer Lick Creek (backwater effects from Ohio River).	From the confluence with the Ohio River to approximately 2.9 miles upstream of the confluence with the Ohio River.	+336	Unincorporated Areas of McCracken County.
Horse Branch (backwater effects from Ohio River).	From the confluence with the Clarks River to approximately 85 feet downstream of Georgia Street South.	+341	Unincorporated Areas of McCracken County.
Island Creek Tributary 6.1 (backwater effects from Island Creek).	From the confluence with Island Creek to approximately 800 feet downstream of I-24.	+336	Unincorporated Areas of McCracken County.
Little Bayou Creek (backwater effects from Ohio River).	From the confluence with Bayou Creek to approximately 2.3 miles downstream of Ogden Landing Road.	+336	Unincorporated Areas of McCracken County.
Little Massac Creek (backwater effects from West Fork Massac Creek).	From the confluence with West Fork Massac Creek to approximately 1,000 feet upstream of the confluence with West Fork Massac Creek.	+378	Unincorporated Areas of McCracken County.
Middle Fork Massac Creek .....	Approximately 1,800 feet upstream of the confluence with Massac Creek.	+352	City of Paducah, Unincorporated Areas of McCracken County.
	Approximately 1,700 feet upstream of McCracken Boulevard.	+354	
Nasty Creek (backwater effects from Ohio River).	From the confluence with Newtons Creek I to approximately 0.6 mile upstream of Grief Road.	+335	Unincorporated Areas of McCracken County.
Newtons Creek I (backwater effects from Ohio River).	From the confluence with the Ohio River to approximately 0.7 mile upstream of Grief Road.	+335	Unincorporated Areas of McCracken County.
Ohio River .....	Approximately 1,700 feet downstream of the confluence with Redstone Creek.	+334	City of Paducah, Unincorporated Areas of McCracken County.
	Approximately 2.0 miles upstream of the confluence with the Tennessee River.	+340	
Perkins Creek .....	At the confluence with the Ohio River .....	+339	City of Paducah, Unincorporated Areas of McCracken County.
	Approximately 0.5 mile upstream of Blandville Road .....	+399	
Perkins Creek Tributary 4 (backwater effects from Ohio River).	From the confluence with Perkins Creek to approximately 80 feet downstream of U.S. Route 60.	+339	City of Paducah, Unincorporated Areas of McCracken County.
Redstone Creek (backwater effects from Ohio River).	From the confluence with Redstone Creek Tributary 5 to approximately 0.6 mile upstream of the confluence with Redstone Creek Tributary 5.	+335	Unincorporated Areas of McCracken County.
Redstone Creek Tributary 5 (backwater effects from Ohio River).	From the confluence with Redstone Creek to approximately 0.5 mile upstream of the confluence with Redstone Creek.	+335	Unincorporated Areas of McCracken County.



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
Tennessee River .....	At the confluence with the Ohio River .....	+340	City of Paducah, Unincorporated Areas of McCracken County.
West Fork Clarks River (backwater effects from Ohio River).	Approximately 3.0 miles upstream of U.S. Route 60 .....	+341	Unincorporated Areas of McCracken County.
	From the confluence with Clarks River to approximately 3.7 miles upstream of the confluence with Camp Creek at the county boundary.	+341	
West Fork Massac Creek (backwater effects from Ohio River).	From the confluence with Massac Creek to approximately 2,000 feet upstream of Wilmington Road.	+338	Unincorporated Areas of McCracken County.

\* 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 Paducah

Maps are available for inspection at City Hall, 300 South 5th Street, Paducah, KY 42002.

##### Unincorporated Areas of McCracken County

Maps are available for inspection at the McCracken County Courthouse, 301 South 6th Street, Paducah, KY 42003.

#### Clearfield County, Pennsylvania (All Jurisdictions)

##### Docket No.: FEMA-B-1100

Clear Run .....	Approximately 580 feet upstream of U.S. Route 219 .....	+1405	City of DuBois.
	Approximately 220 feet upstream of Juniata Street .....	+1420	
Laurel Run No. 1 .....	Approximately 2,690 feet downstream of the confluence with Laurel Run Tributary A.	+1467	Township of Boggs.
	Approximately 2,625 feet downstream of the confluence with Laurel Run Tributary A.	+1467	
Pentz Run .....	Approximately 435 feet downstream of U.S. Route 219 ....	+1409	Township of Sandy.
	Approximately 360 feet downstream of U.S. Route 219 ....	+1410	
Pentz Run Tributary .....	Approximately 195 feet upstream of the confluence with Pentz Run.	+1410	Township of Sandy.
	Approximately 125 feet downstream of Forest Avenue .....	+1412	
West Branch Susquehanna River.	Approximately 4,485 feet downstream of U.S. Route 219	+1323	Township of Burnside.
	Approximately 2,275 feet downstream of U.S. Route 219	+1325	
	Approximately 1,910 feet downstream of the confluence with Rock Run No. 2.	+1332	
	Approximately 1,475 feet downstream of the confluence with Rock Run No. 2.	+1333	

\* 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 DuBois

Maps are available for inspection at 16 West Scribner Avenue, DuBois, PA 15801.

##### Township of Boggs

Maps are available for inspection at 150 Blue Ball Road, West Decatur, PA 16878.

##### Township of Burnside

Maps are available for inspection at 2447 Ridge Road, Westover, PA 16692.

##### Township of Sandy

Maps are available for inspection at 1094 Chestnut Avenue, DuBois, PA 15801.

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

Dated: October 17, 2011.

**Sandra K. Knight,**

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

[FR Doc. 2011-28538 Filed 11-2-11; 8:45 am]

**BILLING CODE 9110-12-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[CG Docket No. 10-51; FCC 11-118]

### Structure and Practices of the Video Relay Service Program

**AGENCY:** Federal Communications Commission.

**ACTION:** Interim rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's *Structure and Practices of the Video Relay Service Program*, Second Report and Order and Order (*Second Report and Order and Order*). The information collection requirements were approved on October 20, 2011 by OMB.

**DATES:** The amendments to 47 CFR 64.606(a)(2)(v) and (g)(2), published at 76 FR 47476, August 5, 2011, are effective November 3, 2011.

**FOR FURTHER INFORMATION CONTACT:** Gregory Hlibok, Disability Rights Office, Consumer and Governmental Affairs Bureau, at (202) 559-5158 (voice and videophone), or email: [Gregory.Hlibok@fcc.gov](mailto:Gregory.Hlibok@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on October 20, 2011, OMB approved, for a period of three years, the information collection requirements contained in 47 CFR 64.606(a)(2)(v) and (g)(2). The Commission publishes this notice as an announcement of the effective date of the rules. See, In the Matter of Structure and Practices of the Video Relay Service Program, CG Docket No. 10-51, FCC 11-118, published at 76 FR 47476, August 5, 2011. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street SW., Washington, DC 20554.

Please include the OMB Control Number, 3060-1160, in your correspondence. The Commission will also accept your comments via the Internet if you send them to [PRA@fcc.gov](mailto:PRA@fcc.gov).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on October 20, 2011, for the information collection requirements contained in the Commission's rules at 47 CFR 64.606(a)(2)(v) and (g)(2).

Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current valid OMB Control Number. The OMB Control Number is 3060-1160.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Pub. L. 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060-1160.  
*OMB Approval Date:* October 20, 2011.

*OMB Expiration Date:* April 30, 2012.  
*Title:* Structure and Practices of the Video Relay Service Program, Second Report and Order and Order, CG Docket No. 10-51.

*Form Number:* N/A.

*Type of Review:* New collection.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 31 respondents; 53 responses.

*Estimated Time per Response:* .017 (1 minute) to .50 hours (30 minutes).

*Frequency of Response:* Annual and one-time reporting requirements; and third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefit. The statutory authority for the information collection requirements is found at section 225 of the Communications Act, 47 U.S.C. 225. The law was enacted on July 26, 1990, as Title IV of the Americans with

Disabilities Act, Public Law 101-336, 104 Stat. 327, 366-69.

*Total Annual Burden:* 6 hours.

*Total Annual Cost:* None.

*Nature and Extent of Confidentiality:*

An assurance of confidentiality is not offered because this information collection does not require the collection of personally identifiable information (PII) from individuals.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* On July 28, 2011 the Commission released *Second Report and Order and Order* FCC 11-118, published at 76 FR 47476, August 5, 2011, adopting final and interim rules—containing information collection requirements—designed to prevent fraud and abuse, and ensure that the Internet-based forms of Telecommunications Relay Services (iTRS) is being offered in compliance with all of the Commission's rules and orders. Specifically, the interim rules, described in A. and B. below, require that applicants and providers certify, under penalty of perjury, that their certification applications and annual compliance filings required under §§ 64.606(a)(2) and 64.606(g) of the Commission's rules are truthful, accurate, and complete. The final rules, described in C. and D. below, are designed to enhance disclosures to iTRS consumers so that they are better aware of service terminations or temporary cessations.

Below are the information collection requirements contained in the *Second Report and Order and Order*:

#### A. Applicant Certifying Under Penalty of Perjury for Certification Application

The chief executive officer (CEO), chief financial officer (CFO), or other senior executive of an applicant for iTRS certification with first hand knowledge of the accuracy and completeness of the information provided, when submitting an application for certification for eligibility to receive compensation from the Intestate TRS Fund, must certify under penalty of perjury that all application information required under the Commission's rules and orders has been provided and that all statements of fact, as well as all documentation contained in the application submission, are true, accurate, and complete.

#### B. Certified Provider Certifying Under Penalty of Perjury for Annual Compliance Filings

The chief executive officer (CEO), chief financial officer (CFO), or other senior executive of an iTRS provider