

§ 52.220 Identification of plan.

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(c) * * *

(239) * * *

(i) * * *

(C) * * *

(3) Rule 201, adopted on April 18, 1972 and amended on May 2, 1996.

(4) Rules 202.1, 209.1, 210.2, and 210.5, adopted on December 15, 1980, April 5, 1982, December 28, 1976, and November 18, 1985, respectively, and amended on May 2, 1996.

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■ 3. Section 52.242 is amended by adding paragraph (a)(5) to read as follows:

§ 52.242 Disapproved rules and regulations.

(a) * * *

* * * * *

(5) Kern County Air Pollution Control District.

(i) Rule 203, Transfer, submitted on July 23, 1996 and amended on May 2, 1996. Rule 203, submitted on June 30, 1972, is retained.

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BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 64**

[Docket No. FEMA-7999]

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.

ADDRESSES: If you want to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office.

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
Region III				
Pennsylvania:				
Adams, Township of, Snyder County.	422031	August 20, 1975, Emerg; January 3, 1986, Reg; November 16, 2007, Susp.	11/16/2007	11/16/2007
Beaver, Township of, Snyder County.	422032	January 19, 1979, Emerg; October 15, 1985, Reg; November 16, 2007, Susp.	do*	do.
Center, Township of, Snyder County.	422591	October 16, 1974, Emerg; March 16, 1988, Reg; November 16, 2007, Susp.	do	do.
Franklin, Township of, Snyder County.	422035	January 10, 1975, Emerg; August 2, 1982, Reg; November 16, 2007, Susp.	do	do.
Jackson, Township of, Snyder County.	422036	April 7, 1975, Emerg; January 20, 1982, Reg; November 16, 2007, Susp.	do	do.
McClure, Borough of, Snyder County.	420806	February 10, 1976, Emerg; October 15, 1985, Reg; November 16, 2007, Susp.	do	do.
Middleburg, Borough of, Snyder County.	420807	December 8, 1972, Emerg; August 2, 1982, Reg; November 16, 2007, Susp.	do	do.
Middlecreek, Township of, Snyder County.	422037	October 21, 1974, Emerg; January 6, 1982, Reg; November 16, 2007, Susp.	do	do.
Monroe, Township of, Snyder County.	421020	September 26, 1973, Emerg; February 2, 1977, Reg; November 16, 2007, Susp.	do	do.
Penn, Township of, Snyder County	421024	January 12, 1973, Emerg; September 16, 1982, Reg; November 16, 2007, Susp.	do	do.
Perry, Township of, Snyder County	422038	May 17, 1979, Emerg; March 16, 1988, Reg; November 16, 2007, Susp.	do	do.
Shamokin Dam, Borough of, Snyder County.	420809	August 22, 1973, Emerg; March 1, 1977, Reg; November 16, 2007, Susp.	do	do.
Spring, Township of, Snyder County.	422039	February 9, 1976, Emerg; March 16, 1988, Reg; November 16, 2007, Susp.	do	do.
Union, Township of, Snyder County	422040	February 10, 1976, Emerg; November 17, 1982, Reg; November 16, 2007, Susp.	do	do.
Washington, Township of, Snyder County.	422041	March 11, 1976, Emerg; May 15, 1986, Reg; November 16, 2007, Susp.	do	do.
West Beaver, Township of, Snyder County.	422507	July 6, 1979, Emerg; September 24, 1984, Reg; November 16, 2007, Susp.	do	do.
West Perry, Township of, Snyder County.	422042	February 9, 1976, Emerg; December 3, 1987, Reg; November 16, 2007, Susp.	do	do.
Region VII				
Oklahoma:				
Blanchard, City of, McClain County	400101	February 17, 1976, Emerg; January 3, 1986, Reg; November 16, 2007, Susp.	do	do.
Newcastle, City of, McClain County	400103	July 18, 1975, Emerg; December 15, 1983, Reg; November 16, 2007, Susp.	do	do.
Iowa: Knoxville, City of, Marion County.	190603	August 10, 1976, Emerg; December 16, 1977, Reg; November 16, 2007, Susp.	do	do.

* do. = Ditto.

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

Dated: October 29, 2007.

David I. Maurstad,

Assistant Administrator Mitigation,
Department of Homeland Security, Federal
Emergency Management Agency.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket No. FEMA-7997]

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AGENCY: Federal Emergency
Management Agency, DHS.

ACTION: Final rule.

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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**.

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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.

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PART 64—[AMENDED]

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§ 64.6 [Amended]

■ 2. The tables published under the authority of § 64.6 are amended as follows: