

investigation to assess the nature and extent of public health and environmental risks associated with a release of hazardous substances, pollutants or contaminants. The NPL is of only limited significance as it does not assign liability to any party. Also, placing a site on the NPL does not mean that any remedial or removal action necessarily need be taken.

#### K. Congressional Review Act

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

Provisions of the Congressional Review Act (CRA) or section 305 of CERCLA may alter the effective date of this regulation. Under 5 U.S.C. 801(b)(1), a rule shall not take effect, or continue in effect, if Congress enacts (and the President signs) a joint resolution of disapproval, described under section 802. Another statutory

provision that may affect this rule is CERCLA section 305, which provides for a legislative veto of regulations promulgated under CERCLA. Although *INS v. Chadha*, 462 U.S. 919, 103 S. Ct. 2764 (1983), and *Bd. of Regents of the University of Washington v. EPA*, 86 F.3d 1214, 1222 (D.C. Cir. 1996), cast the validity of the legislative veto into question, the EPA has transmitted a copy of this regulation to the Secretary of the Senate and the Clerk of the House of Representatives.

If action by Congress under either the CRA or CERCLA section 305 calls the effective date of this regulation into question, the EPA will publish a document of clarification in the **Federal Register**.

#### List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous substances, Hazardous waste, Intergovernmental relations, Natural resources, Oil pollution, Penalties, Reporting and recordkeeping

requirements, Superfund, Water pollution control, Water supply.

Dated: December 3, 2014.

**Mathy Stanislaus,**

*Assistant Administrator, Office of Solid Waste and Emergency Response.*

40 CFR part 300 is amended as follows:

#### PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN

■ 1. The authority citation for part 300 continues to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923, 3 CFR, 1987 Comp., p. 193.

■ 2. Table 1 of Appendix B to part 300 is amended by adding an entry for "Colorado Smelter" in alphabetical order by state to read as follows:

#### Appendix B to Part 300 National Priorities List

TABLE 1—GENERAL SUPERFUND SECTION

| State    | Site name              | City/county | Notes <sup>a</sup> |
|----------|------------------------|-------------|--------------------|
| * * * *  | * * * *                | * * * *     | * * * *            |
| CO ..... | Colorado Smelter ..... | Pueblo.     |                    |
| * * * *  | * * * *                | * * * *     | * * * *            |
| * * * *  | * * * *                | * * * *     | * * * *            |

#### Notes:

<sup>a</sup>A = Based on issuance of health advisory by Agency for Toxic Substances and Disease Registry (if scored, HRS score need not be greater than or equal to 28.50).

\* \* \* \*

[FR Doc. 2014–28979 Filed 12–10–14; 8:45 am]

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#### DEPARTMENT OF HOMELAND SECURITY

#### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA–2014–0002]

#### Final Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1-percent-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 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 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.

Dated: October 31, 2014.

**Roy E. Wright,**

*Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

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:

| Flooding source(s)  | Location of referenced elevation                                      | *Elevation in feet (NGVD)<br>+Elevation in feet (NAVD)<br>#Depth in feet above ground<br>^Elevation in meters (MSL)<br>Modified | Communities affected                                      |
|---|---|---|---|
| <b>Platte County, Missouri, and Incorporated Areas</b><br><b>Docket Nos.: FEMA-B-1178</b> |   |   |   |
| Bear Creek .....  | Approximately 1,110 feet downstream of Main Street .....              | +781  | City of Weston, Unincorporated Areas of Platte County.    |
| Bee Creek .....   | Approximately 0.76 mile upstream of Highway 45 .....                  | +804  | City of Dearborn, Unincorporated Areas of Platte County.  |
|   | Approximately 0.83 mile downstream of the Bleazard Branch confluence. | +863  |   |
| Bee Creek Tributary .....   | Approximately 0.74 mile upstream of Maple Leaf Road .....             | +883  | City of Dearborn, Unincorporated Areas of Platte County.  |
|   | At the Bee Creek confluence .....                                     | +878  |   |
| Benner Branch .....   | Approximately 1,325 feet upstream of Interurban Road .....            | +889  | City of Weston.   |
|   | At the Bear Creek confluence .....                                    | +783  |   |
| Brills Creek .....  | Approximately 75 feet upstream of Highway 45 .....                    | +803  | City of Weston, Unincorporated Areas of Platte County.    |
|   | At the Benner Branch confluence .....                                 | +791  |   |
| Brush Creek .....   | Approximately 150 feet upstream of Highway 45 .....                   | +814  | City of Parkville, Unincorporated Areas of Platte County. |
|   | At the downstream side of Northwest 76th Street .....                 | +792  |   |
| Burlington Creek .....  | Approximately 1,500 feet upstream of State Highway 152 .....          | +820  | City of Riverside, Unincorporated Areas of Platte County. |
|   | At the Missouri River confluence .....                                | +759  |   |
|   | Approximately 850 feet upstream of North Helena Avenue .....          | +800  |   |

| Flooding source(s)                 | Location of referenced elevation                                    | *Elevation in feet (NGVD)<br>+Elevation in feet (NAVD)<br>#Depth in feet above ground<br>^Elevation in meters (MSL)<br>Modified | Communities affected   |
|------------------------------------|---|---|--|
| Burlington Creek Tributary 2 ..... | Approximately 950 feet upstream of Northwest Platte Drive .....     | +764  | City of Riverside, Unincorporated Areas of Platte County.  |
| East Creek .....                   | Approximately 1,275 feet upstream of Northeast Platte Drive .....   | +768  | City of Riverside.   |
|                                    | At the Line Creek confluence .....                                  | +768  |  |
|                                    | Approximately 100 feet downstream of Northwest Vivion Road .....    | +769  |  |
| First Creek .....                  | At the Clay County boundary .....                                   | +864  | Unincorporated Areas of Platte County.   |
| Grove Creek .....                  | Approximately 0.82 mile downstream of Northwest 128th Street .....  | +895  | City of Edgerton, Unincorporated Areas of Platte County.   |
|                                    | Approximately 0.74 mile downstream of Platte Avenue .....           | +815  |  |
| Jumping Branch .....               | Approximately 150 feet upstream of State Highway Z .....            | +848  | City of Riverside, Village of Houston Lake.  |
|                                    | At the Line Creek confluence .....                                  | +756  |  |
| Line Creek .....                   | Approximately 200 feet upstream of I-635 .....                      | +819  | City of Northmoor, City of Riverside.  |
|                                    | At the Missouri River confluence .....                              | +756  |  |
| Line Creek Tributary 2 .....       | Approximately 300 feet downstream of I-29 .....                     | +772  | City of Lake Waukomis.   |
|                                    | Approximately 650 feet downstream of Northwest South Shore Drive.   | +877  |  |
| Missouri River .....               | At the downstream side of Northwest South Shore Drive .....         | +937  | Village of Iatan, City of Parkville, City of Riverside, City of Weston, Unincorporated Areas of Platte County. |
|                                    | Approximately 850 feet upstream of the Clay County boundary .....   | +756  |  |
| Platte River .....                 | Approximately 0.53 mile downstream of the Buchanan County boundary. | +791  | City of Platte City, City of Tracy, Unincorporated Areas of Platte County, Village of Farley.                  |
|                                    | At the Missouri River confluence .....                              | +769  |  |
| Rush Creek .....                   | Approximately 0.48 mile upstream of I-29 .....                      | +782  | City of Parkville, Unincorporated Areas of Platte County.  |
|                                    | At the Missouri River confluence .....                              | +760  |  |
| Second Creek .....                 | Approximately 0.56 mile upstream of the Walnut Creek confluence     | +771  | Unincorporated Areas of Platte County.   |
|                                    | Approximately 750 feet downstream of State Highway 92 .....         | +822  |  |
| Todd Creek .....                   | Approximately 3 miles downstream of State Highway 291 .....         | +881  | Unincorporated Areas of Platte County.   |
|                                    | Approximately 1,600 feet downstream of Water Treatment Plant Road.  | +822  |  |
|                                    | Approximately 1,400 feet downstream of Water Treatment Plant Road.  | +822  |  |

| Flooding source(s)   | Location of referenced elevation  | *Elevation in feet (NGVD)<br>+Elevation in feet (NAVD)<br>#Depth in feet above ground<br>^Elevation in meters (MSL)<br>Modified | Communities affected                                      |
|----------------------|---|---|---|
| Walnut Creek .....   | At the Rush Creek Confluence .....  | +768  | City of Parkville, Unincorporated Areas of Platte County. |
| Wells Branch .....   | Approximately 1,600 feet upstream of Northwest Eastside Drive .....<br>At the Bear Creek confluence .....                       | +876<br>+781  |   |
| White Branch .....   | Approximately 150 feet upstream of County Road JJ .....<br>At the Rush Creek confluence .....                                   | +830<br>+760  | City of Parkville.  |
| Wildcat Branch ..... | Approximately 0.67 mile upstream of East 6th Street .....<br>Approximately 950 feet upstream of the Todd Creek confluence ..... | +855<br>+856  |   |
|                      | Approximately 0.46 mile upstream of I-435 .....   | +945  | Village of Ferrelview.                                    |

\* 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 Dearborn:

Maps are available for inspection at City Hall, 101 3rd Street, Dearborn, MO 64439.

##### City of Edgerton:

Maps are available for inspection at City Hall, 411 Front Street, Edgerton, MO 64444.

##### City of Lake Waukomis:

Maps are available for inspection at City Hall, 1147 Northwest South Shore Drive, Lake Waukomis, MO 64151.

##### City of Northmoor:

Maps are available for inspection at City Hall, 4907 Northwest Waukomis Drive, Northmoor, MO 64151.

##### City of Parkville:

Maps are available for inspection at City Hall, 8880 Clark Avenue, Parkville, MO 64152.

##### City of Platte City:

Maps are available for inspection at City Hall, 400 Main Street, Platte City, MO 64079.

##### City of Riverside:

Maps are available for inspection at City Hall, 2950 Northwest Vivion Road, Riverside, MO 64150.

##### City of Tracy:

Maps are available for inspection at City Hall, 208 2nd Street, Tracy, MO 64079.

##### City of Weston:

Maps are available for inspection at City Hall, 300 Main Street, Weston, MO 64098.

##### Unincorporated Areas of Platte County:

Maps are available for inspection at the Platte County Courthouse, 415 3rd Street, Suite 115, Platte City, MO 64079.

##### Village of Farley:

Maps are available for inspection at City Hall, 1116 River Road, Farley, MO 64028.

##### Village of Ferrelview:

Maps are available for inspection at City Hall, 205 Northwest Hady Avenue, Ferrelview, MO 64163.

##### Village of Houston Lake:

Maps are available for inspection at City Hall, 5417 Northwest Adrian Street, Houston Lake, MO 64151.

##### Village of Iatan:

Maps are available for inspection at City Hall, 125 Main Street, Iatan, MO 64098.