

as effective 1993; and 9.24.060, as effective 1998.

■ 3. Section 52.1973 is amended by adding paragraph (e)(5) to read as follows:

§ 52.1973 Approval of plans.

* * * * *

(e) * * *

(5) EPA approves as a revision to the Oregon State Implementation Plan, the

Medford PM10 attainment and maintenance plan adopted by the Oregon Environmental Quality Commission on December 10, 2004 and submitted to EPA on March 10, 2005.

* * * * *

PART 81—[AMENDED]

■ 4. The authority citation for part 81 continues to read as follows:

OREGON—PM-10

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

■ 5. In § 81.338, the table entitled “Oregon PM-10” is amended by revising the entry for “Medford Air Quality Maintenance Area (including White City)” to read as follows:

§ 81.338 Oregon.

* * * * *

Designated area	Designation		Classification	
	Date	Type	Date	Type
* * * * *				
Medford Air Quality Maintenance Area (including White City)	8/18/06	Attainment.	*	*
* * * * *				

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket No. FEMA-7931]

Suspension of Community Eligibility

AGENCY: Mitigation Division, Federal Emergency Management Agency (FEMA), Department of Homeland Security.

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 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 or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT:

William H. Lesser, Mitigation Division, 500 C Street SW., Washington, DC 20472, (202) 646-2807.

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 *et seq.* 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 is revised 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]

■ 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 IV:				
Florida: Alachua, City of, Alachua County ..	120664	February 21, 1994, Emerg; February 21, 1994, Reg; June 16, 2006, Susp.	06/16/2006 ...	06/16/2006
Gainesville, City of, Alachua County	125107	August 7, 1970, Emerg; October 1, 1971, Reg; June 16, 2006, Susp.	do*	Do.
Micanopy, Town of, Alachua County	120344	April 27, 1994, Emerg; June 16, 2006, Reg; June 16, 2006, Susp.	do	Do.
Newberry, City of, Alachua County	120679	February 3, 2000, Emerg; February 3, 2000, Reg; June 16, 2006, Susp.	do	Do.
Tennessee: Saltillo, Town of, Hardin County.	470083	August 29, 1991, Emerg; June 1, 1994, Reg; June 16, 2006, Susp.	do	Do.
Region VI:				
Arkansas: Austin, City of, Lonoke County ..	050383	January 13, 1976, 1976, Emerg; April 15, 1982, Reg; June 16, 2006, Susp.	do	Do.
Cabot, City of, Lonoke County	050309	September 26, 1975, Emerg; April 19, 1982, Reg; June 16, 2006, Susp.	do	Do.
Carlisle, City of, Lonoke County	050312	April 16, 1975, Emerg; December 12, 1978, Reg; June 16, 2006, Susp.	do	Do.
England, City of, Lonoke County	050133	May 6, 1975, Emerg; January 3, 1986, Reg; June 16, 2006, Susp.	do	Do.
Ward, City of, Lonoke County	050372	September 8, 1975, Emerg; September 5, 1978, Reg; June 16, 2006, Susp.	do	Do.
Region IX:				
California: Shasta County, Unincorporated Areas.	060358	February 21, 1979, Emerg; September 27, 1985, Reg; June 16, 2006, Susp.	do	Do.

*Do = Ditto

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

Dated: June 2, 2006.

David I. Maurstad,

Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket No. FEMA-P-7652]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA), Department of Homeland Security.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

DATES: These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Map(s) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a