

TABLE 1.—GENERAL SUPERFUND SECTION—Continued

State	Sitename	City/County	(Notes) ^a
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^a * * *

P=Sites with partial deletion(s).

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[FR Doc. E6-13611 Filed 8-17-06; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket No. FEMA-7939]

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]

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:

■ 1. The authority citation for part 64 is
revised to read as follows:

State/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 II				
New Jersey:				
Bayonne, City of, Hudson County	340218	July 25, 1975, Emerg; August 15, 1983, Reg; August 16, 2006, Susp.	08/16/2006	08/16/2006.
Harrison, Town of, Hudson County	340221	March 17, 1976, Emerg; September 30, 1977, Reg; August 16, 2006, Susp.	.....do	Do.
Hoboken, City of, Hudson County	340222	April 22, 1975, Emerg; November 17, 1982, Reg; August 16, 2006, Susp.	.....do	Do.
Weehawken, Township of, Hudson County.	340228	August 6, 1975, Emerg; May 1, 1984, Reg; August 16, 2006, Susp.	.....do	Do.
Region III				
Pennsylvania:				
Armagh, Township of, Mifflin County	421879	February 6, 1976, Emerg; August 19, 1991, Reg; August 16, 2006, Susp.	.....do	Do.
Bratton, Township of, Mifflin County	421153	April 15, 1974, Emerg; December 15, 1978, Reg; August 16, 2006, Susp.	.....do	Do.
Brown, Township of, Mifflin County	420683	August 16, 1974, Emerg; August 19, 1991, Reg; August 16, 2006, Susp.	.....do	Do.
Burnham, Borough of, Mifflin County	420684	February 9, 1973, Emerg; February 15, 1978, Reg; August 16, 2006, Susp.	.....do	Do.
Decatur, Township of, Mifflin County	421880	December 2, 1975, Emerg; June 1, 1987, Reg; August 16, 2006, Susp.	.....do	Do.
Derry, Township of, Mifflin County	421168	April 26, 1974, Emerg; September 1, 1978, Reg; August 16, 2006, Susp.	.....do	Do.
Granville, Township of, Mifflin County ...	421134	March 12, 1974, Emerg; August 15, 1978, Reg; August 16, 2006, Susp.	.....do	Do.
Kistler, Borough of, Mifflin County	420686	July 28, 1975, Emerg; September 15, 1977, Reg; August 16, 2006, Susp.	.....do	Do.
Lewistown, Borough of, Mifflin County ..	420687	November 17, 1972, Emerg; August 15, 1978, Reg; August 16, 2006, Susp.	.....do	Do.
McVeytown, Borough of, Mifflin County	420688	May 20, 1975, Emerg; June 1, 1987, Reg; August 16, 2006, Susp.	.....do	Do.
Menno, Township of, Mifflin County	421881	March 8, 1985, Emerg; June 1, 1987, Reg; August 16, 2006, Susp.	.....do	Do.
Newtown Hamilton, Borough of, Mifflin County.	420689	January 30, 1974, Emerg; February 15, 1978, Reg; August 16, 2006, Susp.	.....do	Do.
Oliver, Township of, Mifflin County	421882	August 29, 1975, Emerg; September 17, 1980, Reg; August 16, 2006, Susp.	.....do	Do.
Union, Township of, Mifflin County	421883	August 7, 1975, Emerg; June 1, 1987, Reg; August 16, 2006, Susp.	.....do	Do.
Wayne, Township of, Mifflin County	421240	May 3, 1974, Emerg; March 2, 1981, Reg; August 16, 2006, Susp.	.....do	Do.
Region IV				
Kentucky:				
Cumberland, City of, Harlan County	210100	November 5, 1971, Emerg; March 15, 1977, Reg; August 16, 2006, Susp.	.....do	Do.
Harlan, City of, Harlan County	210102	October 29, 1971, Emerg; January 17, 1979, Reg; August 16, 2006, Susp.	.....do	Do.
Loyall, City of, Harlan County	215189	December 3, 1971, Emerg; April 6, 1973, Reg; August 16, 2006, Susp.	.....do	Do.
Lynch, City of, Harlan County	210104	January 14, 1975, Emerg; July 2, 1979, Reg; August 16, 2006, Susp.	.....do	Do.
Wallins Creek, City of, Harlan County ..	215192	December 7, 1971, Emerg; March 2, 1973, Reg; August 16, 2006, Susp.	.....do	Do.
Region VII				
Missouri: Monett, City of, Barry County	290023	September 23, 1974, Emerg; April 15, 1981, Reg; August 16, 2006, Susp.	.....do	Do.

*-do- =Ditto.

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

Dated: August 10, 2006.

Michael K. Buckley,

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

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