

of the Act because we have determined that this rule will not have a significant impact on the operations of a substantial number of small rural hospitals.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule whose mandates require spending in any 1 year of \$100 million in 1995 dollars, updated annually for inflation. That threshold level is currently approximately \$120 million. This rule will have no consequential effect on State, local, or tribal governments or on the private sector.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. Since this regulation does not impose any costs on State or local governments, the requirements of E.O. 13132 are not applicable.

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: January 10, 2008.

**Kerry Weems,**

*Acting Administrator, Centers for Medicare & Medicaid Services.*

Approved: March 12, 2008.

**Michael O. Leavitt,**

*Secretary.*

[FR Doc. E8-17056 Filed 7-25-08; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket No. FEMA-8033]

#### 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.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or 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
<b>Region IV</b>				
Kentucky: Cloverport, City of, Breckinridge County.	210026	Apr. 17, 1975, Emerg; Sept. 18, 1985, Reg; Aug. 4, 2008, Susp.	Aug. 4, 2008 .....	Aug. 4, 2008.
Tennessee:				
Centerville, Town of, Hickman County ..	470092	Apr. 2, 1975, Emerg; Jan. 16, 1987, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Coffee County, Unincorporated Areas ..	470355	July 24, 1998, Emerg; June 1, 2005, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Cowan, City of, Franklin County .....	470053	June 11, 1975, Emerg; Mar. 4, 1980, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Decherd, City of, Franklin County .....	470054	Aug. 14, 1974, Emerg; Mar. 4, 1980, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Estill Springs, City of, Franklin County ..	470272	July 17, 1975, Emerg; May 15, 1986, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Franklin County, Unincorporated Areas	470344	June 12, 1991, Emerg; Jan. 2, 1992, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Hickman County, Unincorporated Areas	470091	Apr. 11, 1985, Emerg; Sept. 1, 1986, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Huntland, City of, Franklin County .....	470055	Mar. 24, 1998, Emerg; Nov. 1, 1998, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Manchester, City of, Coffee County .....	470035	Aug. 3, 1973, Emerg; Oct. 17, 1978, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Tullohoma, City of, Coffee County .....	470036	Aug. 3, 1973, Emerg; Apr. 16, 1979, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
<b>Region V</b>				
Illinois:				
Bush, Village of, Williamson County .....	170784	July 23, 1976, Emerg; Sept. 18, 1985, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Freeman Spur, Village of, Williamson County.	170953	July 3, 2003, Emerg;—, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Herrin, City of, Williamson County .....	170717	Mar. 6, 1975, Emerg; Apr. 16, 1990, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Hurst, City of, Williamson County .....	170792	Aug. 22, 1975, Emerg; Sept. 18, 1985, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Johnston City, City of, Williamson County.	170718	July 25, 1975, Emerg; Apr. 1, 1982, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Marion, City of, Williamson County .....	170719	May 12, 1975, Emerg; Sept. 15, 1983, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Williamson County, Unincorporated Areas.	170934	Apr. 29, 1993, Emerg;—, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Ohio:				
Brunswick, City of, Medina County .....	390380	Apr. 5, 1973, Emerg; Jan. 2, 1981, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Chippewa Lake, Village of, Medina County.	390910	Feb. 24, 2000, Emerg;—, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Gloria Glens Park, Village of, Medina County.	390381	Sept. 12, 1975, Emerg; Aug. 19, 1985, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Lodi, Village of, Medina County .....	390382	July 7, 1975, Emerg;—, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Medina, City of, Medina County .....	390383	May 30, 1975, Emerg; Sept. 30, 1988, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Medina County, Unincorporated Areas	390378	Sept. 6, 1978, Emerg; Aug. 15, 1983, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.
Seville, Village of, Medina County .....	390384	Sept. 23, 1975, Emerg; Apr. 15, 1986, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.

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
Wadsworth, City of, Medina County .....	390386	July 1, 1975, Emerg; Sept. 4, 1985, Reg; Aug. 4, 2008, Susp.	.....do* .....	Do.

\*-do-=Ditto.

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

Dated: July 18, 2008.

**Michael K. Buckley,**

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

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**BILLING CODE 9110-12-P**