

between July 1, 2010 and September 28, 2010 inclusive

(ii) [Reserved]

(6) The renewable fuel for which delayed RINs are generated must be described by the new pathway described in paragraph (g)(1) of this section.

(7) All delayed RINs generated by a renewable fuel producer or importer must be generated on the same date.

(8) Delayed RINs shall be generated as assigned RINs in EMTS, and then immediately separated by the RIN generator.

(9) The D code that shall be used in delayed RINs shall be the D code which corresponds to the new pathway.

[FR Doc. 2010-24310 Filed 9-27-10; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2010-0003]

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: Base (1% 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: Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3461, or (e-mail) roy.e.wright@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 ninety (90) days have elapsed since that publication. The Deputy Federal Insurance and Mitigation Administrator 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.

■ 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) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Napa County, California, and Incorporated Areas
Docket No.: FEMA-B-1072**

Napa Creek	At the confluence with the Napa River	+18	City of Napa.
	Approximately 100 feet upstream of Jefferson Street	+34	
Napa River (With Levee)	Approximately 715 feet west of the State Route 121/East Avenue intersection.	+27	City of Napa, Unincorporated Areas of Napa County.
	Approximately 1,530 feet southwest of the intersection of State Route 121 and Woodland Drive.	+29	
Napa River (Without Levee)	Approximately 0.5 mile downstream of Imola Avenue	+12	City of Napa, Unincorporated Areas of Napa County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Napa River Oxbow Overflow	Approximately 1,230 feet downstream of the confluence with Soda Creek. At the confluence with Tulucay Creek	+46 +16	City of Napa, Unincorporated Areas of Napa County.
Ponding Areas with elevations determined (AH Zones).	Approximately 0.39 mile upstream of Soscol Avenue Extensive ponding areas, in roadways south of Salvador Creek (lowest elevation). Extensive ponding areas, in roadways south of Salvador Creek (highest elevation).	+19 +39 +76	
Salvador Creek	At the confluence with the Napa River	+31	City of Napa, Unincorporated Areas of Napa County.
Salvador Creek North Branch ..	Approximately 100 feet upstream of State Route 29 At the confluence with Salvador Creek	+75 +75	City of Napa, Unincorporated Areas of Napa County.
Salvador Creek South Branch ..	Approximately 0.8 mile upstream of the confluence with Salvador Creek. At the confluence with Salvador Creek	+93 +75	City of Napa.
Shallow Flooding (AO Zone)	Approximately 1,365 feet upstream of Salvador Creek Approximately 425 feet northeast of the Imola Avenue/Gasser Drive intersection.	+76 #1	City of Napa.
Tulucay Creek	Approximately 1,400 feet northeast of the Imola Avenue/Gasser Drive intersection. At the confluence with the Napa River	#2 +15	
	Approximately 560 feet upstream of Shurtleff Avenue	+38	City of Napa, Unincorporated Areas of Napa County.

* 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 Napa

Maps are available for inspection at the Public Works Department, 1600 1st Street, Napa, CA 94559.

Unincorporated Areas of Napa County

Maps are available for inspection at the Napa County Public Works Department, 1195 3rd Street, Napa, CA 94559.

**Walton County, Florida, and Incorporated Areas
Docket No.: FEMA-B-7792**

Bay Branch	At the confluence with Bruce Creek	+106	City of De Funiak Springs, Unincorporated Areas of Walton County.
Black Creek	Approximately 900 feet upstream of U.S. Route 331 At County Road 3280	+125 +7	Unincorporated Areas of Walton County.
Bruce Creek	Approximately 1,570 feet upstream of County Road 3280 Approximately 1,100 feet downstream of the confluence with Mill Creek.	+7 +72	
Camp Creek	Approximately 6,700 feet upstream of the confluence with Bay Branch. At the confluence with Black Creek	+114 +7	Unincorporated Areas of Walton County.
Gum Creek	Approximately 5,400 feet upstream of the confluence with Black Creek. At the confluence with the Shoal River	+7 +150	Unincorporated Areas of Walton County.
Lafayette Creek	Approximately 12,700 feet upstream of the confluence with the Shoal River. At State Road 20	+156 +10	City of Freeport, Unincorporated Areas of Walton County.
Mill Creek	Approximately 4,000 feet upstream of J.W. Hollington Road. At the confluence with Bruce Creek	+58 +73	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Mill Creek Unnamed Tributary ..	Approximately 75 feet upstream of Edgewood Circle	+146	Unincorporated Areas of Walton County.
	At the confluence with Mill Creek	+124	
Pate Branch	Approximately 200 feet upstream of Edgewood Circle	+175	Unincorporated Areas of Walton County.
	At the confluence with Camp Creek	+7	
Shoal River	Approximately 3,900 feet upstream of the confluence with Camp Creek.	+7	Unincorporated Areas of Walton County.
	At the Okaloosa/Walton county boundary	+111	
	At the confluence with Gum Creek	+150	

* 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 De Funiak Springs

Maps are available for inspection at City Hall, 71 U.S. Route 90 West, De Funiak Springs, FL 32433.

City of Freeport

Maps are available for inspection at the Planning and Zoning Department, 112 U.S. Route 20 West, Freeport, FL 32439.

Unincorporated Areas of Walton County

Maps are available for inspection at the Walton County Planning and Development Department, South Walton County Courthouse Annex, 31 Coastal Centre Boulevard, Santa Rosa Beach, FL 32459.

**McDuffie County, Georgia, and Incorporated Areas
 Docket No.: FEMA-B-1072**

Boggy Gut Creek	Approximately 2.35 miles upstream of Harlem Wrens Road.	+429	Unincorporated Areas of McDuffie County.
	Approximately 3.13 miles upstream of Harlem Wrens Road.	+483	

* National Geodetic Vertical Datum.
 + North American Vertical Datum.
 # Depth in feet above ground.
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

Unincorporated Areas of McDuffie County

Maps are available for inspection at 504 Railroad Street, Thomson, GA 30824.

**Murray County, Georgia, and Incorporated Areas
 Docket No.: FEMA-B-1072**

Holly Creek	Approximately 0.77 mile downstream of CSX Railroad	+717	City of Chatsworth.
	Approximately 0.4 mile upstream of State Route 52/U.S. Route 76.	+730	
Mill Creek	Approximately 2.6 miles downstream of U.S. Route 411 ...	+702	City of Chatsworth, Town of Eton.
	Approximately 1,300 feet upstream of State Route 286/ Old CCC Camp Road.	+733	

* 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 Chatsworth

Maps are available for inspection at City Hall, 400 North 3rd Avenue, Chatsworth, GA 30705.

Town of Eton

Maps are available for inspection at the Town Hall, 3464 Highway 411 North, Eton, GA.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Cass County, Illinois, and Incorporated Areas Docket No.: FEMA-B-1053			
Illinois River	At the confluence with Camp Creek in Brown County, approximately 2,185 feet upstream of the Morgan County boundary.	+448	City of Beardstown, Unincorporated Areas of Cass County.
	At the downstream end of Elm Island in Schuyler County, approximately 650 feet upstream of the Cass/Mason county boundary.	+452	
Illinois River (backwater on the Sangamon River).	At the confluence with the Illinois River	+451	Unincorporated Areas of Cass County.
	Approximately 12 miles upstream of the confluence with the Illinois River.	+452	
Panther Creek	Approximately 3,220 feet downstream of State Route 78 ..	+458	Unincorporated Areas of Cass County.
	Approximately 3,660 feet upstream of Main Street	+472	
Sangamon River	Approximately 285 feet upstream of Old River Road	+456	City of Beardstown, Unincorporated Areas of Cass County.
	Approximately 1,600 feet upstream of State Route 78	+461	

* 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 Beardstown

Maps are available for inspection at City Hall, 105 West 3rd Street, Beardstown, IL 62618.

Unincorporated Areas of Cass County

Maps are available for inspection at the Cass County Courthouse, 100 East Springfield Street, Virginia, IL 62691.

Adams County, Indiana, and Incorporated Areas Docket No.: FEMA-B-7737			
Borum Run	At the confluence with the St. Mary's River	+791	City of Decatur, Unincorporated Areas of Adams County.
	Approximately 5,125 feet upstream of High Street	+791	
Holthouse Ditch	At the confluence with the St. Mary's River	+787	City of Decatur, Unincorporated Areas of Adams County.
	Approximately 4,700 feet upstream of Washington Street	+787	
Kohne Drain No. 1	At the confluence with Holthouse Ditch	+787	City of Decatur, Unincorporated Areas of Adams County.
	Approximately 1,350 feet upstream of Meibers Street	+787	
Koos Ditch	At the confluence with the St. Mary's River	+789	City of Decatur, Unincorporated Areas of Adams County.
	Approximately 1,550 upstream of Piqua Road	+789	
St. Mary's River	Approximately 14,750 feet downstream of County Road 350 West.	+778	City of Decatur, Unincorporated Areas of Adams County.
	Approximately 16,650 feet upstream of State Road 101 ...	+794	
Yellow Creek	At the confluence with the St. Mary's River	+791	Unincorporated Areas of Adams County.
	Approximately 1,750 feet upstream of Norfolk and Western Railway.	+791	

* 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 Decatur

Maps are available for inspection at 225 West Monroe Street, Decatur, IN 46733.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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Unincorporated Areas of Adams County

Maps are available for inspection at 313 West Jefferson Street, Suite 338, Decatur, IN 46733.

**Calloway County, Kentucky, and Incorporated Areas
Docket No.: FEMA-B-1069**

Anderson Creek	From the confluence with Kentucky Lake to approximately 0.7 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Bailey Hollow	From the confluence with Kentucky Lake to approximately 0.5 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Bee Creek	Just upstream of the confluence with the Clarks River	+457	City of Murray, Unincorporated Areas of Calloway County.
Beechy Creek	Just downstream of railroad	+463	
Blood River	From the confluence with Kentucky Lake to approximately 1.5 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Blood River Tributary 1	From the confluence with Kentucky Lake to approximately 2.8 miles upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Blood River Tributary 5	From the confluence with Kentucky Lake to approximately 0.7 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Brush Creek	From the confluence with Kentucky Lake to approximately 0.6 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Clarks River	From the confluence with Kentucky Lake to approximately 0.4 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Clarks River	Approximately 0.75 mile upstream of the confluence with Clarks River Tributary 14.	+437	City of Murray, Unincorporated Areas of Calloway County.
Clayton Creek	At the confluence with the East and Middle Fork Clarks River.	+479	
Dog Creek	From the confluence with the Clarks River to approximately 0.7 mile upstream of the confluence with the Clarks River (backwater effects from Clarks River).	+468	Unincorporated Areas of Calloway County.
East Fork Clarks River	From the confluence with the Blood River to approximately 0.8 mile upstream of the confluence with the Blood River (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Goose Creek	At the confluence with the Clarks River and Middle Fork Clarks River.	+479	City of Murray, Unincorporated Areas of Calloway County.
Grindstone Creek	Approximately 0.9 mile upstream of the confluence with the Middle Fork Clarks River.	+482	
Jonathan Creek	From the confluence with Dog Creek to approximately 0.2 mile upstream of the confluence with Dog Creek (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Kentucky Lake	From the confluence with Blood River Tributary 1 to approximately 0.2 mile upstream of the confluence with Blood River Tributary 1 (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Ledbetter Creek	From the Calloway County boundary to approximately 1 mile upstream of the county boundary (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Little Sugar Creek	Entire shoreline of Kentucky Lake	+375	Unincorporated Areas of Calloway County.
.....	From the confluence with Kentucky Lake to approximately 0.6 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
.....	From the confluence with Kentucky Lake to approximately 0.5 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Middle Fork Clarks River	At the confluence with the Clarks River and East Middle Fork Clarks River.	+479	City of Murray, Unincorporated Areas of Calloway County.
Panther Creek	Approximately 1,000 feet downstream of U.S. Route 641 From the confluence with Kentucky Lake to approximately 1.1 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+481 +375	Unincorporated Areas of Calloway County.
Shannon Creek	From the confluence with Kentucky Lake to approximately 0.6 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Snipe Creek	From the confluence with Kentucky Lake to approximately 0.4 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Sugar Creek	From the confluence with Kentucky Lake to approximately 0.8 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Sugar Creek Tributary 2	From the confluence with Kentucky Lake to approximately 0.5 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Tan Branch	From the confluence with Kentucky Lake to approximately 0.7 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Tennessee River Tributary 75 ..	From the confluence with Kentucky Lake to approximately 0.7 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Tennessee River Tributary 91 ..	From the confluence with Kentucky Lake to approximately 0.5 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.
Tributary 1 to Clarks River	At the confluence with the Clarks River	+470 +473	Unincorporated Areas of Calloway County.
Tributary to Middle Fork Clarks River.	Approximately 1,800 feet upstream of the confluence with the Clarks River. At the confluence with the Middle Fork Clarks River	+479	Unincorporated Areas of Calloway County.
Wildcat Creek	Approximately 1,700 feet upstream of the confluence with the Middle Fork Clarks River. From the confluence with Kentucky Lake to approximately 1.2 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+484 +375	Unincorporated Areas of Calloway County.
Yellow Spring Branch	From the confluence with Kentucky Lake to approximately 0.4 mile upstream of the confluence with Kentucky Lake (backwater effects from Kentucky Lake).	+375	Unincorporated Areas of Calloway County.

* 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 Murray

Maps are available for inspection at 104 North 5th Street, Murray, KY 42071.

Unincorporated Areas of Calloway County

Maps are available for inspection at 101 South 5th Street, Murray, KY 42071.

**Jones County, Mississippi, and Incorporated Areas
 Docket No.: FEMA-B-1051**

Tallahala Creek	Approximately 800 feet upstream of Luther Hill Road	+219	City of Laurel, Unincorporated Areas of Jones County.
	Approximately 1,000 feet upstream of U.S. Route 84	+228	

* National Geodetic Vertical Datum.
 + North American Vertical Datum.
 # Depth in feet above ground.
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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ADDRESSES

City of Laurel

Maps are available for inspection at the City Clerk's Office, 401 North 5th Avenue, Laurel, MS 39440.

Unincorporated Areas of Jones County

Maps are available for inspection at the Jones County Courthouse, 415 North 5th Avenue, Laurel, MS 39440.

**Laclede County, Missouri, and Incorporated Areas
Docket No.: FEMA-B-1043**

Radio Tower Branch	Approximately 2,300 feet upstream of the confluence with Goodwin Hallow. Approximately 3,150 feet upstream of the confluence with Goodwin Hallow.	+1166 +1170	City of Lebanon.
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* 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 Lebanon

Maps are available for inspection at 400 South Madison Avenue, Lebanon, MO 65536.

**Lincoln County, Missouri, and Incorporated Areas
Docket No.: FEMA-B-1057**

Cuivre River	At the confluence with the Mississippi River at East Sycamore Road, east of the City of Old Monroe.	+444	City of Old Monroe, Unincorporated Areas of Lincoln County.
McLean Creek	At the confluence with the Mississippi River, just east of the City of Winfield.	+445	City of Winfield, Unincorporated Areas of Lincoln County.
Mississippi River	At the southern Lincoln County boundary, east of the City of Old Monroe.	+444	City of Elsberry, City of Foley, City of Old Monroe, City of Winfield, Unincorporated Areas of Lincoln County.
Sandy Creek	At the northern Lincoln County boundary, at Dameron Road.	+450	
Sandy Creek	At the confluence with the Mississippi River, east of the City of Foley.	+446	City of Foley, Unincorporated Areas of Lincoln County.

* 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 Elsberry

Maps are available for inspection at 201 Broadway Street, Elsberry, MO 63343.

City of Foley

Maps are available for inspection at 617 Elm Street, Foley, MO 63347.

City of Old Monroe

Maps are available for inspection at 151 Main Street, Old Monroe, MO 63369.

City of Winfield

Maps are available for inspection at 51 Old Troy Highway, Winfield, MO 63389.

Unincorporated Areas of Lincoln County

Maps are available for inspection at 201 Main Street, Troy, MO 63379.

**Sequoyah County, Oklahoma, and Incorporated Areas
Docket No.: FEMA-B-1060**

Hog Creek	Just upstream of East 1040 Road	+577	Unincorporated Areas of Sequoyah County.
Sewage Disposal Pond	Approximately 0.85 mile upstream of East 1040 Road Approximately 0.47 mile downstream of Union Pacific Railroad.	+619 +481	Town of Gore.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
	Just downstream of Union Pacific Railroad	+481	

* National Geodetic Vertical Datum.
 + North American Vertical Datum.
 # Depth in feet above ground.
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

Town of Gore

Maps are available for inspection at 201 North Main Street, Gore, OK 74435.

Unincorporated Areas of Sequoyah County

Maps are available for inspection at 117 South Oak Street, Salisaw, OK 74955.

**Brown County, South Dakota, and Incorporated Areas
 Docket No.: FEMA-B-1053**

James River	Approximately 3.8 miles downstream of 147th Street	+1275	Unincorporated Areas of Brown County.
	Approximately 6,260 feet upstream of 101st Street	+1296	

* National Geodetic Vertical Datum.
 + North American Vertical Datum.
 # Depth in feet above ground.
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

Unincorporated Areas of Brown County

Maps are available for inspection at 25 Market Street, Aberdeen, SD 57401.

**Davison County, South Dakota, and Incorporated Areas
 Docket No.: FEMA-B-1054**

Dry Run Creek	Approximately 1,554 feet downstream of SD Highway 38	+1254	City of Mitchell, Unincorporated Areas of Davison County.
	Approximately 2,578 feet upstream of 407th Avenue	+1303	

* 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 Mitchell

Maps are available for inspection at 612 North Main Street, Mitchell, SD 57301.

Unincorporated Areas of Davison County

Maps are available for inspection at 200 East 4th Avenue, Mitchell, SD 57301.

**Clay County, Tennessee, and Incorporated Areas
 Docket No.: FEMA-B-1074**

Cumberland River	Approximately 3.5 miles downstream of State Route 52 ...	+508	City of Celina, Unincorporated Areas of Clay County.
	Approximately 4.8 miles upstream of State Route 52	+518	

* 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 Celina

Maps are available for inspection at City Hall, 143 Cordell Hull Drive, Celina, TN 38551.

Unincorporated Areas of Clay County

Maps are available for inspection at the Clay County Public Library, 116 Guffey Street, Celina, TN 38551.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
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**Perry County, Tennessee, and Incorporated Areas
Docket No.: FEMA-B-1068**

Tennessee River	Approximately 15 miles downstream of U.S. Route 412 Approximately 18.2 miles upstream of U.S. Route 412	+375 +386	Unincorporated Areas of Perry County.
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* National Geodetic Vertical Datum.
+ North American Vertical Datum.
Depth in feet above ground.
^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

Unincorporated Areas of Perry County

Maps are available for inspection at 121 East Main Street, Linden, TN 37096.

**Rusk County, Texas, and Incorporated Areas
Docket No.: FEMA-B-1043**

Unnamed Stream off of Turkey Creek.	At the confluence with Turkey Creek Approximately 110 feet downstream of Florence Street	+329 +336	City of Henderson.
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* 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 Henderson

Maps are available for inspection at City Hall, 400 West Main Street, Henderson, TX 75652.

**Box Elder County, Utah, and Incorporated Areas
Docket No.: FEMA-B-1065**

Box Elder Creek	Just upstream of Watery Lane Upstream extent of Mayor's Pond spillway	+4236 +4541	City of Brigham City.
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* 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 Brigham City

Maps are available for inspection at 20 North Main Street, Brigham City, UT 84302.

**Bedford County, Virginia, and Incorporated Areas
Docket Nos.: FEMA-B-1066 and FEMA-B-7768**

Ivy Creek	Approximately 1,430 feet downstream of Hawkins Mill Road.	+679	Unincorporated Areas of Bedford County.
Johns Creek	Approximately 2,200 feet downstream of Tabernacle Lane	+829	City of Bedford, Unincorporated Areas of Bedford County.
	At the confluence with the Little Otter River	+732	
	Approximately 1,800 feet downstream of Independence Boulevard.	+818	
	Approximately 445 feet downstream of Independence Boulevard.	+828	
	Approximately 740 feet upstream of Independence Boulevard.	+842	
	Approximately 3,400 feet upstream of Independence Boulevard.	+861	
	At East Main Street	+939	Unincorporated Areas of Bedford County.
Lick Run	Approximately 5.2 miles above the confluence with the Big Otter River.	+727	
	Just downstream of U.S. Route 460	+756	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Little Otter River	At Big Island Highway	+792	Unincorporated Areas of Bedford County.
Tributary No. 10 to Ivy Creek ...	At Route 43	+839	Unincorporated Areas of Bedford County.
	At the confluence with Ivy Creek	+700	
Tributary No. 11 to Ivy Creek ...	Approximately 500 feet downstream of Forest Road	+838	Unincorporated Areas of Bedford County.
	Approximately 850 feet upstream of the confluence with Ivy Creek.	+696	
Tributary No. 14 to Ivy Creek ...	Just downstream of Forest Road	+801	Unincorporated Areas of Bedford County.
	At the confluence with Ivy Creek	+683	
Tributary No. 15 to Ivy Creek ...	Approximately 1,500 feet upstream of McIntosh Drive	+812	Unincorporated Areas of Bedford County.
	At the City of Lynchburg/Bedford County boundary	+671	
Tributary No. 8 to Little Otter River.	Approximately 1 mile upstream of Hawkins Mill Road	+800	City of Bedford, Unincorporated Areas of Bedford County.
	At the confluence with the Little Otter River	+797	
Tributary No. 8A to Little Otter River.	Approximately 500 feet downstream of Longwood Avenue	+932	City of Bedford, Unincorporated Areas of Bedford County.
	At the confluence with Tributary No. 8 to Little Otter River	+824	
Tributary No. 9 to Little Otter River.	Approximately 0.5 mile upstream of the confluence with Tributary No. 8 to Little Otter River.	+914	City of Bedford, Unincorporated Areas of Bedford County.
	At the confluence with the Little Otter River	+826	
Tributary No. 10 to Little Otter River.	Approximately 2,400 feet upstream of Whitfield Drive	+940	City of Bedford, Unincorporated Areas of Bedford County.
	At the confluence with the Little Otter River	+839	
	At Lake Drive	+867	

* 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 Bedford

Maps are available for inspection at the Municipal Offices, 215 East Main Street, Bedford, VA 24523.

Unincorporated Areas of Bedford County

Maps are available for inspection at the Office of the Bedford County Administrator, 122 East Main Street, Suite 2002, Bedford, VA 24523.

**Dickenson County, Virginia, and Incorporated Areas
 Docket No.: FEMA-B-1061**

Frying Pan Creek	At the confluence with Russell Fork	+1293	Unincorporated Areas of Dickenson County.
	Approximately 1,400 feet downstream of the intersection with Sandlick Road and Frying Pan Road.	+1316	
Greenbriar Creek	At the confluence with Russell Prater Creek	+1418	Unincorporated Areas of Dickenson County.
	Approximately 1,400 feet downstream of the intersection of Winchester Drive and Greenbrier Road.	+1426	
Lick Creek	At the confluence with Russell Fork	+1289	Unincorporated Areas of Dickenson County.
	Approximately 1,000 feet upstream of the intersection of Aily Road and Ransom Road.	+1559	
McClure Creek	Approximately 1,800 feet upstream of the confluence with Open Fork and the McClure River.	+1520	Unincorporated Areas of Dickenson County.
	Approximately 1,100 feet downstream of the intersection of Wakenva Hollow Road and Dante Mountain Road.	+1598	
McClure River	At the confluence with Russell Fork	+1273	Town of Clinchco, Town of Haysi, Unincorporated Areas of Dickenson County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Mill Creek	Approximately 300 feet downstream of the intersection of Doctor Ralph Stanley Highway and Dante Mountain Road.	+1518	Town of Clinchco, Unincorporated Areas of Dickenson County.
	At the confluence with the McClure River	+1403	
Open Fork	Approximately 400 feet upstream of Chevy Drive	+1622	Unincorporated Areas of Dickenson County.
	At the confluence with the McClure River	+1518	
Russell Fork	Approximately 1,000 feet upstream of the intersection with Neece Creek Road and Brushy Ridge Road.	+1581	Town of Haysi, Unincorporated Areas of Dickenson County.
	Approximately 1,300 feet downstream of Bartlick Road	+1190	
Russell Prater Creek	Approximately 160 feet downstream of Sandlick Road	+1437	Town of Haysi, Unincorporated Areas of Dickenson County.
	At the confluence with Russell Fork	+1275	
Spring Fork	At the confluence with Greenbriar Creek	+1418	Unincorporated Areas of Dickenson County.
	Just downstream of the railroad crossing	+1557	
	Approximately 850 feet upstream of the intersection of Rebel Drive and Doctor Ralph Stanley Highway.	+1577	

* National Geodetic Vertical Datum.
 + North American Vertical Datum.
 # Depth in feet above ground.
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

Town of Clinchco

Maps are available for inspection at the Town Office, 156 Main Street, Clinchco, VA 24226.

Town of Haysi

Maps are available for inspection at the Town Administrative Offices, 322 Haysi Main Street, Haysi, VA 24256.

Unincorporated Areas of Dickenson County

Maps are available for inspection at Dickenson County Courthouse, 293 Clintwood Main Street, Clintwood, VA 24228.

Randolph County, West Virginia, and Incorporated Areas

Docket No.: FEMA-B-1066

Backwater flooding from Tygart Valley River.	At the area bounded by Robert E. Lee Avenue, Whisperwood Drive and the railroad.	+1914	City of Elkins.
Craven Run	At the corporate limits paralleling Sunset Drive	+1914	City of Elkins.
	At the downstream corporate limits of the City of Elkins	+1913	
	Approximately 630 feet downstream of Virginia Avenue	+1913	

* 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 Elkins

Maps are available for inspection at City Hall, 401 Davis Avenue, 2nd Floor, Elkins, WV 26241.

Upshur County, West Virginia, and Incorporated Areas

Docket No.: FEMA-B-1074

Brushy Fork (backwater effects from Buckhannon River).	At County Route 7/1 (Left Branch of Brushy Fork)	+1415	Unincorporated Areas of Upshur County.
	Approximately 700 feet upstream of County Route 7/1 (Left Branch of Brushy Fork).	+1415	
Fink Run (backwater effects from Buckhannon River).	Just upstream of Old Weston Road	+1415	Unincorporated Areas of Upshur County.
	Approximately 2,100 feet upstream of the intersection of Old Weston Road and County Route 5/7 (Mudlick Run).	+1415	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Unnamed Tributary No. 1 to Fink Run (Backwater effects from Buckhannon River).	At the area bounded by U.S. Route 33, Wabash Avenue, and County Route 33/1.	+1415	Unincorporated Areas of Upshur County.

* National Geodetic Vertical Datum.
 + North American Vertical Datum.
 # Depth in feet above ground.
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

Unincorporated Areas of Upshur County

Maps are available for inspection at the Upshur County Courthouse Annex, 38 West Main Street, Buckhannon, WV 26201.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: September 21, 2010.

Edward L. Connor,

Acting Federal Insurance and Mitigation Administrator, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2010-24326 Filed 9-27-10; 8:45 am]

BILLING CODE 9110-12-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 76

Radio Broadcast Services and Multichannel Video and Cable Television Service; Clarification Regarding Information Collection Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rule; clarification.

SUMMARY: The Federal Communications Commission has published a number of requirements related to Radio Broadcast Services and Multichannel Video and Cable Television Service, which were determined to contain information collection requirements that were subject to OMB review. After further review, we have found OMB approval is not required. This document intends to provide clarification that these rules are effective and that it has been determined that these provisions are not subject to OMB review.

DATES: Effective September 28, 2010, the following regulations are no longer pending OMB approval for the sections listed:

- 73.6027—69 FR 69331, November 29, 2004.
- 76.5(l1)—61 FR 6137, February 16, 1996.

- 76.913(b)(1)—62 FR 6495, February 12, 1997.
- 76.924(e)(1)(iii) and (e)(2)(iii)—61 FR 9367, March 8, 1996.
- 76.925—60 FR 52119, October 5, 1995.
- 76.942(f)—60 FR 52120, October 5, 1995.
- 76.944(c)—60 FR 52121, October 5, 1995.
- 76.957—60 FR 52121, October 5, 1995.
- 76.1504(e)—61 FR 43176, August 26, 1996.
- 76.1511—61 FR 43177, August 21, 1996.
- 76.1512—61 FR 43177, August 21, 1996.
- 76.1514—61 FR 43176, August 21, 1996.

FOR FURTHER INFORMATION CONTACT: Shirley Suggs, (202) 418-1568, Media Bureau.

SUPPLEMENTARY INFORMATION: The Commission published several documents in the **Federal Register** identifying rules that required OMB approval. After further review, we have found OMB approval is not required. The affected CFR sections are as follows:

Marlene H. Dortch,
Secretary, Federal Communications Commission.

■ For the reasons stated in the preamble, and under the authority at 47 U.S.C. 154, 303, 334, 336 and 339; 47 U.S.C. 151, 152, 153, 154, 301, 302, 302a, 303, 303a, 307, 308, 309, 312, 315, 317, 325, 339, 340, 341, 503, 521, 522, 531, 532, 534, 535, 536, 537, 543, 544, 544a, 545, 548, 549, 552, 554, 556, 558, 560, 561, 571, 572, and 573 * * *, the Federal Communications Commission has determined that the regulations at §§ 73.6027, 76.5(l1), 76.913(b)(1), 76.924(e)(1)(iii) and (e)(2)(iii), 76.925, 76.942(f), 76.944(c), 76.957, 76.1504(e), 76.1511, 76.1512, and 76.1514 are effective and do not contain information

collection requirements that are subject to OMB approval.

[FR Doc. 2010-24203 Filed 9-27-10; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R9-IA-2008-0068; 92210-0-0010-B6]

RIN 1018-AV60

Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the African Penguin

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service, determine endangered status for the African penguin (*Spheniscus demersus*) under the Endangered Species Act of 1973, as amended. This final rule implements the Federal protections provided by the Act for this species.

DATES: This rule becomes effective October 29, 2010.

ADDRESSES: This final rule is available on the Internet at <http://www.regulations.gov> and comments and materials received, as well as supporting documentation used in the preparation of this rule, will be available for public inspection, by appointment, during normal business hours at: U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Suite 400, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Janine Van Norman, Chief, Branch of