

Issued in Renton, Washington, on September 21, 2010.

Ali Bahrami,

Manager, Transport Airplane Directorate,  
Aircraft Certification Service.

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[EPA-R03-OAR-2010-0594; FRL-9208-3]

#### Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compounds Emissions From Industrial Solvent Cleaning Operations

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Maryland Department of the Environment (MDE). This SIP revision consists of an addition to Maryland's Volatile Organic Compounds from Specific Processes Regulation. Maryland has adopted standards for industrial solvent cleaning operations that satisfy the reasonably available control techniques (RACT) requirements for sources of volatile organic compounds (VOCs) covered by control techniques guidelines (CTG). This amendment reduces VOC emissions from industrial solvent cleaning operations. In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments must be received in writing by October 29, 2010.

**ADDRESSES:** Submit your comments, identified by Docket ID Number EPA-R03-OAR-2010-0594 by one of the following methods:

A. <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

B. *E-mail:* [pino.maria@epa.gov](mailto:pino.maria@epa.gov).

C. *Mail:* EPA-R03-OAR-2010-0594, Maria Pino, Acting Associate Director, Office of Air Program Planning, Mailcode 3AP30, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

D. *Hand Delivery:* At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

*Instructions:* Direct your comments to Docket ID No. EPA-R03-OAR-2010-0594. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

*Docket:* All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form.

Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline Lewis, (215) 814-2037, or by e-mail at [lewis.jacqueline@epa.gov](mailto:lewis.jacqueline@epa.gov).

**SUPPLEMENTARY INFORMATION:** For further information, *please see* the information provided in the direct final action, with the same title, "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound Emissions From Industrial Solvent Cleaning Operations," that is located in the "Rules and Regulations" section of this **Federal Register** publication.

Dated: September 14, 2010.

**W.C. Early,**

Acting Regional Administrator, Region III.

[FR Doc. 2010-24422 Filed 9-28-10; 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; Internal Agency Docket No. FEMA-B-1140]

#### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition,

these elevations, once finalized, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before December 28, 2010.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1140, to 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](mailto:roy.e.wright@dhs.gov).

**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](mailto:roy.e.wright@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below,

in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*National Environmental Policy Act.* This proposed 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.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed 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 proposed to be 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.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be 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)		
		Effective	Modified	Communities affected
<b>Vermilion County, Illinois, and Incorporated Areas</b>				
East Branch Lick Creek .....	Approximately 650 feet upstream of U.S. Route 136 ..	None	+613	City of Danville, Unincorporated Areas of Vermilion County.
	Approximately 350 feet downstream of Lynch Road ...	None	+644	
North Fork Vermilion River ...	Approximately 940 feet downstream of Williams Street/Hungry Hollow Road.	None	+543	Unincorporated Areas of Vermilion County.
	Approximately 0.75 mile upstream of the water treatment plant dam.	None	+549	
Stoney Creek .....	Just upstream of Winter Avenue .....	None	+612	Unincorporated Areas of Vermilion County
Vermilion River .....	Approximately 0.5 mile upstream of Winter Avenue ....	None	+615	Unincorporated Areas of Vermilion County.
	Approximately 0.75 mile downstream of I-74 .....	None	+533	
	Approximately 0.85 mile upstream of the railroad crossing upstream of the confluence of North Fork Vermilion River and parallel to H Avenue.	None	+542	

\* 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)		
		Effective	Modified	Communities affected

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate.

Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Danville**

Maps are available for inspection at City Hall, 17 West Main Street, Danville, IL 61832.

**Unincorporated Areas of Vermilion County**

Maps are available for inspection at the Vermilion County Courthouse, 6 North Vermilion Street, Danville, IL 61832.

**Pottawatomie County, Kansas, and Incorporated Areas**

North Unnamed Tributary .....	Approximately 500 feet northeast of the intersection of U.S. Route 24 and Walsh Road.	None	#2	City of Wamego, Unincorporated Areas of Pottawatomie County.
	Approximately 1.0 mile northeast of the intersection of U.S. Route 24 and Walsh Road.	None	#2	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Wamego**

Maps are available for inspection at City Hall, 430 Lincoln Avenue, Wamego, KS 66547.

**Unincorporated Areas of Pottawatomie County**

Maps are available for inspection at the Pottawatomie County Courthouse, 207 North 1st Street, Westmoreland, KS 66549.

Yellowstone River .....	Approximately 3.26 miles downstream of Northern Pacific Railroad.	None	+4357	City of Livingston, Unincorporated Areas of Park County.
	Approximately 4.14 miles downstream of Tom Miner Creek Road.	None	+4953	
Yellowstone River East Branch.	Approximately 0.76 mile downstream of I-90 .....	None	+4493	City of Livingston, Unincorporated Areas of Park County.
	Approximately 0.94 mile upstream of I-90 .....	None	+4519	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Livingston**

Maps are available for inspection at 414 East Callender Street, Livingston, MT 59047.

**Unincorporated Areas of Park County**

Maps are available for inspection at 414 East Callender Street, Livingston, MT 59047.

**Elk County, Pennsylvania (All Jurisdictions)**

Alysworth Run .....	Approximately 1,192 feet upstream of West Main Street.	+1400	+1397	Township of Ridgway.
	Approximately 75 feet downstream of Grant Road .....	+1424	+1420	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		
		Effective	Modified	Communities affected
Clarion River .....	Approximately 935 feet upstream of the confluence with Alysworth Run.	None	+1374	Township of Ridgway.
Clarion River .....	Approximately 1,193 feet downstream of Gillis Ave ....	None	+1374	Township of Ridgway.
	Approximately 1,200 feet downstream of the confluence with Mason Creek.	None	+1384	
Elk Creek .....	Approximately 0.56 mile upstream of the confluence with Mason Creek.	None	+1387	Township of Ridgway.
	Approximately 1.18 mile upstream of the confluence with Mohan Run.	None	+1408	
Elk Creek .....	Approximately 0.44 mile downstream of U.S. Route 219.	None	+1414	Township of Ridgway.
	Approximately 1,867 feet downstream of the confluence with Elk Creek Tributary 1.	None	+1473	
Little Toby Creek .....	Approximately 1,885 feet upstream of the confluence with Daguscahonda Run.	None	+1474	Township of Fox.
	Approximately 0.71 mile downstream of the bridge over Coal Hollow Road.	+1680	+1674	
	Approximately 0.62 mile downstream of the bridge over Coal Hollow Road.	+1690	+1692	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Township of Fox**

Maps are available for inspection at the Fox Township Municipal Building, 116 Irishtown Road, Kersey, PA 15846.

**Township of Ridgway**

Maps are available for inspection at the Township Municipal Building, 164 Ridgway Drive, Ridgway, PA 15853.

Armstrong Creek .....	Approximately 100 feet downstream of Waterworks Road.	None	+740	Unincorporated Areas of Ellis County.
	Approximately 1,040 feet upstream of Waterworks Road.	None	+746	
Bedford Branch .....	Approximately 0.5 mile downstream of Southern Pacific Railroad.	None	+538	City of Grand Prairie, Unincorporated Areas of Ellis County.
	Approximately 275 feet upstream of Southern Pacific Railroad.	None	+567	
Cottonwood Creek .....	Approximately 0.74 mile upstream of Old Fort Worth Road.	None	+574	City of Grand Prairie, Unincorporated Areas of Ellis County.
	At the confluence with Newton Branch .....	None	+584	
East Fork to Soap Creek .....	At the confluence with Soap Creek .....	None	+594	City of Midlothian, Unincorporated Areas of Ellis County.
	Just upstream of Weatherford Road .....	None	+616	
Hollings Branch .....	Approximately 0.66 mile downstream of Magic Valley Lane.	None	+641	City of Cedar Hill.
	Approximately 725 feet downstream of Magic Valley Lane.	None	+659	
Joe Pool Lake .....	Approximately 0.48 mile downstream of Southern Pacific Railroad.	None	+538	City of Grand Prairie, Unincorporated Areas of Ellis County.
	Approximately 0.37 mile upstream of FM 661 .....	None	+540	
Newton Branch .....	At the confluence with Soap Creek .....	None	+550	City of Grand Prairie, City of Midlothian, Unincorporated Areas of Ellis County.
	Approximately 1,360 feet upstream of Kimble Road ...	None	+564	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		
		Effective	Modified	Communities affected
Soap Creek .....	At the confluence with Joe Pool Lake .....	None	+540	City of Grand Prairie, City of Midlothian, Unincorporated Areas of Ellis County.
	Approximately 0.26 mile downstream of U.S. Route 67.	None	+598	
West Soap Creek .....	At the confluence with Soap Creek .....	None	+581	Unincorporated Areas of Ellis County.
	Approximately 0.5 mile upstream of Ray White Road	None	+601	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate.

Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Cedar Hill

Maps are available for inspection at City Hall, 502 Cedar Street, Cedar Hill, TX 75104.

##### City of Grand Prairie

Maps are available for inspection at City Hall, 317 College Street, Grand Prairie, TX 75053.

##### City of Midlothian

Maps are available for inspection at City Hall, 104 West Avenue East, Midlothian, TX 76065.

##### Unincorporated Areas of Ellis County

Maps are available for inspection at the Ellis County Courthouse, 101 West Main Street, Waxahachie, TX 75165.

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

Dated: September 17, 2010.

**Sandra K. Knight,**

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

[FR Doc. 2010-24370 Filed 9-28-10; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

**49 CFR Parts 107, 171, 172, 173, 174, 177, 178, and 180**

[Docket No. PHMSA-2009-0151 (HM-218F)]

RIN 2137-AE46

### Hazardous Materials; Miscellaneous Amendments

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** PHMSA proposes to make miscellaneous amendments to the Hazardous Materials Regulations to update and clarify certain regulatory requirements. Among other provisions, PHMSA is proposing to add a labeling exception for "consolidation bins" to facilitate use of bins as a method of consolidating packages for ease of handling when transported by motor vehicle and to clarify that the definition of "person," as that term is used in the regulations, also includes persons who manufacture, test, repair, and recondition packaging. PHMSA also proposes to provide an exception from regulation for permeation devices containing small amounts of hazardous materials.

**DATES:** Comments must be received by November 29, 2010.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Dockets Management System; U.S. Department of Transportation, Dockets Operations, M-30, Ground Floor, Room W12-140, 1200 New Jersey

Avenue, SE., Washington, DC 20590-0001.

- *Hand Delivery:* To U.S. Department of Transportation, Dockets Operations, M-30, Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Instructions:* Include the agency name and docket number PHMSA-2009-0151 (HM-218F) or RIN 2137-AE46 for this rulemaking at the beginning of your comment. Note that all comments received will be posted without change to <http://www.regulations.gov> including any personal information provided. If sent by mail, comments must be submitted in duplicate. Persons wishing to receive confirmation of receipt of their comments must include a self-addressed stamped postcard.

*Privacy Act:* Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act