

■ 6. Section 63.1351 is revised to read as follows:

§ 63.1351 Compliance dates.

(a) The compliance date for any affected existing source subject to any rule requirements that were in effect before December 20, 2006, is:

(1) June 14, 2002, for sources that commenced construction before or on March 24, 1998, or

(2) June 14, 1999 or startup for sources that commenced construction after March 24, 1998.

(b) The compliance date for any affected existing source subject to any rule requirements that became effective on December 20, 2006, is:

(1) December 21, 2009, for sources that commenced construction after December 2, 2005 and before or on December 20, 2006, or

(2) Startup for sources that commenced construction after December 20, 2006.

(c) The compliance date for existing sources for all the requirements that became effective on November 8, 2010 will be September 9, 2013.

(d) The compliance date for new sources is November 9, 2010 or startup, whichever is later.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1172]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

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 Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Federal Insurance and Mitigation Administrator reconsider the changes. The modified BFEs may be changed during the 90-day period.

ADDRESSES: The modified 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: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) luis.rodriquez1@dhs.gov.

SUPPLEMENTARY INFORMATION: The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These 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. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This interim 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 interim 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 interim rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This interim rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

■ 1. The authority citation for part 65 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.

§ 65.4 [Amended]

■ 2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona: Maricopa ..	City of Peoria (10-09-1908P).	October 21, 2010, October 28, 2010, <i>Arizona Business Gazette</i> .	The Honorable Bob Barrett, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	Oct. 15, 2010	040050

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona: Maricopa ..	Unincorporated areas of Maricopa County (10-09-1908P).	October 21, 2010, October 28, 2010, <i>Arizona Business Gazette</i> .	Mr. Don Stapley, Chairman, Maricopa County Board of Supervisors, 301 West Jefferson Street, 10th Floor, Phoenix, AZ 85003.	Oct. 15, 2010	040037
Arizona: Pinal	City of Casa Grande (10-09-1532P).	November 12, 2010, November 19, 2010, <i>Casa Grande Dispatch</i> .	The Honorable Robert M. Jackson, Mayor, City of Casa Grande, 510 East Florence Boulevard, Casa Grande, AZ 85222.	Nov. 5, 2010	040080
Arizona: Pinal	City of Maricopa (10-09-2020P).	November 4, 2010, November 11, 2010, <i>Casa Grande Dispatch</i> .	The Honorable Anthony Smith, Mayor, City of Maricopa, 45145 West Madison Avenue, Maricopa, AZ 85239.	Mar. 11, 2011	040052
Arizona: Pinal	Unincorporated areas of Pinal County (10-09-2020P).	November 4, 2010, November 11, 2010, <i>Casa Grande Dispatch</i> .	Mr. Pete Rios, Chairman, Pinal County Board of Supervisors, P.O. Box 827, Florence, AZ 85132.	Mar. 11, 2011	040077
Arizona: Yavapai	Unincorporated areas of Yavapai County (10-09-0470P).	November 10, 2010, November 17, 2010, <i>The Daily Courier</i> .	Mr. Chip Davis, Chairman, Yavapai County Board of Supervisors, 10 South 6th Street, Cottonwood, AZ 86326.	Mar. 17, 2011	040093
Colorado: El Paso ..	City of Colorado Springs (10-08-0460P).	October 27, 2010, November 3, 2010, <i>El Paso County Advertiser and News</i> .	The Honorable Lionel Riviera, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, CO 80901.	Nov. 17, 2010	080060
Colorado: Summit ..	Unincorporated areas of Summit County (10-08-0470P).	November 5, 2010, November 12, 2010, <i>Summit County Journal</i> .	Mr. Bob French, Chairman, Summit County Board of Commissioners, P.O. Box 68, Breckenridge, CO 80424.	Nov. 29, 2010	080290
Colorado: Weld	Town of Firestone (10-08-0823P).	October 8, 2010, October 15, 2010, <i>The Greeley Tribune</i> .	The Honorable Chad Auer, Mayor, Town of Firestone, P.O. Box 100, Firestone, CO 80520.	Feb. 14, 2011	080241
Colorado: Weld	Town of Frederick (10-08-0823P).	October 8, 2010, October 15, 2010, <i>The Greeley Tribune</i> .	The Honorable Eric Doering, Mayor, Town of Frederick, P.O. Box 435, Frederick, CO 80530.	Feb. 14, 2011	080244
Colorado: Weld	Unincorporated areas of Weld County (10-08-0823P).	October 8, 2010, October 15, 2010, <i>The Greeley Tribune</i> .	Mr. Douglas Rademacher, Chairman, Weld County Board of Commissioners, P.O. Box 758, Greeley, CO 80632.	Feb. 14, 2011	080266
Florida: Collier	City of Marco Island (10-04-7495P).	November 5, 2010, November 12, 2010, <i>Naples Daily News</i> .	Mr. James Riviere, Ph.D., Manager, City of Marco Island, 50 Bald Eagle Drive, Marco Island, FL 34145.	Oct. 27, 2010	120426
Florida: Leon	Unincorporated areas of Leon County (10-04-8400P).	October 29, 2010, November 5, 2010, <i>Tallahassee Democrat</i> .	Mr. Parwez Alam, Leon County Administrator, 301 South Monroe Street, Tallahassee, FL 32301.	Mar. 7, 2011	120143
Florida: Okaloosa ...	Unincorporated areas of Okaloosa County (10-04-8273P).	November 16, 2010, November 23, 2010, <i>Northwest Florida Daily News</i> .	Mr. Wayne R. Harris, Chairman, Okaloosa County Board of Commissioners, 1804 Lewis Turner Boulevard, Suite 100, Fort Walton Beach, FL 32547.	Nov. 8, 2010	120173
Florida: Sarasota ...	City of Sarasota (10-04-6569P).	November 5, 2010, November 12, 2010, <i>Sarasota Herald-Tribune</i> .	The Honorable Kelly M. Kirschner, Mayor, City of Sarasota, 1565 1st Street, Room 101, Sarasota, FL 34236.	Oct. 28, 2010	125150
Georgia: Bryan	City of Richmond Hill (10-04-6327P).	November 3, 2010, November 10, 2010, <i>Bryan County News</i> .	The Honorable E. Harold Fowler, Mayor, City of Richmond Hill, P.O. Box 250, Richmond Hill, GA 31324.	Mar. 10, 2011	130018
Georgia: Forsyth	Unincorporated areas of Forsyth County (10-04-6459P).	October 27, 2010, November 3, 2010, <i>Forsyth County News</i> .	Mr. Charlie Laughinghouse, Chairman, Forsyth County Board of Commissioners, 110 East Main Street, Suite 210, Cumming, GA 30040.	Nov. 17, 2010	130312
Georgia: Lamar	City of Barnesville (10-04-1925P).	August 24, 2010, August 31, 2010, <i>The Herald-Gazette</i> .	The Honorable Peter Banks, Mayor, City of Barnesville, 109 Forsyth Street, Barnesville, GA 30204.	Dec. 29, 2010	130207
Georgia: Tift	City of Tifton (09-04-7386P).	November 19, 2010, November 26, 2010, <i>The Tifton Gazette</i> .	Mr. J. G. Cater, Jr., Chairman, Tift County Board of Commissioners, P.O. Box 229, Tifton, GA 31793.	Mar. 28, 2011	130171
Georgia: Tift	Unincorporated areas of Tift County (09-04-7386P).	November 19, 2010, November 26, 2010, <i>The Tifton Gazette</i> .	Mr. Grady Thompson, Chairman, Tift County Commission, 225 North Tift Avenue, Tifton, GA 31794.	Mar. 28, 2011	130404

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Mississippi: DeSoto	City of Olive Branch (10-04-1806P).	November 2, 2010, November 9, 2010, <i>DeSoto Times-Tribune</i> .	The Honorable Sam Rikard, Mayor, City of Olive Branch, 9200 Pigeon Roost Road, Olive Branch, MS 38654.	Mar. 9, 2011	280286
Montana: Yellowstone.	Unincorporated areas of Yellowstone County (09-08-0713P).	June 10, 2010, June 17, 2010, <i>The Billings Gazette</i> .	Mr. Bill Kennedy, Chairperson, Yellowstone County Board of Commissioners, P.O. Box 35000, Billings, MT 59107.	May 28, 2010	300142
North Carolina: Alamance.	Unincorporated areas of Alamance County (10-04-6308P).	October 27, 2010, November 3, 2010, <i>The Times-News</i> .	Mr. Craig F. Honeycutt, Alamance County Manager, 124 West Elm Street, Graham, NC 27253.	Mar. 3, 2011	370001
North Carolina: Durham.	City of Durham (09-04-5502P).	November 27, 2009, December 4, 2009, <i>The Herald Sun</i> .	The Honorable William V. Bell, Mayor, City of Durham, Office of the Mayor, 101 City Hall Plaza, Durham, North Carolina 27701.	Apr. 5, 2010	370086
North Carolina: Mecklenburg.	City of Charlotte (10-04-7369P).	October 29, 2010, November 5, 2010, <i>The Charlotte Observer</i> .	The Honorable Anthony Foxx, Mayor, City of Charlotte, 600 East 4th Street, Charlotte, NC 28202.	Mar. 7, 2011	370159
North Carolina: Union.	Unincorporated areas of Union County (10-04-7369P).	October 29, 2010, November 5, 2010, <i>The Enquirer-Journal</i> .	Mr. Jerry Simpson, Chairman, Union County Board of Commissioners, 500 North Main Street, Monroe, NC 28112.	Mar. 7, 2011	370234
South Dakota: Lawrence.	City of Spearfish (10-08-0269P).	November 10, 2010, November 17, 2010, <i>Black Hills Pioneer</i> .	The Honorable Jerry Krambeck, Mayor, City of Spearfish, 625 North 5th Street, Spearfish, SD 57783.	Nov. 3, 2010	460046
South Dakota: Minnehaha.	City of Brandon (10-08-0604P).	November 10, 2010, November 17, 2010, <i>Argus Leader</i> .	The Honorable Larry Beesley, Mayor, City of Brandon, 212 7th Avenue, Brandon, SD 57005.	Mar. 17, 2011	460296
South Dakota: Minnehaha.	Unincorporated areas of Minnehaha County (10-08-0604P).	November 10, 2010, November 17, 2010, <i>Argus Leader</i> .	Ms. Anne Hajek, Chair, Minnehaha County Board of Commissioners, 415 North Dakota Avenue, Sioux Falls, SD 57104.	Mar. 17, 2011	460057
Utah: Utah	City of Spanish Fork (10-08-0282P).	October 8, 2010, October 15, 2010, <i>The Daily Herald</i> .	The Honorable G. Wayne Anderson, Mayor, City of Spanish Fork, 40 South Main Street, Spanish Fork, UT 84660.	Feb. 14, 2011	490241
Utah: Utah	Unincorporated areas of Utah County (10-08-0282P).	October 8, 2010, October 15, 2010, <i>The Daily Herald</i> .	Mr. Steve White, Chairman, Utah County Board of Commissioners, 100 East Center Street, Provo, UT 84606.	Feb. 14, 2011	495517

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

Dated: January 7, 2011.

Sandra K. Knight,

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