standards (e.g., material specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. NTAAA directs us to provide Congress, through OMB, explanations when we decide not to use available and applicable voluntary consensus standards.

This action does not involve any new technical standards or the incorporation by reference of existing technical standards. Therefore, the consideration of voluntary consensus standards is not relevant to this action.

J. Executive Order 12898: Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

Executive Order 12898 (59 FR 7629, February 16, 1994) establishes federal executive policy on environmental justice. Its main provision directs federal agencies, to the greatest extent practicable and permitted by law, to make environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority populations and low-income populations in the United States.

EPA lacks the discretionary authority to address environmental justice in this proposed rulemaking. New source performance standards are technology-based standards intended to promote use of the best air pollution control technologies, taking into account the cost of such technology and any other non-air quality, health, and environmental impact and energy requirements at a broad national level.

List of Subjects in 40 CFR Part 60

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: January 7, 2011.

Lisa P. Jackson, Administrator.

[FR Doc. 2011–1009 Filed 1–19–11; 8:45 am]

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67


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 April 20, 2011.

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–1171, to 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.rodriguez1@dhs.gov.

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.rodriguez1@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:

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>Source of flooding</th>
<th>Location**</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Carolina</td>
<td>Unincorporated Areas of Hoke County.</td>
<td>Lumber River</td>
<td>At the Robeson and Scotland County boundary.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approximately 0.5 mile upstream of the Quewhiffle Creek confluence.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>+205</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Unincorporated Areas of Robeson County.</td>
<td>Lumber River</td>
<td>At the Hoke and Scotland County boundary.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td></td>
<td>Southwest Tributary</td>
<td>At the downstream side of E0230 Road.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Approximately 0.4 mile upstream of E0230 Road.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>None</td>
</tr>
</tbody>
</table>

* 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.


ADDRESSSES

Unincorporated Areas of Hoke County, North Carolina
Maps are available for inspection at the Hoke County Planning Office, 423 East Central Avenue, Raeford, NC 28376.

Unincorporated Areas of Robeson County, North Carolina
Maps are available for inspection at the Robeson County Department of Building Safety and Code Enforcement, 415 Country Club Drive, Lumberton, NC 28360.

Unincorporated Areas of Nowata County, Oklahoma
Maps are available for inspection at the Nowata County Department of Building Safety and Code Enforcement, 415 Country Club Drive, Nowata, OK 74053.
<table>
<thead>
<tr>
<th>State</th>
<th>City/town/county</th>
<th>Source of flooding</th>
<th>Location **</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Elevation in meters (MSL)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Existing</td>
<td>Modified</td>
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</tr>
</tbody>
</table>


**ADDRESSES**

**Unincorporated Areas of Nowata County**

Maps are available for inspection at the Nowata County Office, 2219 North Maple Street, Nowata, OK 74048.

<table>
<thead>
<tr>
<th>Flooding Source(s)</th>
<th>Location of referenced elevation **</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Elevation in meters (MSL)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sebastian County, Arkansas, and Incorporated Areas**

<table>
<thead>
<tr>
<th>Flooding Source(s)</th>
<th>Location of referenced elevation **</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Elevation in meters (MSL)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**El Dorado County, California, and Incorporated Areas**

<table>
<thead>
<tr>
<th>Flooding Source(s)</th>
<th>Location of referenced elevation **</th>
<th>Elevation in feet (NGVD)</th>
<th>Elevation in feet (NAVD)</th>
<th>Depth in feet above ground</th>
<th>Elevation in meters (MSL)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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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.

**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.


**ADDRESSES**

**City of Fort Smith**
Maps are available for inspection at the Engineering Department, 623 Garrison Avenue, Suite 409, Fort Smith, AR 72901.

**Unincorporated Areas of Sebastian County**
Maps are available for inspection at the Sebastian County Courthouse, 35 South 6th Street, Fort Smith, AR 72901.

**El Dorado County, California, and Incorporated Areas**

**City of South Lake Tahoe**
Maps are available for inspection at the South Lake Tahoe, 35 South 6th Street, Fort Smith, AR 72901.
<table>
<thead>
<tr>
<th>Flooding Source(s)</th>
<th>Location of referenced elevation **</th>
<th>*Elevation in feet (NGVD)</th>
<th>+Elevation in feet (NAVD)</th>
<th>#Depth in feet above ground</th>
<th>Elevation in meters (MSL)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trout Creek</td>
<td>Approximately 1,750 feet upstream of the Lake Tahoe confluence.</td>
<td>+6,235</td>
<td>+6,234</td>
<td>City of South Lake Tahoe, Unincorporated Areas of El Dorado County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Approximately 1,580 feet downstream of Martin Avenue.</td>
<td>-6,252</td>
<td>-6,251</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Truckee River</td>
<td>Approximately 1,400 feet downstream of Lake Tahoe Boulevard.</td>
<td>-6,240</td>
<td>-6,241</td>
<td>City of South Lake Tahoe, Unincorporated Areas of El Dorado County.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Approximately 1.44 miles upstream of Lake Tahoe Boulevard.</td>
<td>+6,250</td>
<td>+6,251</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* 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.


** City of South Lake Tahoe
Maps are available for inspection at 1900 Lake Tahoe Boulevard, South Lake Tahoe, CA 96150.

** Unincorporated Areas of El Dorado County
Maps are available for inspection at 2850 Fairlane Court, Placerville, CA 95667.

** Putnam County, Indiana, and Incorporated Areas
Maps are available for inspection at 2850 Fairlane Court, Placerville, CA 95667.

** Big Walnut Creek
Maps are available for inspection at 2850 Fairlane Court, Placerville, CA 95667.

** Unincorporated Areas of Putnam County
Maps are available for inspection at the Putnam County Planning and Zoning Department, Annex Building, 209 West Liberty Street, Room 3, Greencastle, IN 46135.

** Clark County, Kentucky, and Incorporated Areas
Maps are available for inspection at the Putnam County Planning and Zoning Department, Annex Building, 209 West Liberty Street, Room 3, Greencastle, IN 46135.
<table>
<thead>
<tr>
<th>Flooding Source(s)</th>
<th>Location of referenced elevation**</th>
<th>*Elevation in feet (NGVD)</th>
<th>+Elevation in feet (NAVD)</th>
<th>#Depth in feet above ground</th>
<th>Elevations in meters (MSL)</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indian Creek (backwater effects from Kentucky River).</td>
<td>From the Kentucky River confluence to approximately 0.5 mile upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+600</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Jouett Creek (backwater effects from Kentucky River).</td>
<td>From the Kentucky River confluence to approximately 0.5 mile upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Kentucky River</td>
<td>At the Boone Creek confluence ............................................</td>
<td>None</td>
<td>+590</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Kentucky River Tributary 1 (backwater effects from Kentucky River).</td>
<td>From the Kentucky River confluence to approximately 0.5 mile upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+604</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Lower Howard Creek</td>
<td>Approximately 3.4 miles upstream of Reservoir Lane ........................</td>
<td>+853</td>
<td>+852</td>
<td></td>
<td></td>
<td>City of Winchester, Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Lower Howard Creek (backwater effects from Kentucky River).</td>
<td>Approximately 273 feet upstream of Colby Road ............................</td>
<td>+962</td>
<td>+961</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Lower Howard Creek Tributary H7 (backwater effects from Lower Howard Creek).</td>
<td>From the Lower Howard Creek confluence to approximately 1 mile upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+592</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Red River (overflow effects from Kentucky River).</td>
<td>At the Lower Howard Creek confluence ....................................</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Strodes Creek</td>
<td>Approximately 1.2 miles upstream of Irving Road ..........................</td>
<td>None</td>
<td>+604</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Strodes Creek Tributary S1</td>
<td>Approximately 317 feet upstream of the Hancock Creek confluence .........</td>
<td>None</td>
<td>+605</td>
<td></td>
<td></td>
<td>City of Winchester, Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Strodes Creek Tributary S2 (backwater effects from Strodes Creek).</td>
<td>From the Strodes Creek confluence to approximately 0.9 miles upstream of the Strodes Creek confluence.</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>City of Winchester, Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Strodes Creek Tributary S3 (backwater effects from Strodes Creek).</td>
<td>From the Strodes Creek Tributary S1 confluence to approximately 1,554 feet upstream of the Strodes Creek Tributary S1 confluence.</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>City of Winchester, Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Strodes Creek Tributary S4 (backwater effects from Strodes Creek).</td>
<td>From the Strodes Creek Tributary S2 confluence to approximately 540 feet upstream of the Strodes Creek Tributary S2 confluence.</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>City of Winchester, Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Twomile Creek (backwater effects from Kentucky River).</td>
<td>From the Kentucky River confluence to approximately 1,385 feet upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+596</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Upper Howard Creek (backwater effects from Kentucky River).</td>
<td>From the Kentucky River confluence to approximately 0.8 mile upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Upper Howard Creek Tributary 3 (backwater effects from Kentucky River).</td>
<td>From the Kentucky River confluence to approximately 1.9 miles upstream of the Upper Howard Creek confluence.</td>
<td>None</td>
<td>+602</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Jeffersonville Creek (overflow effects from Tennessee River).</td>
<td>From the Kentucky River confluence to approximately 0.8 mile upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
<tr>
<td>Lower Jeffersonville Creek (backwater effects from Tennessee River).</td>
<td>From the Kentucky River confluence to approximately 1.0 mile upstream of the Kentucky River confluence.</td>
<td>None</td>
<td>+591</td>
<td></td>
<td></td>
<td>Unincorporated Areas of Clark County.</td>
</tr>
</tbody>
</table>

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
∧ Depth in feet above ground.
** 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.


** ADDRESSES **

City of Winchester
Maps are available for inspection at City Hall, 32 Wall Street, Winchester, KY 40392.

Unincorporated Areas of Clark County.
Maps are available for inspection at the Clark County Courthouse, 34 South Main Street, Winchester, KY 40391.

** Mercer County, Ohio, and Incorporated Areas **

Beaver Creek (Lower) ........... Approximately 1,400 feet downstream of Meyer Road | None | +861 City of Celina.
<table>
<thead>
<tr>
<th>Flooding Source(s)</th>
<th>Location of referenced elevation**</th>
<th>Communities affected</th>
<th>Effective</th>
<th>Modified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beaver Creek (Upper)</td>
<td>Approximately 850 feet downstream of State Route 219.</td>
<td>Unincorporated Areas of Mercer County, Village of Montezuma.</td>
<td>None</td>
<td>+861</td>
</tr>
<tr>
<td>Grand Lake Saint Mary's</td>
<td>Entire shoreline within community</td>
<td>City of Celina.</td>
<td>None</td>
<td>+872</td>
</tr>
<tr>
<td>Saint Mary's River</td>
<td>At the Van Wert County boundary</td>
<td>Unincorporated Areas of Mercer County, Village of Mendon, Village of Rockford.</td>
<td>None</td>
<td>+797</td>
</tr>
<tr>
<td>Wabash River</td>
<td>Approximately 0.72 mile downstream of State Route 49.</td>
<td>Unincorporated Areas of Mercer County, Village of Fort Recovery.</td>
<td>None</td>
<td>+814</td>
</tr>
<tr>
<td></td>
<td>Approximately 0.88 mile upstream of North First Street.</td>
<td></td>
<td>None</td>
<td>+922</td>
</tr>
</tbody>
</table>

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+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.


ADDRESS:
City of Celina
Maps are available for inspection at 426 West Market Street, Celina, OH 45822

Unincorporated Areas of Mercer County
Maps are available for inspection at the Mercer County Central Service Building, 220 West Livingston Street, Room A201, Celina, OH 45822.

Village of Fort Recovery
Maps are available for inspection at 201 South Main Street, Fort Recovery, OH 45846.

Village of Mendon
Maps are available for inspection at 102 South Main Street, Mendon, OH 45862.

Village of Montezuma
Maps are available for inspection at 69 West Main Street, Montezuma, OH 45866.

Village of Rockford
Maps are available for inspection at 151 East Columbia Street, Rockford, OH 45882.

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

Dated: January 11, 2011.

Edward L. Connor,

[FR Doc. 2011–1061 Filed 1–19–11; 8:45 am]
BILLING CODE 9110–12–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67


Proposed Flood Elevation Determinations for Cumberland County, ME (All Jurisdictions)

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice of proposed rulemaking: withdrawal.

SUMMARY: The Federal Emergency Management Agency (FEMA) is withdrawing its notice of proposed rulemaking concerning proposed flood elevation determinations for Cumberland County, Maine (All Jurisdictions).

DATES: Effective Date: The notice of proposed rulemaking is withdrawn on January 20, 2011.

ADDRESSES: The docket for this withdrawn rulemaking is available for inspection or copying at 500 C St., SW., Washington, DC 20472.