

necessary to use the interim final rulemaking process to stay and defer sanctions while EPA completes its rulemaking process on the approvability of the State's submittal. Moreover, with respect to the effective date of this action, EPA is invoking the good cause exception to the 30-day notice requirement of the APA because the purpose of this notice is to relieve a restriction (5 U.S.C. 553(d)(1)).

### III. Statutory and Executive Order Reviews

This action stays and defers Federal sanctions and imposes no additional requirements.

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget.

This action is not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001) because it is not a significant regulatory action.

The administrator certifies that this action will not have significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

This rule does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

This rule does not have Tribal implications because it will not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal government and Indian Tribes, or on the distribution of power and responsibilities between the Federal government and Indian Tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

This action does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999).

This rule is not subject to Executive Order 13045, "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

The requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C.

272) do not apply to this rule because it imposes no standards.

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report to Congress and the Comptroller General. However, section 808 provides that any rule for which the issuing agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, shall take effect at such time as the agency promulgating the rule determines. 5 U.S.C. 808(2). EPA has made such a good cause finding, including the reasons therefor, and established an effective date of September 12, 2011. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 14, 2011. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purpose of judicial review nor does it extend the time within which petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental regulations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Dated: August 31, 2011.

**Jared Blumenfeld,**

*Regional Administrator, Region IX.*

[FR Doc. 2011-23145 Filed 9-9-11; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-8195]

#### Suspension of Community Eligibility

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

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

**DATES: Effective Dates:** The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 *et seq.*; unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance

with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, FEMA has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year, on FEMA's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of

Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

**National Environmental Policy Act.** This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Considerations. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act.** The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be

available in the communities unless remedial action takes place.

**Regulatory Classification.** This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

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

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

**Paperwork Reduction Act.** This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

**List of Subjects in 44 CFR Part 64**

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

**PART 64—[AMENDED]**

- 1. The authority citation for part 64 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

**§ 64.6 [Amended]**

- 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
<b>Region I</b>				
Connecticut:				
East Hartford, Town of, Hartford County	090026	December 29, 1972, Emerg; December 18, 1979, Reg; September 16, 2011, Susp.	Sept. 16, 2011	Sept. 16, 2011
Hartford, City of, Hartford County .....	095080	June 30, 1970, Emerg; April 28, 1972, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>Region IV</b>				
Alabama:				
Albertville, City of, Marshall County .....	010366	October 13, 1976, Emerg; September 4, 1985, Reg; September 16, 2011, Susp.	.....do .....	Do.
Arab, City of, Marshall County .....	010345	March 21, 1977, Emerg; August 1, 1987, Reg; September 16, 2011, Susp.	.....do .....	Do.
Grant, Town of, Marshall County .....	010282	N/A, Emerg; June 11, 2009, Reg; September 16, 2011, Susp.	.....do .....	Do.
Guntersville, City of, Marshall County ...	010311	May 5, 1975, Emerg; August 19, 1991, Reg; September 16, 2011, Susp.	.....do .....	Do.
Haleyville, City of, Winston County .....	010303	October 23, 1975, Emerg; June 25, 1976, Reg; September 16, 2011, Susp.	.....do .....	Do.
Marshall County, Unincorporated Areas	010275	N/A, Emerg; June 4, 1991, Reg; September 16, 2011, Susp.	.....do .....	Do.
Winston County, Unincorporated Areas	010304	January 14, 1991, Emerg; September 1, 1991, Reg; September 16, 2011, Susp.	.....do .....	Do.
Mississippi:				
Carthage, City of, Leake County .....	280097	October 18, 1974, Emerg; August 19, 1985, Reg; September 16, 2011, Susp.	.....do .....	Do.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Leake County, Unincorporated Areas ...	280293	April 23, 1979, Emerg; September 15, 1989, Reg; September 16, 2011, Susp.	.....do .....	Do.
Pearl River Valley Water Supply District, Leake County.	280338	N/A, Emerg; March 5, 1993, Reg; September 16, 2011, Susp.	.....do .....	Do.
Walnut Grove, Town of, Leake County	280098	November 1, 2010, Emerg; N/A, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>South Carolina:</b>				
Cheraw, Town of, Chesterfield County	450050	March 21, 1974, Emerg; September 29, 1978, Reg; September 16, 2011, Susp.	.....do .....	Do.
Cherokee County, Unincorporated Areas.	450045	October 21, 1981, Emerg; October 21, 1981, Reg; September 16, 2011, Susp.	.....do .....	Do.
Chester, City of, Chester County .....	450048	July 7, 1975, Emerg; July 5, 1982, Reg; September 16, 2011, Susp.	.....do .....	Do.
Chester County, Unincorporated Areas	450047	August 20, 1975, Emerg; July 5, 1982, Reg; September 16, 2011, Susp.	.....do .....	Do.
Chesterfield County, Unincorporated Areas.	450228	December 15, 1986, Emerg; November 6, 1991, Reg; September 16, 2011, Susp.	.....do .....	Do.
Gaffney, City of, Cherokee County .....	450046	February 11, 1974, Emerg; August 3, 1981, Reg; September 16, 2011, Susp.	.....do .....	Do.
Great Falls, Town of, Chester County ..	450049	May 27, 1975, Emerg; June 25, 1976, Reg; September 16, 2011, Susp.	.....do .....	Do.
Newberry, City of, Newberry County .....	450153	November 27, 1974, Emerg; June 4, 1980, Reg; September 16, 2011, Susp.	.....do .....	Do.
Newberry County, Unincorporated Areas.	450224	July 2, 1975, Emerg; December 15, 1990, Reg; September 16, 2011, Susp.	.....do .....	Do.
Whitmire, Town of, Newberry County ...	450156	July 7, 1975, Emerg; February 1, 1991, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>Region V</b>				
<b>Wisconsin:</b>				
Balsam Lake, Village of, Polk County ...	550333	April 30, 1975, Emerg; July 1, 1988, Reg; September 16, 2011, Susp.	.....do .....	Do.
Frederic, Village of, Polk County .....	550334	March 24, 1975, Emerg; September 1, 1986, Reg; September 16, 2011, Susp.	.....do .....	Do.
Luck, Village of, Polk County .....	550335	April 16, 1975, Emerg; July 2, 1987, Reg; September 16, 2011, Susp.	.....do .....	Do.
Osceola, Village of, Polk County .....	550336	August 20, 1974, Emerg; January 5, 1984, Reg; September 16, 2011, Susp.	.....do .....	Do.
Polk County, Unincorporated Areas .....	550577	April 22, 1975, Emerg; June 4, 1990, Reg; September 16, 2011, Susp.	.....do .....	Do.
Saint Croix Falls, City of, Polk County ..	550337	July 18, 1975, Emerg; May 1, 1987, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>Region VI</b>				
<b>Arkansas:</b>				
Cave City, City of, Sharp County .....	050313	December 10, 1982, Emerg; May 1, 1985, Reg; September 16, 2011, Susp.	.....do .....	Do.
Cherokee Village, City of, Sharp County	050603	April 25, 2000, Emerg; April 16, 2004, Reg; September 16, 2011, Susp.	.....do .....	Do.
Evening Shade, Town of, Sharp County	050412	March 23, 1976, Emerg; November 1, 1985, Reg; September 16, 2011, Susp.	.....do .....	Do.
Hardy, City of, Sharp County .....	050330	November 11, 1977, Emerg; September 4, 1985, Reg; September 16, 2011, Susp.	.....do .....	Do.
Williford, Town of, Sharp County .....	050575	January 18, 1983, Emerg; March 25, 1985, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>Oklahoma:</b>				
Adair, Town of, Mayes County .....	400256	N/A, Emerg; January 25, 2010, Reg; September 16, 2011, Susp.	.....do .....	Do.
Chouteau, Town of, Mayes County .....	400115	May 9, 1975, Emerg; January 26, 1983, Reg; September 16, 2011, Susp.	.....do .....	Do.
Locust Grove, Town of, Mayes County	400116	May 9, 1975, Emerg; September 11, 1978, Reg; September 16, 2011, Susp.	.....do .....	Do.
Mayes County, Unincorporated Areas ..	400458	April 8, 1987, Emerg; December 1, 1989, Reg; September 16, 2011, Susp.	.....do .....	Do.
Pryor Creek, City of, Mayes County .....	400117	April 21, 1975, Emerg; July 16, 1987, Reg; September 16, 2011, Susp.	.....do .....	Do.
Salina, Town of, Mayes County .....	400118	January 26, 1983, Emerg; September 4, 1985, Reg; September 16, 2011, Susp.	.....do .....	Do.
Spavinaw, Town of, Mayes County .....	400328	December 23, 1976, Emerg; September 21, 1982, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>Texas:</b>				

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Coolidge, City of, Limestone County .....	480911	June 12, 1987, Emerg; November 1, 1989, Reg; September 16, 2011, Susp.	.....do .....	Do.
Kosse, Town of, Limestone County .....	481151	November 19, 1980, Emerg; July 6, 1982, Reg; September 16, 2011, Susp.	.....do .....	Do.
Limestone County, Unincorporated Areas.	480910	February 6, 1979, Emerg; June 1, 1987, Reg; September 16, 2011, Susp.	.....do .....	Do.
Mexia, City of, Limestone County .....	480442	August 18, 1975, Emerg; August 1, 1980, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>Region VII</b>				
Iowa:				
Aplington, City of, Butler County .....	190335	September 3, 2010, Emerg; N/A, Reg; September 16, 2011, Susp.	.....do .....	Do.
Aredale, City of, Butler County .....	190035	November 3, 1975, Emerg; August 19, 1986, Reg; September 16, 2011, Susp.	.....do .....	Do.
Clarksville, City of, Butler County .....	190336	October 28, 1985, Emerg; September 6, 1989, Reg; September 16, 2011, Susp.	.....do .....	Do.
New Hartford, City of, Butler County .....	190038	November 6, 1974, Emerg; September 29, 1986, Reg; September 16, 2011, Susp.	.....do .....	Do.
Elma, City of, Howard County .....	190416	May 23, 1978, Emerg; August 1, 1986, Reg; September 16, 2011, Susp.	.....do .....	Do.
Lime Springs, City of, Howard County ..	190417	January 24, 1977, Emerg; September 1, 1987, Reg; September 16, 2011, Susp.	.....do .....	Do.
Riceville, City of, Howard County .....	190418	February 21, 1997, Emerg; March 1, 2000, Reg; September 16, 2011, Susp.	.....do .....	Do.
<b>Region VIII</b>				
South Dakota:				
Meade County, Unincorporated Areas ..	460054	April 12, 1973, Emerg; August 1, 1978, Reg; September 16, 2011, Susp.	.....do .....	Do.
Sturgis, City of, Meade County .....	460055	February 9, 1973, Emerg; June 1, 1977, Reg; September 16, 2011, Susp.	.....do .....	Do.
Wyoming:				
Dubois, Town of, Fremont County .....	560018	May 9, 1997, Emerg; November 1, 1998, Reg; September 16, 2011, Susp.	.....do .....	Do.
Fremont County, Unincorporated Areas	560080	July 8, 1975, Emerg; February 1, 1979, Reg; September 16, 2011, Susp.	.....do .....	Do.
Hudson, Town of, Fremont County .....	560019	September 6, 1974, Emerg; July 17, 1978, Reg; September 16, 2011, Susp.	.....do .....	Do.
Lander, City of, Fremont County .....	560020	August 23, 1974, Emerg; September 1, 1978, Reg; September 16, 2011, Susp.	.....do .....	Do.
Riverton, City of, Fremont County .....	560021	May 18, 1999, Emerg; September 1, 1999, Reg; September 16, 2011, Susp.	.....do .....	Do.
Shoshoni, Town of, Fremont County ....	560078	July 5, 1983, Emerg; May 28, 1986, Reg; September 16, 2011, Susp.	.....do .....	Do.

\*do = Ditto.  
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

**Sandra K. Knight,**  
*Deputy Associate Administrator for Mitigation.*  
[FR Doc. 2011-23219 Filed 9-9-11; 8:45 am]  
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**DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**

**50 CFR Part 635**  
[Docket No. 110527309-1508-02]  
RIN 0648-BA90

**Atlantic Highly Migratory Species; North and South Atlantic Swordfish Quotas**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.  
**ACTION:** Final rule.

**SUMMARY:** This final rule adjusts the North and South Atlantic swordfish quotas for the 2011 fishing year (January 1, 2011, through December 31, 2011) to account for the 2010 underharvest and implement International Commission for the Conservation of Atlantic Tunas (ICCAT) Recommendations 10-02 and 09-03, which maintain the U.S. allocation of the international total allowable catch (TAC) for North and South Atlantic swordfish, respectively. This rule could affect commercial and recreational fishing for swordfish in the Atlantic Ocean, including the Caribbean Sea and Gulf of Mexico, by establishing annual quotas. The effects on commercial and recreational fishermen are expected to be minimal since the