

(1) PM<sub>2.5</sub> emissions and PM<sub>10</sub> emissions shall include gaseous emissions from a source or activity, which condense to form particulate matter at ambient temperatures. On or after January 1, 2011, such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM<sub>2.5</sub> and PM<sub>10</sub> in permits issued under this ruling. Compliance with emissions limitations for PM<sub>2.5</sub> and PM<sub>10</sub> issued prior to this date shall not be based on condensable particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable particulate matter shall not be considered in violation of this section unless the applicable implementation plan required condensable particulate matter to be included.

(2) Any pollutant that is identified under this paragraph II.A.31(ii)(2) as a constituent or precursor of a general pollutant listed under paragraph II.A.31(i) or (ii) of this Ruling, provided that such constituent or precursor pollutant may only be regulated under NSR as part of regulation of the general pollutant. Precursors identified by the Administrator for purposes of NSR are the following:

(a) Volatile organic compounds and nitrogen oxides are precursors to ozone in all ozone nonattainment areas.

(b) Sulfur dioxide is a precursor to PM<sub>2.5</sub> in all PM<sub>2.5</sub> nonattainment areas.

\* \* \* \* \*

**PART 52—[Amended]**

4. The authority citation for part 52 continues to read as follows:

*Authority:* 42 U.S.C. 7401 *et seq.*

**Subpart A—[Amended]**

5. Section 52.21 is amended by revising paragraphs (b)(50)(i) and (ii) and removing paragraph (b)(50)(vi) to read as follows:

and

**§ 52.21 Prevention of significant deterioration of air quality.**

\* \* \* \* \*

(b) \* \* \*

(50) \* \* \*

(i) Any pollutant for which a national ambient air quality standard has been promulgated;

(a) PM<sub>2.5</sub> emissions and PM<sub>10</sub> emissions shall include gaseous emissions from a source or activity, which condense to form particulate matter at ambient temperatures. On or after January 1, such condensable particulate matter shall be accounted for in applicability determinations and in establishing emissions limitations for PM<sub>2.5</sub> and PM<sub>10</sub> in PSD permits. Compliance with emissions limitations for PM<sub>2.5</sub> and PM<sub>10</sub> issued prior to this

date shall not be based on condensable particulate matter unless required by the terms and conditions of the permit or the applicable implementation plan. Applicability determinations made prior to this date without accounting for condensable particulate matter shall not be considered in violation of this section unless the applicable implementation plan required condensable particulate matter to be included.

(b) Any pollutant identified under this paragraph (b)(50)(i)(b) as a constituent or precursor for such pollutant. Precursors identified by the Administrator for purposes of NSR are the following:

(1) Volatile organic compounds and nitrogen oxides are precursors to ozone in all attainment and unclassifiable areas.

(2) Sulfur dioxide is a precursor to PM<sub>2.5</sub> in all attainment and unclassifiable areas.

(3) Nitrogen oxides are presumed to be precursors to PM<sub>2.5</sub> in all attainment and unclassifiable areas, unless the State demonstrates to the Administrator's satisfaction or EPA demonstrates that emissions of nitrogen oxides from sources in a specific area are not a significant contributor to that area's ambient PM<sub>2.5</sub> concentrations.

(4) Volatile organic compounds are presumed not to be precursors to PM<sub>2.5</sub> in any attainment or unclassifiable area, unless the State demonstrates to the Administrator's satisfaction or EPA demonstrates that emissions of volatile organic compounds from sources in a specific area are a significant contributor to that area's ambient PM<sub>2.5</sub> concentrations.

(ii) Any pollutant that is subject to any standard promulgated under section 111 of the Act, as required to be measured by the applicable performance standard for that pollutant. For sources not currently regulated by an applicable NSPS, measurement of such pollutant shall be determined by the Administrator;

\* \* \* \* \*

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-B-1207]

**Proposed Flood Elevation Determinations**

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

**ACTION:** Proposed rule; correction.

**SUMMARY:** On August 3, 2011, FEMA published in the *Federal Register* a proposed rule that contained an erroneous table. This notice provides corrections to that table, to be used in lieu of the information published at 76 FR 46701. The table provided here represents the flooding sources, location of referenced elevations, and effective and modified elevations for the City of Cadiz, Kentucky. Specifically, it addresses the flooding sources Little River (backwater effects from Lake Barkley) and Little River Tributary 1 (backwater effects from Lake Barkley).

**DATES:** Comments are to be submitted on or before June 14, 2012.

**ADDRESSES:** You may submit comments, identified by Docket No. FEMA-B-1207, 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 (email)

*luis.rodriguez3@fema.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 (email)

*luis.rodriguez3@fema.dhs.gov.*

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) publishes proposed determinations of Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs for communities participating in the National Flood Insurance Program (NFIP), 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 minimum requirements. 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.

**Correction**

In the proposed rule published at 76 FR 46701, in the August 3, 2011, issue of the **Federal Register**, FEMA published a table under the authority of 44 CFR 67.4. The table, entitled “City of Cadiz, Kentucky” addressed the flooding sources Little River (backwater effects from Lake Barkley) and Little River Tributary 1 (backwater effects

from Lake Barkley). That table contained inaccurate information as to the location of referenced elevation, effective and modified elevation in feet, and/or communities affected for those flooding sources.

In this notice, FEMA is publishing a table containing the accurate information, to address these prior errors. The information provided below should be used in lieu of that previously published for the City of Cadiz, Kentucky.

| State                          | City/town/county    | Source of flooding  | Location**  | Elevation/Depth |          |
|--------------------------------|---------------------|---|---|-----------------|----------|
|                                |                     |   |   | Existing        | Modified |
| <b>City of Cadiz, Kentucky</b> |                     |   |   |                 |          |
| Kentucky .....                 | City of Cadiz ..... | Little River (backwater effects from Lake Barkley).             | Approximately 3.7 miles upstream of the Lake Barkley confluence to approximately 4.5 miles upstream of the Lake Barkley confluence. | None            | +375     |
| Kentucky .....                 | City of Cadiz ..... | Little River Tributary 1 (backwater effects from Lake Barkley). | Approximately 500 feet upstream of the Little River confluence to approximately 1,678 feet upstream of the Little River confluence. | None            | +375     |

\* 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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

**ADDRESSES**

**City of Cadiz**

Maps are available for inspection at 63 Main Street, Cadiz, KY 42211.

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

Dated: March 1, 2012.

**Sandra K. Knight,**

*Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Parts 1 and 22**

**[WT Docket No. 12-40; RM-11510; FCC 12-20]**

**Cellular Service, Including Changes in Licensing of Unserved Area; Interim Restrictions and Procedures for Cellular Service Applications**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; interim procedures.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) proposes to amend the rules governing the 800 MHz Cellular Radiotelephone Service (Cellular

Service). In the Notice of Proposed Rulemaking (NPRM), the Commission proposes to transition the Cellular Service from a site-based licensing model to a geographic-based model by offering an “overlay” license for every Cellular Market Area (CMA) and corresponding channel block (Block A or Block B), in two stages, via auction. The Overlay Licensees would be obligated to protect existing licensees’ Cellular operations from harmful interference. The NPRM also includes proposals to update various other Cellular Service rules. The Commission seeks comment on all its proposals as well as on alternative proposals. The companion Order imposes certain interim procedures, including a freeze on the filing of certain Cellular applications in certain markets and