

revised SJVUAPCD Rule 4352, we intend to take subsequent final action to reimpose sanctions pursuant to 40 CFR 52.31(d). If no comments are submitted that change our assessment, then all sanctions and sanction clocks will be permanently terminated on the effective date of a final rule approval.

II. EPA Action

We are making an interim final determination to stay the imposition of the offset sanctions and to defer the imposition of the highway sanctions associated with SJVUAPCD Rule 4352 based on our concurrent proposal to approve the State's SIP revision as correcting deficiencies that initiated sanctions.

Because EPA has preliminarily determined that the State has corrected the deficiencies identified in EPA's limited disapproval action, relief from sanctions should be provided as quickly as possible. Therefore, EPA is invoking the good cause exception under the Administrative Procedure Act (APA) in not providing an opportunity for comment before this action takes effect (5 U.S.C. 553(b)(3)). However, by this action EPA is providing the public with a chance to comment on EPA's determination after the effective date, and EPA will consider any comments received in determining whether to reverse such action.

EPA believes that notice-and-comment rulemaking before the effective date of this action is impracticable and contrary to the public interest. EPA has reviewed the State's submittal and, through its proposed action, is indicating that it is more likely than not that the State has corrected the deficiencies that started the sanctions clocks. Therefore, it is not in the public interest to initially impose sanctions or to keep applied sanctions in place when the State has most likely done all it can to correct the deficiencies that triggered the sanctions clocks. Moreover, it would be impracticable to go through notice-and-comment rulemaking on a finding that the State has corrected the deficiencies prior to the rulemaking approving the State's submittal. Therefore, EPA believes that it is 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 a 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 April 26, 2012. 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 June 25, 2012. 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, Intergovernmental regulations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements.

Dated: April 13, 2012.

Jared Blumenfeld,

Regional Administrator, Region IX.

[FR Doc. 2012-10077 Filed 4-25-12; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2012-0003; Internal Agency Docket No. FEMA-8227]

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, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures 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 the sale of NFIP flood insurance 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. We recognize that 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 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 FIRM for 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 procedures 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, Section 1315, 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
Region II				
New Jersey: Alexandria, Township of, Hunterdon County.	340230	June 28, 1973, Emerg; April 1, 1981, Reg; May 2, 2012, Susp.	May 2, 2012	May 2, 2012.

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
Delaware, Township of, Hunterdon County.	340506	October 21, 1974, Emerg; January 20, 1982, Reg; May 2, 2012, Susp.	.....do*	Do.
Frenchtown, Borough of, Hunterdon County.	340234	January 15, 1974, Emerg; March 16, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Holland, Township of, Hunterdon County.	340509	June 24, 1975, Emerg; March 16, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Kingwood, Township of, Hunterdon County.	340499	November 21, 1973, Emerg; November 4, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Lambertville, City of, Hunterdon County	340237	September 4, 1973, Emerg; April 1, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Milford, Borough of, Hunterdon County	340239	August 6, 1975, Emerg; November 18, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Stockton, Borough of, Hunterdon County.	345322	April 23, 1971, Emerg; June 16, 1972, Reg; May 2, 2012, Susp.	.....do	Do.
West Amwell, Township of, Hunterdon County.	340243	November 17, 1972, Emerg; April 1, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
New York:				
Amenia, Town of, Dutchess County	361332	February 4, 1976, Emerg; September 24, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Beacon, City of, Dutchess County	360217	May 8, 1975, Emerg; March 1, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Beekman, Town of, Dutchess County ...	361333	February 5, 1976, Emerg; September 5, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Clinton, Town of, Dutchess County	361334	March 1, 1976, Emerg; July 5, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Dover, Town of, Dutchess County	361335	March 22, 1976, Emerg; August 15, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
East Fishkill, Town of, Dutchess County	361336	July 24, 1975, Emerg; June 15, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Fishkill, Town of, Dutchess County	361337	September 19, 1975, Emerg; June 1, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Fishkill, Village of, Dutchess County	360218	August 20, 1975, Emerg; March 15, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Hyde Park, Town of, Dutchess County	361338	May 6, 1976, Emerg; June 15, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
LaGrange, Town of, Dutchess County ..	361011	February 26, 1975, Emerg; September 28, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Milan, Town of, Dutchess County	361339	November 6, 1975, Emerg; August 10, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Millbrook, Village of, Dutchess County	360219	March 25, 1975, Emerg; February 27, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Millerton, Village of, Dutchess County ..	360220	June 24, 1975, Emerg; January 3, 1985, Reg; May 2, 2012, Susp.	.....do	Do.
North East, Town of, Dutchess County	361340	August 8, 1975, Emerg; September 5, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Pawling, Town of, Dutchess County	361341	June 1, 1976, Emerg; January 3, 1985, Reg; May 2, 2012, Susp.	.....do	Do.
Pawling, Village of, Dutchess County ...	361517	March 4, 1976, Emerg; August 1, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Pine Plains, Town of, Dutchess County	361141	June 16, 1976, Emerg; October 5, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Pleasant Valley, Town of, Dutchess County.	360221	July 2, 1975, Emerg; January 16, 1980, Reg; May 2, 2012, Susp.	.....do	Do.
Poughkeepsie, City of, Dutchess County.	360222	May 1, 1975, Emerg; January 5, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Poughkeepsie, Town of, Dutchess County.	361142	October 21, 1974, Emerg; November 15, 1978, Reg; May 2, 2012, Susp.	.....do	Do.
Red Hook, Town of, Dutchess County ..	361143	May 19, 1975, Emerg; October 16, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Red Hook, Village of, Dutchess County	361614	May 10, 1985, Emerg; May 10, 1985, Reg; May 2, 2012, Susp.	.....do	Do.
Rhinebeck, Town of, Dutchess County	361144	September 12, 1975, Emerg; September 5, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Rhinebeck, Village of, Dutchess County	361999	February 9, 1984, Emerg; February 1, 1985, Reg; May 2, 2012, Susp.	.....do	Do.
Stanford, Town of, Dutchess County	361145	March 19, 1976, Emerg; January 21, 1983, Reg; May 2, 2012, Susp.	.....do	Do.
Tivoli, Village of, Dutchess County	361507	March 18, 1976, Emerg; August 1, 1984, Reg; May 2, 2012, 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
Union Vale, Town of, Dutchess County	361146	July 28, 1975, Emerg; September 2, 1988, Reg; May 2, 2012, Susp.	.....do	Do.
Wappinger, Town of, Dutchess County	361387	February 12, 1975, Emerg; June 15, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Wappinger Falls, Village of, Dutchess County.	360223	April 18, 1975, Emerg; September 1, 1978, Reg; May 2, 2012, Susp.	.....do	Do.
Washington, Town of, Dutchess County	361147	December 11, 1975, Emerg; August 17, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Region IV				
Florida:				
Bradford County, Unincorporated Areas	120015	May 23, 1975, Emerg; November 15, 1989, Reg; May 2, 2012, Susp.	.....do	Do.
Brooker, Town of, Bradford County	120016	N/A, Emerg; April 16, 1990, Reg; May 2, 2012, Susp.	.....do	Do.
Hampton, City of, Bradford County	120627	N/A, Emerg; January 15, 1999, Reg; May 2, 2012, Susp.	.....do	Do.
Lawtey, City of, Bradford County	120628	N/A, Emerg; March 19, 1998, Reg; May 2, 2012, Susp.	.....do	Do.
Starke, City of, Bradford County	120017	June 27, 1975, Emerg; June 18, 1987, Reg; May 2, 2012, Susp.	.....do	Do.
Mississippi:				
Arcola, Town of, Washington County	280178	May 14, 1973, Emerg; August 1, 1986, Reg; May 2, 2012, Susp.	.....do	Do.
Greenville, City of, Washington County	280179	April 10, 1973, Emerg; August 1, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Hollandale, City of, Washington County	280180	May 4, 1973, Emerg; January 14, 1983, Reg; May 2, 2012, Susp.	.....do	Do.
Leland, City of, Washington County	280181	May 2, 1973, Emerg; February 15, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Washington County, Unincorporated Areas.	280177	May 4, 1973, Emerg; September 3, 1980, Reg; May 2, 2012, Susp.	.....do	Do.
Region V				
Ohio:				
Lisbon, Village of, Columbiana County	390085	February 8, 1977, Emerg; September 30, 1988, Reg; May 2, 2012, Susp.	.....do	Do.
Wisconsin:				
Burlington, City of, Racine County	550348	July 18, 1973, Emerg; May 15, 1978, Reg; May 2, 2012, Susp.	.....do	Do.
Caledonia, Village of, Racine County ...	550628	N/A, Emerg; December 5, 2008, Reg; May 2, 2012, Susp.	.....do	Do.
Mount Pleasant, Village of, Racine County.	550322	N/A, Emerg; April 28, 2008, Reg; May 2, 2012, Susp.	.....do	Do.
Racine, City of, Racine County	555575	March 26, 1971, Emerg; June 1, 1973, Reg; May 2, 2012, Susp.	.....do	Do.
Racine County, Unincorporated Areas ..	550347	July 5, 1973, Emerg; April 1, 1982, Reg; May 2, 2012, Susp.	.....do	Do.
Rochester, Village of, Racine County ...	550352	March 21, 1975, Emerg; January 2, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Sturtevant, Village of, Racine County ...	550353	N/A, Emerg; April 28, 2008, Reg; May 2, 2012, Susp.	.....do	Do.
Union Grove, Village of, Racine County	550586	March 15, 1979, Emerg; June 17, 1986, Reg; May 2, 2012, Susp.	.....do	Do.
Waterford, Village of, Racine County	550354	June 10, 1975, Emerg; January 2, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Wind Point, Village of, Racine County ..	550355	March 18, 1975, Emerg; September 30, 1980, Reg; May 2, 2012, Susp.	.....do	Do.
Region VI				
Arkansas:				
Bald Knob, City of, White County	050222	September 19, 1975, Emerg; April 3, 1987, Reg; May 2, 2012, Susp.	.....do	Do.
Beebe, City of, White County	050223	October 9, 1975, Emerg; September 1, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
Biggers, Town of, Randolph County	050388	November 20, 1975, Emerg; August 24, 1982, Reg; May 2, 2012, Susp.	.....do	Do.
Bradford, City of, White County	050131	January 14, 1983, Emerg; October 15, 1985, Reg; May 2, 2012, 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
Georgetown, Town of, White County	050605	February 21, 2001, Emerg; May 13, 2004, Reg; May 2, 2012, Susp.	.....do	Do.
Higginson, Town of, White County	050225	October 18, 2007, Emerg; December 1, 2007, Reg; May 2, 2012, Susp.	.....do	Do.
Judsonia, City of, White County	050226	May 9, 1975, Emerg; September 1, 1987, Reg; May 2, 2012, Susp.	.....do	Do.
Kensett, City of, White County	050227	January 19, 1976, Emerg; August 1, 1987, Reg; May 2, 2012, Susp.	.....do	Do.
Maynard, Town of, Randolph County ...	050265	August 7, 1975, Emerg; September 21, 1982, Reg; May 2, 2012, Susp.	.....do	Do.
McRae, City of, White County	050228	August 20, 1975, Emerg; June 25, 1976, Reg; May 2, 2012, Susp.	.....do	Do.
Pocahontas, City of, Randolph County	050183	September 25, 1974, Emerg; January 20, 1982, Reg; May 2, 2012, Susp.	.....do	Do.
Randolph County, Unincorporated Areas.	050460	March 10, 1983, Emerg; April 1, 1988, Reg; May 2, 2012, Susp.	.....do	Do.
Reyno, Town of, Randolph County	050283	February 26, 1976, Emerg; August 24, 1982, Reg; May 2, 2012, Susp.	.....do	Do.
Searcy, City of, White County	050229	May 6, 1975, Emerg; February 4, 1981, Reg; May 2, 2012, Susp.	.....do	Do.
White County, Unincorporated Areas	050467	October 7, 1997, Emerg; March 1, 2000, Reg; May 2, 2012, Susp.	.....do	Do.
Texas:				
Llano County, Unincorporated Areas	481234	January 9, 1980, Emerg; September 18, 1991, Reg; May 2, 2012, Susp.	.....do	Do.
Sunrise Beach Village, City of, Llano County.	481531	April 16, 1990, Emerg; September 27, 1991, Reg; May 2, 2012, Susp.	.....do	Do.
Region VII				
Kansas:				
Goddard, City of, Sedgwick County	200500	November 30, 1977, Emerg; June 10, 1980, Reg; May 2, 2012, Susp.	.....do	Do.
Maize, City of, Sedgwick County	200520	N/A, Emerg; December 24, 2002, Reg; May 2, 2012, Susp.	.....do	Do.
Sedgwick County, Unincorporated Areas.	200321	July 17, 1975, Emerg; June 3, 1986, Reg; May 2, 2012, Susp.	.....do	Do.
Wichita, City of, Sedgwick County	200328	March 24, 1972, Emerg; May 15, 1986, Reg; May 2, 2012, Susp.	.....do	Do.
Region VIII				
Colorado:				
Fort Collins, City of, Larimer County	080102	August 14, 1974, Emerg; July 16, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Larimer County, Unincorporated Areas	080101	July 2, 1974, Emerg; April 2, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Utah:				
Carbon County, Unincorporated Areas	490032	November 27, 1974, Emerg; November 15, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
East Carbon, City of, Carbon County ...	490225	March 7, 1975, Emerg; May 1, 1986, Reg; May 2, 2012, Susp.	.....do	Do.
Ephraim, City of, Sanpete County	490112	January 31, 1975, Emerg; April 3, 1987, Reg; May 2, 2012, Susp.	.....do	Do.
Fairview, City of, Sanpete County	490113	June 12, 1975, Emerg; February 1, 1987, Reg; May 2, 2012, Susp.	.....do	Do.
Gunnison, City of, Sanpete County	490115	August 27, 1975, Emerg; January 30, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Helper, City of, Carbon County	490034	June 10, 1975, Emerg; March 1, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Manti, City of, Sanpete County	490116	July 10, 1975, Emerg; August 4, 1987, Reg; May 2, 2012, Susp.	.....do	Do.
Mayfield, Town of, Sanpete County	490117	July 15, 2010, Emerg; N/A, Reg; May 2, 2012, Susp.	.....do	Do.
Moroni, City of, Sanpete County	490118	July 9, 1975, Emerg; August 5, 1980, Reg; May 2, 2012, Susp.	.....do	Do.
Mount Pleasant, City of, Sanpete County.	490213	February 25, 1976, Emerg; September 24, 1984, Reg; May 2, 2012, Susp.	.....do	Do.
Price, City of, Carbon County	490036	April 26, 1974, Emerg; March 1, 1979, Reg; May 2, 2012, Susp.	.....do	Do.
Sanpete County, Unincorporated Areas	490111	March 2, 1976, Emerg; June 1, 1986, Reg; May 2, 2012, 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
Spring City, City of, Sanpete County	490119	May 7, 1976, Emerg; August 5, 1980, Reg; May 2, 2012, Susp.	.....do	Do.
Sunnyside, City of, Carbon County	490205	June 16, 1975, Emerg; September 29, 1978, Reg; May 2, 2012, Susp.	.....do	Do.
Wellington, City of, Carbon County	490037	February 9, 1977, Emerg; February 2, 1984, Reg; May 2, 2012, Susp.	.....do	Do.

* do = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: April 12, 2012.

David L. Miller,

Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2012–10001 Filed 4–25–12; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 386

[Docket No. FMCSA–2011–0259]

RIN 2126–AB38

Amendment to Agency Rules of Practice

AGENCY: Federal Motor Carrier Safety Administration, DOT.

ACTION: Final rule.

SUMMARY: The Federal Motor Carrier Safety Administration (FMCSA) amends its Rules of Practice for Motor Carrier, Intermodal Equipment Provider, Broker, Freight Forwarder, and Hazardous Materials proceedings. The Agency clarifies that paying the full proposed civil penalty in an enforcement proceeding, either in response to a Notice of Claim (NOC) or later in the proceeding, does not allow respondents to unilaterally avoid an admission of liability for the violations charged. Additionally, the Agency establishes procedures for issuing out-of-service orders to motor carriers, intermodal equipment providers, brokers, and freight forwarders it determines are reincarnations of other entities with a history of failing to comply with statutory or regulatory requirements; these procedures will provide for an administrative review before the out-of-service order takes effect. Finally, the Agency establishes a process for consolidating Agency records of

reincarnated companies with their predecessor entities.

DATES: This rule is effective May 29, 2012.

ADDRESSES: For access to the docket to read background documents, including those referenced in this document, or to read comments received, go to <http://www.regulations.gov> at any time and insert “FMCSA–2011–0259” in the “Keyword” box, and then click “Search.” You may also view the docket online by visiting the Docket Management Facility in Room W12–140, DOT Building, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m., ET Monday through Friday, except Federal holidays.

Anyone is able to search the electronic form for all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the U.S. Department of Transportation’s (DOT) complete Privacy Act Statement in the **Federal Register** published on January 17, 2008 (73 FR 3316), or you may visit <http://edocket.access.gpo.gov/2008/pdf/E8-785.pdf>.

FOR FURTHER INFORMATION CONTACT: Sabrina Redd, Office of Chief Counsel, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590–0001, by telephone at (202) 366–6424 or via email at sabrina.redd@dot.gov. Office hours are from 9 a.m. to 5 p.m. ET, Monday through Friday, except Federal holidays. If you have questions on viewing or submitting material to the docket, contact Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION:

Table of Contents for Preamble

- I. Abbreviations
- II. Legal Basis for the Rulemaking
- III. Background

- A. Section 386.18
- B. Section 386.73
- IV. Discussion of Comments
 - A. Comments to Section 386.18
 - B. Comments to Section 386.73
 - C. Small Business Impact
- V. Discussion of Rule
- VI. Regulatory Analyses

I. Abbreviations

- Advocates Advocates for Highway and Auto Safety
- AMSA American Moving and Storage Association
- ATA American Trucking Associations, Inc.
- HMSF Hazardous Materials Safety Permit Program
- IME Institute of Makers of Explosives
- NATC North American Transportation Consultants, Inc.
- OODA Owner-Operator Independent Drivers Association
- TIA Transportation Intermediaries Association

II. Legal Basis for the Rulemaking

Congress has delegated certain powers to regulate interstate commerce to DOT in numerous pieces of legislation, most notably in section 6 of the Department of Transportation Act (DOT Act) (Pub. L. 89–670, 80 Stat. 931 (1966)). Section 6(e)(6)(C) of the DOT Act transferred to DOT the authority of the Interstate Commerce Commission (ICC) to regulate the qualifications and maximum hours of service of motor carrier employees, the safety of operations, and the equipment of motor carriers in interstate commerce. This authority, first granted to the ICC in the Motor Carrier Act of 1935 (Pub. L. 74–255, 49 Stat. 543), now appears in chapter 315 of title 49 of the U.S. Code. The regulations issued under this authority became known as the Federal Motor Carrier Safety Regulations (FMCSRs), appearing generally at 49 CFR parts 350–399. The administrative powers to enforce chapter 315 were also transferred from the ICC to the DOT in 1966 and appear in chapter 5 of title 49 of the U.S. Code. The Secretary of DOT (Secretary) delegated oversight of these provisions