

40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: December 27, 2012.

H. Curtis Spalding,

Regional Administrator, EPA New England.

40 CFR parts 52 and 81 are amended as follows:

**PART 52—[APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS]**

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

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

**Subpart EE—New Hampshire**

■ 2. Section 52.1534 is amended by adding paragraph (i) to read as follows:

§ 52.1534 Control strategy: Ozone.

\* \* \* \* \*

(i) Approval—EPA is approving a redesignation request for the Boston-Manchester-Portsmouth (SE), New Hampshire moderate 1997 8-hour ozone nonattainment area. New Hampshire submitted this request on March 2, 2012, and supplemented this submittal on September 21, 2012. As part of the redesignation request, the State submitted a maintenance plan as required by section 175A of the Clean Air Act. Elements of the section 175 maintenance plan include a contingency plan and an obligation to submit a subsequent maintenance plan revision as required by the Clean Air Act. The ozone maintenance plan also establishes 2008 and 2022 Motor Vehicle Emission Budgets (MVEBs) for the area. New Hampshire is establishing 2008 MVEBs of 17.8 tons per summer weekday (tpswd) of VOC and 37.2 tpswd of NO<sub>x</sub>, for the Boston-Manchester-Portsmouth (SE), New Hampshire 1997 8-hour ozone maintenance area. In addition, New Hampshire is establishing MVEBs

for 2022 at 9.2 tpswd of VOC and 11.8 tpswd of NO<sub>x</sub>, for the same area. The 2008 and 2022 MVEBs were prepared with the MOVES model. Previously SIP-approved 2009 MVEBs prepared with MOBILE6.2 are being withdrawn. Finally, EPA is also approving a comprehensive 2008 emission inventory for this area.

**PART 81—[DESIGNATION OF AREAS FOR AIR QUALITY PLANNING PURPOSES]**

■ 3. The authority citation for part 81 continues to read as follows:

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

■ 4. Section 81.330 is amended by revising the entry for the Boston-Manchester-Portsmouth (SE), in the New Hampshire 1997 8-hour Ozone NAAQS (Primary and Secondary) table to read as follows:

§ 81.330 New Hampshire

\* \* \* \* \*

**NEW HAMPSHIRE—1997 8-HOUR OZONE NAAQS (PRIMARY AND SECONDARY)**

Designated area	Designation <sup>a</sup>		Category/Classification	
	Date <sup>1</sup>	Type	Date <sup>1</sup>	Type
Boston-Manchester-Portsmouth (SE), NH:				
Hillsborough County (part) Amherst Town, Bedford Town, Brookline Town, Goffstown Town, Hollis Town, Hudson Town, Litchfield Town, Manchester City, Merrimack Town, Milford Town, Nashua City, Pelham Town.	3/4/2013	Attainment		
Merrimack County (part) Hooksett Town .....	3/4/2013	Attainment		
Rockingham County (part) Atkinson Town, Auburn Town, Brentwood Town, Candia Town, Chester Town, Danville Town, Derry Town, E. Kingston Town, Epping Town, Exeter Town, Fremont Town, Greenland Town, Hampstead Town, Hampton Town, Hampton Falls Town, Kensington Town, Kingston Town, Londonderry Town, New Castle Town, Newfields Town, Newington Town, Newmarket Town, Newton Town, North Hampton Town, Plaistow Town, Portsmouth City, Raymond Town, Rye Town, Salem Town, Sandown Town, Seabrook Town, South Hampton Town, Stratham Town, Windham Town.	3/4/2013	Attainment		
Strafford County (part) Dover City, Durham Town, Rochester City, Rollinsford Town, and Somersworth City.	3/4/2013	Attainment		
* * * * *				

<sup>a</sup> Includes Indian country located in each county or area, except otherwise specified.  
<sup>1</sup> This date is June 15, 2004, unless otherwise noted.

\* \* \* \* \*  
 [FR Doc. 2013-00182 Filed 1-30-13; 8:45 am]  
 BILLING CODE 6560-50-P

**DEPARTMENT OF HOMELAND SECURITY**  
**Federal Emergency Management Agency**  
**44 CFR Part 67**  
**[Docket ID FEMA-2013-0002]**  
**Final Flood Elevation Determinations**  
**AGENCY:** Federal Emergency Management Agency, DHS.  
**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).  
**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing

BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final 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 (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final 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 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 final rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This final 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 amended as follows:

**PART 67—[AMENDED]**

■ 1. The authority citation for part 67 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.

**§ 67.11 [Amended]**

■ 2. The tables published under the authority of § 67.11 are amended as follows:

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) modified	Communities affected
<b>Allen County, Ohio, and Incorporated Areas</b> <b>Docket No.: FEMA-B-1192</b>			
Auglaize River .....	Approximately 0.7 mile downstream of Greely Chapel Road.	+ 909	Unincorporated Areas of Allen County.
Dug Run .....	Approximately 750 feet upstream of Faulkner Road .....	+ 965	City of Lima, Unincorporated Areas of Allen County.
Dug Run Tributary .....	At the Ottawa River confluence .....	+ 780	Unincorporated Areas of Allen County.
Flat Fork Creek .....	Approximately 100 feet downstream of North Cable Road	+ 827	Unincorporated Areas of Allen County.
Freed Ditch .....	At the Dug Run confluence .....	+ 813	Unincorporated Areas of Allen County.
Hog Creek .....	At the downstream side of Eastown Road .....	+ 823	Unincorporated Areas of Allen County.
Jennings Creek .....	Approximately 0.4 mile downstream of East 7th Street .....	+ 762	Unincorporated Areas of Allen County.
.....	Approximately 0.6 mile upstream of State Highway 66 (Spencerville Avenue).	+ 776	Unincorporated Areas of Allen County, Village of Fort Shawnee.
.....	At the Little Ottawa River confluence .....	+ 867	Unincorporated Areas of Allen County.
.....	Approximately 1,600 feet upstream of the Little Ottawa River confluence.	+ 870	Unincorporated Areas of Allen County.
.....	At the Ottawa River confluence .....	+ 900	Unincorporated Areas of Allen County.
.....	At the downstream side of County Highway 15 (Hardin Road).	+ 924	Unincorporated Areas of Allen County.
.....	Approximately 400 feet downstream of Pohlman Road .....	+ 760	City of Delphos, Unincorporated Areas of Allen County.
.....	Approximately 200 feet upstream of Pohlman Road .....	+ 760	Unincorporated Areas of Allen County.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) modified	Communities affected
Little Ottawa River .....	At the Ottawa River confluence .....	+ 827	Unincorporated Areas of Allen County, Village of Fort Shawnee.
Little Riley Creek .....	Approximately 0.8 mile upstream of Hume Road .....	+ 881	
Lost Creek .....	At the upstream side of Columbus Grove Bluffton Road ...	+ 820	Unincorporated Areas of Allen County.
Lost Creek Tributary .....	Approximately 150 feet upstream of Columbus Grove Bluffton Road.	+ 820	
Lost Creek Tributary .....	At the Ottawa River confluence .....	+ 863	Unincorporated Areas of Allen County.
Lost Creek Tributary .....	At the downstream side of Cool Road .....	+ 928	
Ottawa River .....	At the downstream side of State Highway 117/309 .....	+ 875	Unincorporated Areas of Allen County.
Ottawa River .....	Approximately 50 feet upstream of State Highway 117/309.	+ 875	
Ottawa River .....	Approximately 1.1 miles downstream of Lincoln Highway	+ 767	City of Lima, Unincorporated Areas of Allen County, Village of Elida.
Pike Run .....	At the Hog Creek confluence .....	+ 900	
Pike Run .....	At the Ottawa River confluence .....	+ 769	City of Lima, Unincorporated Areas of Allen County.
Sugar Creek .....	Approximately 300 feet downstream of Knollwood Drive ...	+ 829	
Sugar Creek .....	Approximately 1.2 miles downstream of Hookwaltz Road	+ 776	City of Lima, Unincorporated Areas of Allen County.
Unnamed tributary No. 3 to Little Ottawa River.	At the downstream side of Phillips Road .....	+ 881	
Unnamed tributary No. 3 to Little Ottawa River.	Approximately 1,500 feet upstream of the Little Ottawa River confluence.	+ 835	Unincorporated Areas of Allen County, Village of Fort Shawnee.
Unnamed tributary No. 3 to Little Ottawa River.	Approximately 0.5 mile upstream of the Little Ottawa River confluence.	+ 839	

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Delphos**

Maps are available for inspection at City Hall, 608 North Canal Street, Delphos, OH 45833.

**City of Lima**

Maps are available for inspection at City Hall, 50 Town Square, Lima, OH 45801.

**Unincorporated Areas of Allen County**

Maps are available for inspection at the Allen County Courthouse, 301 North Main Street, Lima, OH 45802.

**Village of Elida**

Maps are available for inspection at the Village Hall, 200 West Main Street, Elida, OH 45807.

**Village of Fort Shawnee**

Maps are available for inspection at the Village Hall, 2050 West Breese Road, Fort Shawnee, OH 45806.

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

**James A. Walke,**

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

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket ID FEMA-2013-0002]

**Final Flood Elevation Determinations**

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

**ACTION:** Final rule.

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