

(58 FR 51735, October 4, 1993), and therefore this action is not subject to review by OMB. This action authorizes State requirements for the purpose of RCRA 3006 and imposes no additional requirements beyond those imposed by State law. Accordingly, I certify 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.). Because this action authorizes pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it 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). For the same reason, this action also does not significantly or uniquely affect the communities of Tribal governments, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action will 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), because it merely authorizes State requirements as part of the State RCRA hazardous waste program without altering the relationship or the distribution of power and responsibilities established by RCRA. This action also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant and it does not make decisions based on environmental health or safety risks. This rule 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 under Executive Order 12866.

Under RCRA 3006(b), EPA grants a State's application for authorization as long as the State meets the criteria required by RCRA. It would thus be inconsistent with applicable law for EPA, when it reviews a State authorization application, to require the use of any particular voluntary consensus standard in place of another standard that otherwise satisfies the requirements of RCRA. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing

this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the executive order. 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, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this document 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 in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2). This action will be effective July 1, 2013, unless objections to this authorization are received.

#### List of Subjects in 40 CFR Part 271

Environmental protection, Administrative practice and procedure, Confidential business information, Hazardous waste, Hazardous waste transportation, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements.

**Authority:** This action is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6912(a), 6926, and 6974(b).

Dated: March 28, 2013.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*  
[FR Doc. 2013-10408 Filed 5-1-13; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2013-0002; Internal Agency Docket No. FEMA-8279]

#### 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. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

**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
<b>Region III</b>				
Pennsylvania:				
Berlin, Township of, Wayne County .....	422158	January 23, 1976, Emerg; July 15, 1988, Reg; May 16, 2013, Susp.	May 16, 2013 ...	May 16, 2013
Bethany, Borough of, Wayne County ....	422566	October 31, 1975, Emerg; November 6, 1981, Reg; May 16, 2013, Susp.	.....do .....	Do.
Buckingham, Township of, Wayne County.	422159	May 12, 1975, Emerg; August 19, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Canaan, Township of, Wayne County ..	422160	August 28, 1975, Emerg; September 30, 1987, Reg; May 16, 2013, Susp.	.....do .....	Do.
Cherry Ridge, Township of, Wayne County.	422161	November 14, 1975, Emerg; December 4, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Clinton, Township of, Wayne County ....	422162	November 13, 1975, Emerg; February 4, 1983, Reg; May 16, 2013, Susp.	.....do .....	Do.
Damascus, Township of, Wayne County.	422163	June 9, 1975, Emerg; September 30, 1988, Reg; May 16, 2013, Susp.	.....do .....	Do.
Dreher, Township of, Wayne County ....	422164	May 14, 1975, Emerg; March 4, 1988, Reg; May 16, 2013, Susp.	.....do .....	Do.
Dyberry, Township of, Wayne County ..	422165	May 2, 1975, Emerg; September 30, 1987, Reg; May 16, 2013, Susp.	.....do .....	Do.
Hawley, Borough of, Wayne County .....	420863	July 18, 1974, Emerg; August 19, 1991, Reg; May 16, 2013, 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
Honesdale, Borough of, Wayne County	420864	April 18, 1973, Emerg; November 30, 1973, Reg; May 16, 2013, Susp.	.....do .....	Do.
Lake, Township of, Wayne County .....	422166	September 17, 1975, Emerg; October 15, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Lebanon, Township of, Wayne County	422567	January 18, 1980, Emerg; August 19, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Lehigh, Township of, Wayne County ....	422167	July 2, 1975, Emerg; March 4, 1988, Reg; May 16, 2013, Susp.	.....do .....	Do.
Manchester, Township of, Wayne County.	422168	December 8, 1975, Emerg; September 30, 1988, Reg; May 16, 2013, Susp.	.....do .....	Do.
Mount Pleasant, Township of, Wayne County.	422169	July 2, 1975, Emerg; December 4, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Oregon, Township of, Wayne County ...	422170	December 2, 1975, Emerg; November 5, 1982, Reg; May 16, 2013, Susp.	.....do .....	Do.
Palmyra, Township of, Wayne County ..	420865	April 18, 1973, Emerg; March 15, 1977, Reg; May 16, 2013, Susp.	.....do .....	Do.
Paupack, Township of, Wayne County	421023	December 10, 1973, Emerg; March 1, 1977, Reg; May 16, 2013, Susp.	.....do .....	Do.
Preston, Township of, Wayne County ...	422171	May 12, 1975, Emerg; October 15, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Prompton, Borough of, Wayne County	420866	June 25, 1975, Emerg; June 1, 1989, Reg; May 16, 2013, Susp.	.....do .....	Do.
Salem, Township of, Wayne County .....	422172	September 30, 1975, Emerg; July 15, 1988, Reg; May 16, 2013, Susp.	.....do .....	Do.
Scott, Township of, Wayne County .....	422173	January 27, 1976, Emerg; December 4, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
South Canaan, Township of, Wayne County.	422174	July 29, 1975, Emerg; August 19, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Starrucca, Borough of, Wayne County	420867	November 26, 1975, Emerg; February 17, 1988, Reg; May 16, 2013, Susp.	.....do .....	Do.
Sterling, Township of, Wayne County ...	422175	May 13, 1975, Emerg; December 3, 1982, Reg; May 16, 2013, Susp.	.....do .....	Do.
Texas, Township of, Wayne County .....	422176	July 24, 1975, Emerg; September 30, 1987, Reg; May 16, 2013, Susp.	.....do .....	Do.
Waymart, Borough of, Wayne County ..	420868	July 23, 1975, Emerg; October 30, 1981, Reg; May 16, 2013, Susp.	.....do .....	Do.
West Virginia:				
Boone County, Unincorporated Areas ..	540007	April 25, 1975, Emerg; April 16, 1991, Reg; May 16, 2013, Susp.	.....do .....	Do.
<b>Region IV</b>				
Georgia:				
Atlanta, City of, DeKalb and Fulton Counties.	135157	April 30, 1970, Emerg; October 14, 1971, Reg; May 16, 2013, Susp.	.....do .....	Do.
Dunwoody, City of, DeKalb County .....	130679	N/A, Emerg; October 14, 2009, Reg; May 16, 2013, Susp.	.....do .....	Do.
Kentucky:				
Augusta, City of, Bracken County .....	210022	February 26, 1975, Emerg; September 16, 1988, Reg; May 16, 2013, Susp.	.....do .....	Do.
Bracken County, Unincorporated Areas	210021	June 9, 1997, Emerg; November 1, 1997, Reg; May 16, 2013, Susp.	.....do .....	Do.
Bromley, City of, Kenton County .....	210253	September 19, 1974, Emerg; April 15, 1980, Reg; May 16, 2013, Susp.	.....do .....	Do.
Covington, City of, Kenton County .....	210129	March 19, 1974, Emerg; June 15, 1979, Reg; May 16, 2013, Susp.	.....do .....	Do.
Crescent Springs, City of, Kenton County.	210450	N/A, Emerg; April 20, 2011, Reg; May 16, 2013, Susp.	.....do .....	Do.
Crestview Hills, City of, Kenton County	210451	N/A, Emerg; June 11, 2009, Reg; May 16, 2013, Susp.	.....do .....	Do.
Edgewood, City of, Kenton County .....	210452	N/A, Emerg; November 22, 2010, Reg; May 16, 2013, Susp.	.....do .....	Do.
Erlanger, City of, Kenton County .....	210378	November 20, 1997, Emerg; March 16, 2009, Reg; May 16, 2013, Susp.	.....do .....	Do.
Fort Wright, City of, Kenton County .....	210249	October 21, 1980, Emerg; October 21, 1980, Reg; May 16, 2013, Susp.	.....do .....	Do.
Independence, City of, Kenton County	210240	October 10, 1974, Emerg; September 17, 1980, Reg; May 16, 2013, Susp.	.....do .....	Do.
Kenton County, Unincorporated Areas	210128	December 26, 1974, Emerg; July 2, 1981, Reg; May 16, 2013, 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
Ludlow, City of, Kenton County .....	210266	October 29, 1974, Emerg; September 28, 1979, Reg; May 16, 2013, Susp.	.....do .....	Do.
Ryland Heights, City of, Kenton County	210389	N/A, Emerg; September 18, 2001, Reg; May 16, 2013, Susp.	.....do .....	Do.
Taylor Mill, City of, Kenton County .....	210246	September 13, 1974, Emerg; September 28, 1979, Reg; May 16, 2013, Susp.	.....do .....	Do.
Villa Hills, City of, Kenton County .....	210456	N/A, Emerg; May 22, 2009, Reg; May 16, 2013, Susp.	.....do .....	Do.
<b>Mississippi:</b>				
Lauderdale County, Unincorporated Areas.	280224	May 28, 1975, Emerg; September 29, 1989, Reg; May 16, 2013, Susp.	.....do .....	Do.
Meridian, City of, Lauderdale County ....	280096	November 19, 1971, Emerg; December 15, 1977, Reg; May 16, 2013, Susp.	.....do .....	Do.
<b>Region V</b>				
<b>Michigan:</b>				
Allendale, Charter Township of, Ottawa County.	260490	December 30, 1977, Emerg; July 5, 1982, Reg; May 16, 2013, Susp.	.....do .....	Do.
Georgetown, Charter Township of, Ottawa County.	260589	December 16, 1975, Emerg; July 18, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Tallmadge, Charter Township of, Ottawa County.	260494	September 3, 1980, Emerg; March 2, 1983, Reg; May 16, 2013, Susp.	.....do .....	Do.
<b>Wisconsin:</b>				
Oneida County, Unincorporated Areas	550579	June 10, 1975, Emerg; August 5, 1991, Reg; May 16, 2013, Susp.	.....do .....	Do.
Rhineland, City of, Oneida County ....	550301	March 25, 1975, Emerg; August 5, 1991, Reg; May 16, 2013, Susp.	.....do .....	Do.
<b>Region VI</b>				
<b>Arkansas:</b>				
Greene County, Unincorporated Areas	050435	N/A, Emerg; July 20, 2011, Reg; May 16, 2013, Susp.	.....do .....	Do.
Oak Grove Heights, City of, Greene County.	050510	N/A, Emerg; July 27, 2011, Reg; May 16, 2013, Susp.	.....do .....	Do.
<b>New Mexico:</b>				
Clovis, City of, Curry County .....	350010	May 1, 1974, Emerg; February 4, 1981, Reg; May 16, 2013, Susp.	.....do .....	Do.
Curry County, Unincorporated Areas ....	350127	February 11, 2005, Emerg; August 5, 2010, Reg; May 16, 2013, Susp.	.....do .....	Do.
<b>Region VIII</b>				
<b>Colorado:</b>				
Crested Butte, Town of, Gunnison County.	080079	June 13, 1974, Emerg; September 4, 1985, Reg; May 16, 2013, Susp.	.....do .....	Do.
Gunnison, City of, Gunnison County .....	080080	June 18, 1975, Emerg; April 18, 1983, Reg; May 16, 2013, Susp.	.....do .....	Do.
Gunnison County, Unincorporated Areas.	080078	May 28, 1975, Emerg; September 29, 1989, Reg; May 16, 2013, Susp.	.....do .....	Do.
Marble, Town of, Gunnison County .....	080197	January 16, 1976, Emerg; October 1, 1990, Reg; May 16, 2013, Susp.	.....do .....	Do.

\*-do- =Ditto.

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

Dated: March 27, 2013.

**David L. Miller,**

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

[FR Doc. 2013-10348 Filed 5-1-13; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 64**

**[Docket ID FEMA-2013-0002; Internal Agency Docket No. FEMA-8283]**

**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