

for SSM periods or affirmative defense provisions.

### III. Proposed Action

EPA is proposing to approve, and incorporate into the New Hampshire SIP, four regulations and part of one regulation, except for affirmative defense provisions in two of the regulations which NH DES has withdrawn. The four regulations include one regulation submitted by the State of New Hampshire on March 31, 2011, Sand and Gravel Sources; Non-Metallic Mineral Processing Plants; Cement and Concrete Sources (Env-A 2800), effective October 1, 2010; and three regulations submitted on July 23, 2013, Particulate Matter and Visible Emissions Standards (Env-A 2100), effective April 23, 2013; Ferrous and Non-Ferrous Foundries, Smelters, and Investment Casting Operations (Env-A 2400), effective April 23, 2013; and Hot Mix Asphalt Plants (Env-A 2700), effective February 16, 2013. As noted earlier, the affirmative defense provisions, which NH DES has withdrawn from its SIP submittals, are not included in this proposed approval action and are contained in state law only in Env-A 2103.03 and 2405. EPA is also proposing to approve Env-A 807 ("Testing for Opacity of Emissions"), effective October 31, 2002.

EPA is soliciting public comments on the issues discussed in this proposal or on other relevant matters. These comments will be considered before EPA takes final action. Interested parties may participate in the Federal rulemaking procedure by submitting comments to this proposed rule by following the instructions listed in the **ADDRESSES** section of this **Federal Register**.

### IV. Incorporation by Reference

In this rule, the EPA is proposing to include in a final EPA rule regulatory text that includes incorporation by reference. In accordance with requirements of 1 CFR 51.5, the EPA is proposing to incorporate by reference the New Hampshire Code of Administrative Rules stated in section III above. The EPA has made, and will continue to make, these documents generally available electronically through <http://www.regulations.gov> and/or in hard copy at the appropriate EPA office.

### V. Statutory and Executive Order Reviews

Under the Clean Air Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable

Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. Accordingly, this proposed action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4);

- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the Clean Air Act; and

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications and will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: August 9, 2016.

**H. Curtis Spalding,**

*Regional Administrator, EPA New England.*

[FR Doc. 2016-19869 Filed 8-19-16; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 9

[Docket ID FEMA-2015-0006]

### Guidance for Implementing the Federal Flood Risk Management Standard

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) is accepting comments on the proposed guidance for implementing the Federal Flood Risk Management Standard (FFRMS).

**DATES:** Comments must be received by October 21, 2016.

**ADDRESSES:** Comments must be identified by Docket ID: FEMA-2015-0006 and may be submitted by one of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Mail:* Regulatory Affairs Division, Office of the Chief Counsel, Federal Emergency Management Agency, Room 8NE-1604, 500 C Street SW., Washington, DC 20472-3100.

The proposed guidance may be found at <http://www.regulations.gov>, using Docket ID FEMA-2015-0006. Members of the public without internet access may request a copy of the policy from using the information in the **FOR FURTHER INFORMATION CONTACT** section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Kristin Fontenot, Director, Office of Environmental Planning and Historic Preservation, Federal Insurance and Mitigation Administration, DHS/FEMA, 400 C Street SW., Suite 313,

Washington, DC 20472–3020, 202–646–2741.

**SUPPLEMENTARY INFORMATION:** FEMA is separately publishing in this issue of the **Federal Register** a notice of proposed rulemaking that proposes revisions to 44 CFR part 9, Floodplain Management and Protection of Wetlands. As proposed, the notice of proposed rulemaking would revise 44 CFR part 9 to implement the Federal Flood Risk Management Standard (FFRMS). FEMA is proposing to issue a policy supplementary to the proposed changes to 44 CFR part 9, to provide further guidance on how FEMA intends to implement the FFRMS.

If finalized as proposed, the policy would provide specific guidelines to implement the FFRMS for FEMA Federally Funded Projects, which are actions involving the use of FEMA funds for new construction, substantial improvement, or to address substantial damage to a structure or facility. The policy would select the use of the FFRMS-Freeboard Value Approach to establish the elevation and FFRMS floodplain for FEMA Federally Funded Projects that are non-critical actions. For FEMA Federally Funded Projects that are critical actions, the policy would select the use of the FFRMS-Freeboard Value Approach to establish the minimum FFRMS elevation and floodplain for critical actions. The policy would allow optional use of the FFRMS-Climate-Informed Science Approach to establish the elevation and FFRMS floodplain for critical actions, but only if the elevation established under the FFRMS-Climate-Informed Science Approach is higher than the elevation established under the FFRMS-Freeboard Value Approach. The policy would also encourage early coordination when multiple Federal agencies are jointly engaged in an action to ensure a consistent approach to determine which floodplain determination is applied.

**Authority:** Executive Order 11988, Floodplain Management, as amended and implementing regulations at 44 CFR part 9.

Dated: August 15, 2016.

**W. Craig Fugate,**

*Administrator, Federal Emergency Management Agency.*

[FR Doc. 2016–19809 Filed 8–19–16; 8:45 am]

**BILLING CODE 9111–66–P**

## FEDERAL MARITIME COMMISSION

### 46 CFR Parts 530 and 531

[Docket No. 16–05]

RIN 3072–AC53

### Amendments to Regulations Governing Service Contracts and NVOCC Service Arrangements

**AGENCY:** Federal Maritime Commission.

**ACTION:** Notice of Proposed Rulemaking.

**SUMMARY:** The Federal Maritime Commission (FMC or Commission) proposes to amend its rules governing Service Contracts and NVOCC Service Arrangements. The proposed rule is intended to update, modernize, and reduce the regulatory burden.

**DATES:** Submit comments on or before September 23, 2016. In compliance with the Paperwork Reduction Act, the Commission is also seeking comment on revisions to an information collection. See the Paperwork Reduction Act section under Regulatory Analyses and Notices below. Please submit all comments relating to the revised information collection to the Commission and to the Office of Management and Budget (OMB) at the address listed in the **ADDRESSES** section on or before October 24, 2016. Comments to OMB are most useful if submitted within 30 days of publication.

**ADDRESSES:** You may submit comments by the following methods:

- **Email:** [secretary@fmc.gov](mailto:secretary@fmc.gov). Include in the subject line: “Docket 16–05, [Commentor/Company name].” Comments should be attached to the email as a Microsoft Word or text-searchable PDF document. Only non-confidential and public versions of confidential comments should be submitted by email.

- **Mail:** Karen V. Gregory, Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573–0001.

**Docket:** For access to the docket to read background documents or comments received, go to the Commission’s Electronic Reading Room at: <http://www.fmc.gov/16–05>.

**Confidential Information:** The Commission will provide confidential treatment for identified confidential information to the extent allowed by law. If your comments contain confidential information, you must submit the following:

- A transmittal letter requesting confidential treatment that identifies the specific information in the comments for which protection is sought and

demonstrates that the information is a trade secret or other confidential research, development, or commercial information.

- A confidential copy of your comments, consisting of the complete filing with a cover page marked “Confidential-Restricted,” and the confidential material clearly marked on each page. You should submit the confidential copy to the Commission by mail.

- A public version of your comments with the confidential information excluded. The public version must state “Public Version—confidential materials excluded” on the cover page and on each affected page, and must clearly indicate any information withheld. You may submit the public version to the Commission by email or mail.

**FOR FURTHER INFORMATION CONTACT:** For questions regarding submitting comments or the treatment of confidential information, contact Karen V. Gregory, Secretary. *Phone:* (202) 523–5725. *Email:* [secretary@fmc.gov](mailto:secretary@fmc.gov). For technical questions, contact Florence A. Carr, Director, Bureau of Trade Analysis. *Phone:* (202) 523–5796. *Email:* [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov). For legal questions, contact Tyler J. Wood, General Counsel. *Phone:* (202) 523–5740. *Email:* [generalcounsel@fmc.gov](mailto:generalcounsel@fmc.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Background

In 1984, Congress passed the Shipping Act of 1984 (the Shipping Act or the Act), 46 U.S.C. 40101 *et seq.*, which introduced the concept of carriage under service contracts with the Federal Maritime Commission (Commission or FMC). The pricing of liner services via negotiated contracts, rather than exclusively by public tariffs, was a change that had profound effects on the liner industry. FMC regulations require all ocean freight rates, surcharges, and accessorial charges in liner trades to be published in ocean common carrier tariffs or agreed to in service contracts filed with the Commission. Contemporaneous with the filing of service contracts, carriers are also required to make available to the public a concise statement of essential terms in tariff format.

In 1998, Congress passed the Ocean Shipping Reform Act (OSRA), amending the Shipping Act of 1984 relating to service contracts. To facilitate compliance and minimize the filing burdens on the oceanborne commerce of the United States, service contracts and amendments effective after April 30, 1999, are required by FMC regulations to be filed with the Commission in