

documents such as the RI/FS, Risk Assessment, ROD, Proposed Plan, ESD and Five-Year Reviews.

On July 25, 2006 representatives from the EPA, ADEM CSXT, and AMEC held a public availability session, regarding the upcoming IEWP for the Site. The purpose of the availability session was to inform the general public and local residents living near the Site, of the success of the long term cleanup activities at the Site. At the time of the meeting, benzene was detected in only three of the monitoring wells, with two of those exceeding the 5 µg/L cleanup level.

On September 16, 2009 representatives from the EPA, ADEM, CSXT, and AMEC held a public availability session to discuss the closure of a portion of the monitoring network, located south of Highway 47. These wells had completed five years of sampling with laboratory results below the 5 µg/L cleanup goal. In accordance with the approved CMP, this milestone achievement allowed the southern portion of the former plume to be eligible for closure.

On March 19, 2014 representatives held a public availability session to discuss the attainment of cleanup goals for five consecutive years in each of the remaining monitoring wells. With the attainment of all cleanup goals set forth for the Site, this public availability session served to inform the local community that all monitoring and site related activities would cease.

Public participation activities have been satisfied as required in CERCLA Section 113(k), 42 U.S.C. 9613(k) and CERCLA Section 117, 42 U.S.C. 9617. Documents in the deletion docket, which the EPA relied on for recommendation of the deletion from the NPL, are available to the public in the information repositories identified above.

#### *Determination That the Site Meets the Criteria for Deletion From the NCP*

Region 4 has followed the procedures required by 40 CFR 300.425(e) as mentioned above and the implemented remedy achieves the degree of cleanup specified in the ROD for all pathways of exposure. Specifically, ground water sampling results have been below the benzene clean-up goal of 5 µg/L for five consecutive years. These results verify that the Site has achieved the ROD cleanup standards, and that all cleanup actions specified in the ROD and ESD have been implemented. All selected remedial and removal action objectives and associated cleanup levels are consistent with agency policy and guidance. This Site meets all the site

completion requirements as specified in Office of Solid Waste and Emergency Response (OSWER) Directive 9320.22, *Close-Out Procedures for National Priorities List Sites*. No further Superfund response is needed to protect human health and the environment.

#### **V. Deletion Action**

The EPA, with concurrence of the State of Alabama through ADEM, has determined that all appropriate response actions under CERCLA have been completed. Therefore, the EPA is deleting the Site from the NPL.

Because the EPA considers this action to be noncontroversial and routine, the EPA is taking it without prior publication. This action will be effective May 16, 2017 unless the EPA receives adverse comments by April 17, 2017. If adverse comments are received within the 30-day public comment period, the EPA will publish a timely withdrawal of this direct final notice of deletion before the effective date of the deletion, and it will not take effect. The EPA will prepare a response to comments and continue with the deletion process on the basis of the notice of intent to delete and the comments already received. There will be no additional opportunity to comment.

#### **List of Subjects in 40 CFR Part 300**

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: September 6, 2016.

#### **V. Anne Heard,**

*Acting Regional Administrator, Region 4.*

For the reasons set out in this document, 40 CFR part 300 is amended as follows:

#### **PART 300—NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN**

- 1. The authority citation for part 300 is revised to read as follows:

**Authority:** 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

#### **Appendix B to Part 300—[Amended]**

- 2. Table 1 of Appendix B to part 300 is amended by removing “AL”,

“Perdido Ground Water Contamination”, “Perdido”.

[FR Doc. 2017–05290 Filed 3–16–17; 8:45 am]

**BILLING CODE 6560–50–P**

#### **DEPARTMENT OF HOMELAND SECURITY**

#### **Federal Emergency Management Agency**

#### **44 CFR Part 67**

[Docket ID FEMA–2016–0002]

#### **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:** Effective March 17, 2017. The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community 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:** Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646–7659, or (email) [patrick.sacbibit@fema.dhs.gov](mailto:patrick.sacbibit@fema.dhs.gov); or visit the FEMA Map Information eXchange (FMIX) online at [www.floodmaps.fema.gov/fhm/fmx\\_main.html](http://www.floodmaps.fema.gov/fhm/fmx_main.html).

**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 Insurance and 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.* FEMA has reviewed this final rule for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action will not have a significant effect on the human environment. This action is

covered by categorical exclusions A4 and A 7 in Department of Homeland Security (DHS) Instruction 023–01–001–01, Appendix A.

*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.

Dated: December 21, 2016.

**Roy E. Wright,**

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

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>Washington County, Oregon and Incorporated Areas Docket Nos.: FEMA–B–7749 and B–7775</b>			
Beal Creek .....	Approximately 750 feet upstream of State Highway 47 ..... Approximately 765 feet upstream of Main Street .....	+170 +172	City of Forest Grove, Unincorporated Areas of Washington County.
Beaverton Creek .....	At upstream side of Southwest 197th Avenue ..... Approximately 870 feet upstream of Southwest Laurelwood Avenue.	+160 +267	City of Beaverton, City of Hillsboro, Unincorporated Areas of Washington County.
Bethany Creek .....	Approximately 0.21 mile downstream of Northwest 185th Avenue. Approximately 0.58 mile upstream of Northwest West Union Road.	+174 +188	Unincorporated Areas of Washington County.
Bronson Creek .....	Approximately 65 feet downstream of Northwest Anzalone Drive. Approximately 1.0 mile upstream of Northwest West Union Road.	+158 +238	City of Beaverton, City of Hillsboro, Unincorporated Areas of Washington County.
Butternut Creek .....	Approximately 940 feet downstream of Southwest 209th Avenue. Approximately 80 feet upstream of Southwest Farmington Road.	+165 +200	Unincorporated Areas of Washington County.
Cedar Creek .....	Approximately 0.4 mile downstream of Southwest Edy Road. Approximately 560 feet upstream of Southwest Sunset Boulevard.	+145 +176	City of Sherwood, Unincorporated Areas of Washington County.
Cedar Mill Creek .....	Approximately 0.6 mile downstream of Portland & Western Railroad. Approximately 90 feet upstream of Northwest 113th Avenue.	+171 +300	City of Beaverton, Unincorporated Areas of Washington County.
Cedar Mill Creek—North Over-flow.	At the Cedar Mill Creek confluence ..... Approximately 250 feet upstream of Southwest 131st Avenue.	+207 +213	City of Beaverton, Unincorporated Areas of Washington County.
Cedar Mill Creek—South Over-flow.	At the Cedar Mill Creek confluence ..... At the upstream side of Southwest Evergreen Street .....	+195 +205	City of Beaverton, Unincorporated Areas of Washington 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
Cedar Mill Creek—Upper North Overflow.	At the Cedar Mill Creek—North Overflow confluence ..... Approximately 550 feet upstream of the Cedar Mill Creek—North Overflow confluence.	+212 +214	City of Beaverton, Unincorporated Areas of Washington County.
Celebrity Creek .....	At the Butternut Creek confluence ..... Approximately 65 feet downstream of Southwest Farmington Road.	+176 +212	Unincorporated Areas of Washington County.
Chicken Creek .....	Approximately 0.8 mile downstream of Southwest Roy Rogers Road. At the upstream side of Southwest Edy Road .....	+135 +157	City of Sherwood, Unincorporated Areas of Washington County.
Chicken Creek—West Tributary	At the upstream side of Southwest Elwert Road ..... Approximately 0.3 mile upstream of Southwest Elwert Road.	+151 +156	Unincorporated Areas of Washington County.
Council Creek .....	Approximately 0.25 mile downstream of Northwest Hobbs Road. Approximately 0.39 mile downstream of Beal Road .....	+156 +166	Unincorporated Areas of Washington County.
Dairy Creek .....	At the Tualatin River confluence ..... Approximately 125 feet upstream of Northwest Susbauer Road.	+152 +159	City of Hillsboro, Unincorporated Areas of Washington County.
Dawson Creek .....	Approximately 317 feet upstream of Northwest Brookwood Avenue. Approximately 0.3 mile upstream of Northwest Shute Road.	+151 +184	City of Hillsboro, Unincorporated Areas of Washington County.
Deer Creek .....	Approximately 475 feet downstream of Northwest Kahneeta Drive. Approximately 90 feet upstream of Northwest 174th Avenue.	+176 +202	Unincorporated Areas of Washington County.
Erikson Creek .....	Approximately 211 feet upstream of Southwest 144th Avenue. Approximately 322 feet upstream of Southwest 10th Street.	+175 +203	City of Beaverton.
Fanno Creek .....	At the Tualatin River confluence ..... Approximately 0.3 mile downstream of Southwest Durham Road.	+131 +131	City of Durham, City of Tigard.
Glencoe Swale .....	Approximately 980 feet upstream of McKay Creek confluence. Approximately 0.5 mile upstream of Northwest Sewell Road.	+156 +201	City of Hillsboro, Unincorporated Areas of Washington County.
Golf Creek .....	Approximately 390 feet upstream of Hall Creek confluence. Approximately 625 feet upstream of 97th Avenue .....	+198 +223	City of Beaverton, Unincorporated Areas of Washington County.
Gordon Creek .....	Approximately 275 feet upstream of Southwest River Road. Approximately 0.25 mile upstream of Southwest 229th Avenue.	+146 +196	City of Hillsboro, Unincorporated Areas of Washington County.
Hall Creek .....	Approximately 175 feet downstream of the North Fork Hall Creek confluence. At the downstream side of Southwest 87th Avenue .....	+181 +256	City of Beaverton, Unincorporated Areas of Washington County.
Hall Creek—106th Tributary .....	At the Hall Creek confluence ..... Approximately 600 feet upstream of Southwest 106th Avenue.	+191 +245	City of Beaverton, Unincorporated Areas of Washington County.
Hall Creek South Fork .....	Approximately 750 feet downstream of Southwest 96th Avenue. Approximately 150 feet upstream of Southwest 86th Avenue.	+213 +260	City of Beaverton, Unincorporated Areas of Washington County.
Hedges Creek .....	At the downstream side of Southwest Boones Ferry Road Approximately 0.75 mile upstream of Southwest Teton Avenue.	+129 +142	City of Tualatin, Unincorporated Areas of Washington County.
Holcomb Creek .....	Approximately 500 feet upstream of Rock Creek North confluence. Approximately 0.15 mile upstream of Northwest Plastics Drive.	+178 +211	Unincorporated Areas of Washington County.
McKay Creek .....	At the Dairy Creek confluence ..... At the upstream side of Northwest Union Road .....	+156 +174	City of Hillsboro, Unincorporated Areas of Washington 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
North Fork Hall Creek .....	At the Hall Creek confluence ..... Approximately 0.4 mile upstream of Center Street .....	+181 +183	City of Beaverton, Unincorporated Areas of Washington County.
North Johnson Creek .....	At the Cedar Mill Creek confluence ..... Approximately 0.4 mile upstream of North Johnson Creek—East Tributary confluence.	+187 +307	City of Beaverton, Unincorporated Areas of Washington County.
North Johnson Creek—East Tributary.	At the North Johnson Creek confluence ..... Approximately 0.4 mile upstream of North Johnson Creek confluence.	+249 +327	Unincorporated Areas of Washington County.
North Johnson Creek—North Tributary.	Approximately 0.24 mile downstream of Northwest 114th Avenue. Approximately 0.22 mile upstream of Northwest 112th Avenue.	+212 +343	City of Beaverton, Unincorporated Areas of Washington County.
Rock Creek North .....	Approximately 0.47 mile downstream of Northwest Union Road. Approximately 0.75 mile upstream of Old Cornelius Pass Road.	+174 +247	Unincorporated Areas of Washington County.
Rock Creek South .....	Approximately 750 feet downstream of Southwest Pacific Highway. Approximately 0.32 mile upstream of Portland & Western Railroad.	+134 +139	City of Sherwood, Unincorporated Areas of Washington County.
South Johnson Creek .....	Approximately 800 feet downstream of Southwest Hart Road. Approximately 160 feet upstream of Southwest Hart Road	+205 +219	City of Beaverton, Unincorporated Areas of Washington County.
Storey Creek .....	Approximately 200 feet upstream of the Waible Creek confluence. Approximately 0.80 mile upstream of Storey Creek—Middle Tributary confluence.	+164 +197	Unincorporated Areas of Washington County
Storey Creek—East Tributary ...	At the Storey Creek confluence ..... Approximately 0.35 mile upstream of Northwest Sunset Highway.	+173 +188	Unincorporated Areas of Washington County.
Storey Creek—Middle Tributary	Approximately 870 feet upstream of the Storey Creek confluence. At the upstream side of Northwest West Union Road .....	+180 +196	Unincorporated Areas of Washington County.
Tualatin River .....	Approximately 490 feet downstream of the Tualatin River Overflow to Nyberg Slough confluence. Approximately 0.3 mile upstream of Southwest Roy Rogers Road.	+126 +135	City of Durham, City of King City, City of Tigard, City of Tualatin, Unincorporated Areas of Washington County.
Tualatin River .....	Approximately 1.6 miles downstream of Southwest Golf Course Road. Approximately 0.3 mile downstream of the Gales Creek confluence.	+153 +168	City of Cornelius, City of Hillsboro, Unincorporated Areas of Washington County.
Tualatin River—Golf Overflow ..	Approximately 150 feet downstream of Southwest Golf Course Road. Approximately 1.0 mile upstream of Southwest Golf Course Road.	+156 +162	City of Forest Grove, Unincorporated Areas of Washington County.
Tualatin River—LaFollett Overflow.	Approximately 0.3 mile upstream of Southwest Golf Course Road. At the downstream side of Southwest LaFollett Road .....	+157 +160	Unincorporated Areas of Washington County.
Tualatin River Overflow to Nyberg Slough.	At the Tualatin River confluence ..... Approximately 300 feet downstream of the divergence from the Tualatin River.	+126 +129	City of Tualatin.
Turner Creek .....	Approximately 450 feet downstream of Southeast 32nd Avenue. Approximately 0.5 mile upstream of East Main Street .....	+147 +168	City of Hillsboro.
Waible Creek .....	Approximately 0.25 mile upstream of McKay Creek confluence. Approximately 0.25 mile upstream of the Waible Creek—North Tributary confluence.	+160 +196	Unincorporated Areas of Washington County.
Waible Creek—North Tributary	At the Waible Creek confluence ..... At the upstream side of Northwest West Union Road .....	+192 +207	City of Hillsboro, Unincorporated Areas of Washington County.
Waible Creek—South Tributary	At the Waible Creek confluence ..... Approximately 90 feet upstream of Northwest Jacobson Road.	+179 +211	City of Hillsboro, Unincorporated Areas of Washington 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
West Fork Dairy Creek .....	Approximately 0.8 mile upstream of Northwest Wilson River Highway. Approximately 0.72 mile downstream of Northwest Banks Road.	+195  +196	City of Banks.
Willow Creek .....	Approximately 400 feet upstream of Beaverton Creek confluence. At the upstream side of Northwest 141st Place .....	+162  +239	City of Beaverton, City of Hillsboro, Unincorporated Areas of Washington County.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

#### City of Banks

Maps are available for inspection at City Administrative Offices, 13680 Northwest Main Street, Banks, OR 97106.

#### City of Beaverton

Maps are available for inspection at Community Development Department, 4755 Southwest Griffith Drive, Beaverton, OR 97005.

#### City of Cornelius

Maps are available for inspection at the Planning Department, 1300 South Kodiak Circle, Cornelius, OR 97113.

#### City of Durham

Maps are available for inspection at City Hall, 17160 Southwest Upper Boones Ferry Road, Durham, OR 97224.

#### City of Forest Grove

Maps are available for inspection at City Hall, 1924 Council Street, Forest Grove, OR 97116.

#### City of Hillsboro

Maps are available for inspection at City Hall, 150 East Main Street, Hillsboro, OR 97123.

#### City of King City

Maps are available for inspection at City Hall, 15300 Southwest 116th Avenue, King City, OR 97224.

#### City of Sherwood

Maps are available for inspection at City Hall, 22560 Southwest Pine Street, Sherwood, OR 97140.

#### City of Tigard

Maps are available for inspection at City Hall, 13125 Southwest Hall Boulevard, Tigard, OR 97223.

#### City of Tualatin

Maps are available for inspection at City Hall, 18880 Southwest Martinazzi Avenue, Tualatin, OR 97062.

#### Unincorporated Areas of Washington County

Maps are available for inspection at the Washington County Public Services Building, 155 North 1st Avenue, Suite 350, Hillsboro, OR 97124.

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket No. FEMA-2016-0002]

#### Final Flood Elevation Determinations

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

**ACTION:** Final rule; correction.

**SUMMARY:** On October 26, 2015, FEMA published in the **Federal Register** a final rule that contained an erroneous table. This rule provides corrections to that table, to be used in lieu of the information published. The table provided here represents the final Base

(1% annual-chance) Flood Elevations (BFEs) and modified BFEs and communities affected for St. Charles County, Missouri and Incorporated Areas.

**DATES:** Effective March 17, 2017. The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community 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:** Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW., Washington, DC 20472, (202) 646-7659, or (email)

*patrick.sacbibit@fema.dhs.gov*; or visit the FEMA Map Information eXchange (FMIX) online at [www.floodmaps.fema.gov/fhm/fmx\\_main.html](http://www.floodmaps.fema.gov/fhm/fmx_main.html).

**SUPPLEMENTARY INFORMATION:** On October 26, 2015, FEMA published in the **Federal Register** a final rule that contained an erroneous table. This rule provides corrections to that table, to be used in lieu of the information published at 80 FR 65162-65164.

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 Insurance and Mitigation has resolved any appeals resulting from this notification.