

**§ 180.337 Oxytetracycline; tolerances for residues.**

(a) \* \* \*

Commodity	Parts per million
* * * * *	* * * * *
Fruit, citrus, group 10-10 .....	0.01
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[FR Doc. 2018-26343 Filed 12-3-18; 8:45 am]  
**BILLING CODE 6560-50-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 64**

[Docket ID FEMA-2018-0002; Internal Agency Docket No. FEMA-8557]

**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 <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

**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 Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212-3966.

**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.* FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.

*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, § 64.6 [Amended]

3 CFR, 1979 Comp.; p. 376.

■ 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 IV</b>				
Florida: Fort Myers, City of, Lee County .....	125106	October 30, 1970, Emerg; April 16, 1979, Reg; December 7, 2018, Susp.	Dec. 7, 2018 .....	Dec. 7, 2018.
Georgia:				
Allenhurst, Town of, Liberty County .....	130350	May 6, 1975, Emerg; June 17, 1986, Reg; December 7, 2018, Susp.	.....do* .....	Do.
Flemington, City of, Liberty County .....	130124	November 27, 1974, Emerg; May 17, 1982, Reg; December 7, 2018, Susp.	.....do .....	Do.
Hinesville, City of, Liberty County .....	130125	June 13, 1975, Emerg; September 16, 1982, Reg; December 7, 2018, Susp.	.....do .....	Do.
Liberty County, Unincorporated Areas .....	130123	January 22, 1975, Emerg; December 1, 1983, Reg; December 7, 2018, Susp.	.....do .....	Do.
Midway, City of, Liberty County .....	130351	July 22, 1975, Emerg; September 30, 1981, Reg; December 7, 2018, Susp.	.....do .....	Do.
Riceboro, City of, Liberty County .....	130126	June 26, 1975, Emerg; November 4, 1981, Reg; December 7, 2018, Susp.	.....do .....	Do.
Walthourville, City of, Liberty County .....	130459	N/A, Emerg; October 29, 2008, Reg; December 7, 2018, Susp.	.....do .....	Do.
South Carolina:				
Berkeley County, Unincorporated Areas .....	450029	October 13, 1978, Emerg; September 30, 1983, Reg; December 7, 2018, Susp.	.....do .....	Do.
Goose Creek, City of, Berkeley County .....	450206	April 18, 1975, Emerg; February 17, 1982, Reg; December 7, 2018, Susp.	.....do .....	Do.
Hanahan, City of, Berkeley County .....	450030	October 25, 1973, Emerg; June 15, 1981, Reg; December 7, 2018, Susp.	.....do .....	Do.
Moncks Corner, Town of, Berkeley County .....	450031	July 1, 1975, Emerg; January 16, 1981, Reg; December 7, 2018, Susp.	.....do .....	Do.
<b>Region V</b>				
Minnesota:				
Caledonia, City of, Houston County .....	270712	May 21, 2001, Emerg; N/A, Reg; December 7, 2018, Susp.	.....do .....	Do.
Hokah, City of, Houston County .....	270192	November 29, 1974, Emerg; March 15, 1982, Reg; December 7, 2018, Susp.	December 7, 2018	December 7, 2018.
Houston, City of, Houston County .....	270193	November 13, 1974, Emerg; July 16, 1979, Reg; December 7, 2018, Susp.	.....do .....	Do.
Houston County, Unincorporated Areas .....	270190	April 30, 1974, Emerg; January 6, 1982, Reg; December 7, 2018, Susp.	.....do .....	Do.
La Crescent, City of, Houston and Winona Counties.	275237	February 11, 1972, Emerg; July 20, 1973, Reg; December 7, 2018, Susp.	.....do .....	Do.
<b>Region VII</b>				
Iowa:				
Adel, City of, Dallas County .....	190103	July 30, 1975, Emerg; August 4, 1987, Reg; December 7, 2018, Susp.	.....do .....	Do.
Dallas Center, City of, Dallas County .....	190564	N/A, Emerg; February 22, 2010, Reg; December 7, 2018, Susp.	.....do .....	Do.
Dallas County, Unincorporated Areas .....	190860	December 14, 1992, Emerg; May 1, 1994, Reg; December 7, 2018, Susp.	.....do .....	Do.
Dawson, City of, Dallas County .....	190358	N/A, Emerg; August 12, 2011, Reg; December 7, 2018, Susp.	.....do .....	Do.
De Soto, City of, Dallas County .....	190359	September 1, 1979, Emerg; September 27, 1985, Reg; December 7, 2018, Susp.	.....do .....	Do.
Granger, City of, Dallas County .....	190104	October 29, 1976, Emerg; June 1, 1987, Reg; December 7, 2018, Susp.	.....do .....	Do.
Perry, City of, Dallas County .....	190105	June 10, 1975, Emerg; September 4, 1985, Reg; December 7, 2018, Susp.	.....do .....	Do.
Redfield, City of, Dallas County .....	190361	October 26, 1976, Emerg; September 18, 1985, Reg; December 7, 2018, Susp.	.....do .....	Do.
Van Meter, City of, Dallas County .....	190362	N/A, Emerg; January 26, 2009, Reg; December 7, 2018, Susp.	.....do .....	Do.
Waukee, City of, Dallas County .....	190678	N/A, Emerg; May 3, 2001, Reg; December 7, 2018, Susp.	.....do .....	Do.
<b>Region VIII</b>				
Colorado:				
Colorado Springs, City of, El Paso County .....	080060	March 30, 1973, Emerg; December 18, 1986, Reg; December 7, 2018, Susp.	.....do .....	Do.
El Paso County, Unincorporated Areas .....	080059	March 9, 1973, Emerg; December 18, 1986, Reg; December 7, 2018, Susp.	.....do .....	Do.
Fountain, City of, El Paso County .....	080061	October 2, 1974, Emerg; June 5, 1985, Reg; December 7, 2018, Susp.	.....do .....	Do.
Green Mountain Falls, Town of, El Paso County	080062	March 18, 1975, Emerg; June 5, 1985, Reg; December 7, 2018, Susp.	.....do .....	Do.
Manitou Springs, City of, El Paso County .....	080063	May 29, 1975, Emerg; February 1, 1984, Reg; December 7, 2018, 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
Monument, Town of, El Paso County .....	080064	June 10, 1975, Emerg; December 18, 1986, Reg; December 7, 2018, Susp.	.....do .....	Do.
Palmer Lake, Town of, El Paso County .....	080065	August 16, 1973, Emerg; July 3, 1978, Reg; December 7, 2018, Susp.	.....do .....	Do.
<b>Region X</b>				
Oregon:				
Bandon, City of, Coos County .....	410043	October 11, 1974, Emerg; August 15, 1984, Reg; December 7, 2018, Susp.	.....do .....	Do.
Coos Bay, City of, Coos County .....	410044	August 23, 1974, Emerg; August 1, 1984, Reg; December 7, 2018, Susp.	.....do .....	Do.
Coos County, Unincorporated Areas .....	410042	July 7, 1975, Emerg; November 15, 1984, Reg; December 7, 2018, Susp.	.....do .....	Do.
Coquille, City of, Coos County .....	410045	April 29, 1975, Emerg; September 28, 1984, Reg; December 7, 2018, Susp.	.....do .....	Do.
Lakeside, City of, Coos County .....	410278	June 2, 1975, Emerg; August 1, 1984, Reg; December 7, 2018, Susp.	.....do .....	Do.
Myrtle Point, City of, Coos County .....	410047	January 30, 1975, Emerg; July 16, 1984, Reg; December 7, 2018, Susp.	.....do .....	Do.
North Bend, City of, Coos County .....	410048	June 4, 1975, Emerg; August 1, 1984, Reg; December 7, 2018, Susp.	.....do .....	Do.
Powers, City of, Coos County .....	410049	August 6, 1975, Emerg; June 30, 1976, Reg; December 7, 2018, Susp.	.....do .....	Do.

\* .....do = Ditto.  
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: November 16, 2018.

**Eric Letvin,**  
*Deputy Assistant Administrator for Mitigation, Federal Insurance and Mitigation Administration—FEMA Resilience, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2018–26132 Filed 12–3–18; 8:45 am]

**BILLING CODE 9110–12–P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**45 CFR Part 156**

[CMS–9917–F]

RIN 0938–AT93

**Patient Protection and Affordable Care Act; Elimination of Internal Agency Process for Implementation of the Federally-Facilitated User Fee Adjustment**

**AGENCY:** Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services (HHS).

**ACTION:** Final rule.

**SUMMARY:** The U.S. Department of Health and Human Services (HHS) is issuing this final rule to eliminate references to internal Executive Branch procedures provided for under Office of Management and Budget (OMB) circular A–25R in connection with an adjustment to the Federally-facilitated Exchange (FFE) user fee. HHS is amending these regulations because it has determined that an exception to OMB circular A–25R is not required to effectuate the FFE user fee adjustment. Thus, this final rule removes the

language that refers to an exception under OMB circular A–25R as an aspect of reducing a participating issuer’s FFE user fee obligation. This rule does not affect the ability of an issuer to obtain an applicable reduction in FFE user fee obligations, amend the calculation of the FFE user fee credit provided to a participating issuer, change the application of the monthly user fee adjustment, or alter any of the other standards that participating issuers must meet to qualify for the user fee adjustment.

**DATES:** These regulations are effective on January 3, 2019.

**FOR FURTHER INFORMATION CONTACT:** Jaya Ghildiyal, (301) 492–5149, or Adrienne Patterson, (410) 786–0686.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

*A. Determination To Issue a Final Rule*

The U.S. Department of Health and Human Services (HHS) is publishing this final rule without previously publishing a proposed rule because HHS has determined that the rule qualifies for exemption from notice-and-comment rulemaking under section 553 of the Administrative Procedures Act (Pub. L. 79–404, enacted June 11, 1946) (APA), both because it is a “matter relating to agency management” under section 553(a)(2)<sup>1</sup> and a “rule of agency

<sup>1</sup> Although HHS’s predecessor agency, the U.S. Department of Health, Education, and Welfare (HEW), waived the APA’s exemption to the requirement for notice and comment rulemaking for “public property, loans, grants, benefits, or contracts” in section 553(a)(2), see “Public Participation in Rule Making,” 36 FR 2532 (Feb. 5,

organization, procedure or practice” under section 553(b)(3)(A). This rule eliminates an unnecessary reference to an internal inter-agency process, but makes no changes to the policy or operational processes set forth for participating FFE issuers or third parties subject to 45 CFR 156.50(d), and will have no effect on these entities or the other individuals and entities that were subjects of the July 2, 2013 final rule “Coverage of Certain Preventive Services Under the Affordable Care Act” (78 FR 39870), namely eligible organizations, self-insured plans of eligible organizations, and participants and beneficiaries of those plans.

*B. Legislative and Regulatory Overview*

The Patient Protection and Affordable Care Act (Pub. L. 111–148, enacted March 23, 2010) and the Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152, enacted March 30, 2010) are collectively referred to as “PPACA” in this final rule. Section 1321(a) of the PPACA provides broad authority for the Secretary to establish standards and regulations to implement the statutory requirements related to Exchanges, qualified health plans (QHPs), and other components of title I of the PPACA. When operating an FFE under section 1321(c)(1) of the PPACA, HHS has the authority under sections 1321(c)(1) and 1311(d)(5)(A) of the PPACA to collect and spend user fees. OMB Circular A–25 Revised (OMB Circular A–25R) establishes federal

1971), HEW did not waive the exemption in section 553(a)(2) for “matter[s] relating to agency management or personnel.”