

TSCA section 4 or 5(b). Under this paragraph, notice of export to a particular country is not required if an exporter previously submitted to EPA a notice of export to that country prior to January 16, 2007.

\* \* \* \* \*

(c) Notices shall be marked "TSCA Section 12(b) Notice" and sent to EPA by mail or delivered by hand or courier. Send notices by mail to: Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001 (Attention: TSCA Section 12(b) Notice). Hand delivery of TSCA section 12(b) notices should be made to: OPPT Document Control Office (DCO), EPA East., Rm. 6428, Environmental Protection Agency, 1201 Constitution Ave., NW., Washington, DC (Attention: TSCA Section 12(b) Notice). The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564-8930. Such deliveries are only accepted during the DCO's normal hours of operation.

#### §707.67 [Amended]

■ 4. In §707.67, add "and/" before "or" in the first sentence of paragraph (a) after "6," and in the parenthetical in paragraph (e) after "6,".

■ 5. In §707.70, revise paragraph (a) to read as follows:

#### §707.70 EPA notice to foreign governments.

(a)(1) Notice by EPA to the importing country shall be sent no later than 5 working days after receipt by the TSCA Document Processing Center of the first annual notification from any exporter for each chemical substance or mixture that is the subject of an order issued, an action that is pending, or relief that has been granted under TSCA section 5(f), a rule that has been proposed or promulgated under TSCA section 6, or an action that is pending or relief that has been granted under TSCA section 7.

(2) Notice by EPA to the importing country shall be sent no later than 5 working days after receipt by the TSCA Document Processing Center of the first notification from any exporter for each chemical substance or mixture that is the subject of an order issued, an action that is pending, or relief that has been granted under TSCA section 5(e), a rule that has been proposed or promulgated under TSCA section 5(a)(2), or for which the submission of data is required under TSCA section 4 or 5(b).

\* \* \* \* \*

### PART 799—[AMENDED]

■ 6. The authority citation for part 799 continues to read as follows:

**Authority:** 15 U.S.C. 2603, 2611, 2625.

■ 7. By revising §799.19 to read as follows:

#### §799.19 Chemical imports and exports.

Persons who export or who intend to export chemical substances or mixtures listed in subpart B, subpart C, or subpart D of this part are subject to the requirements of 40 CFR part 707.

[FR Doc. E6-19182 Filed 11-13-06; 8:45 am]

**BILLING CODE 6560-50-S**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket No. FEMA-7951]

#### Suspension of Community Eligibility

**AGENCY:** Mitigation Division, Federal Emergency Management Agency (FEMA), Department of Homeland Security.

**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 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.

**DATES:** *Effective Dates:* The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

**ADDRESSES:** If you want to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office.

**FOR FURTHER INFORMATION CONTACT:** David Stearrett, Mitigation Division, 500 C Street, SW., Washington, DC 20472, (202) 646-2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management 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 flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 *et seq.*; 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 *et seq.* 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. However, 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 their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, FEMA has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). 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 legally 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 flood insurance map of 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 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, 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 is revised 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]**

■ 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 V</b>				
Illinois:				
Algonquin, Village of, Kane and McHenry Counties.	170474	September 4, 1974, Emerg; March 16, 1981, Reg; November 16, 2006, Susp.	11/16/2006 .....	11/16/2006
Bannockburn, Village of, Lake County ..	170359	March 7, 1975, Emerg; June 15, 1979, Reg; November 16, 2006, Susp.	.....do .....	Do.
Barrington, Village of, Cook and Lake Counties.	170057	October 30, 1974, Emerg; October 16, 1984, Reg; November 16, 2006, Susp.	.....do .....	Do.
Barrington Hills, Village of, Cook, Kane, Lake, McHenry Counties.	170058	April 3, 1975, Emerg; August 10, 1979, Reg; November 16, 2006, Susp.	.....do .....	Do.
Carpentersville, Village of, Kane County	170322	September 25, 1974, Emerg; August 17, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Cary, Village of, McHenry County .....	170475	November 27, 1974, Emerg; July 2, 1980, Reg; November 16, 2006, Susp.	.....do .....	Do.
Cook County, Unincorporated Areas ....	170054	March 9, 1973, Emerg; April 15, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Crystal Lake, City of, McHenry County	170476	October 21, 1974, Emerg; June 15, 1982, Reg; November 16, 2006, Susp.	.....do .....	Do.
Deerfield, Village of, Lake County .....	170361	October 13, 1972, Emerg; September 30, 1977, Reg; November 16, 2006, Susp.	.....do .....	Do.
Deer Park, Village of, Lake County .....	171028	February 17, 1993, Emerg; September 3, 1997, Reg; November 16, 2006, Susp.	.....do .....	Do.
East Dundee, Village of, Cook and Kane Counties.	170323	May 9, 1975, Emerg; March 16, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Elgin, City of, Cook and Kane Counties	170087	May 29, 1975, Emerg; March 1, 1982, Reg; November 16, 2006, Susp.	.....do .....	Do.
Fox Lake, Village of, Lake and McHenry Counties.	170362	March 9, 1973, Emerg; September 29, 1978, Reg; November 16, 2006, Susp.	.....do .....	Do.
Fox River Grove, Village of, McHenry County.	170477	April 17, 1973, Emerg; June 4, 1980, Reg; November 16, 2006, Susp.	.....do .....	Do.
Gilberts, Village of, Kane County .....	170326	September 4, 1996, Emerg; December 20, 2002, Reg; November 16, 2006, Susp.	.....do .....	Do.
Greenwood, Village of, McHenry County.	171057	December 4, 1997, Emerg; December 4, 1997, Reg; November 16, 2006, Susp.	.....do .....	Do.
Hampshire, Village of, Kane County .....	170327	January 14, 1976, Emerg; March 2, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Harvard, City of, McHenry County .....	170479	July 23, 1974, Emerg; November 15, 1979, Reg; November 16, 2006, Susp.	.....do .....	Do.
Highland Park, City of, Lake County .....	170367	April 5, 1973, Emerg; November 5, 1980, Reg; November 16, 2006, Susp.	.....do .....	Do.
Hoffman Estates, Village of, Cook and Kane Counties.	170107	November 10, 1972, Emerg; May 19, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Holiday Hills, Village of, McHenry County.	170936	August 8, 1977, Emerg; April 1, 1982, Reg; November 16, 2006, 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
Huntley, Village of, Kane and McHenry Counties.	170480	June 6, 1975, Emerg; December 15, 1992, Reg; November 16, 2006, Susp.	.....do .....	Do.
Inverness, Village of, Cook County .....	170111	November 27, 1974, Emerg; June 1, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Island Lake, Village of, Lake and McHenry Counties.	170370	January 24, 1975, Emerg; September 16, 1982, Reg; November 16, 2006, Susp.	.....do .....	Do.
Johnsburg, Village of, McHenry County	170486	June 27, 1975, Emerg; June 18, 1980, Reg; November 16, 2006, Susp.	.....do .....	Do.
Kane County, Unincorporated Areas ....	170896	July 29, 1976, Emerg; March 1, 1982, Reg; November 16, 2006, Susp.	.....do .....	Do.
Lake County, Unincorporated Areas .....	170357	April 4, 1973, Emerg; November 3, 1982, Reg; November 16, 2006, Susp.	.....do .....	Do.
Lake Barrington, Village of, Lake County.	170372	June 25, 1975, Emerg; January 2, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Lake Forest, City of, Lake County .....	170374	April 23, 1974, Emerg; February 18, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Lake-in-the-Hills, Village of, McHenry County.	170481	December 12, 1974, Emerg; July 5, 1983, Reg; November 16, 2006, Susp.	.....do .....	Do.
Lakemoor, Village of, Lake and McHenry Counties.	170915	March 5, 1976, Emerg; January 19, 1983, Reg; November 16, 2006, Susp.	.....do .....	Do.
Lakewood, Village of, McHenry County	170805	March 25, 1974, Emerg; September 4, 1985, Reg; November 16, 2006, Susp.	.....do .....	Do.
Marengo, City of, McHenry County .....	170482	June 27, 1973, Emerg; August 1, 1979, Reg; November 16, 2006, Susp.	.....do .....	Do.
McCullom Lake, Village of, McHenry County.	170829	March 3, 1975, Emerg; August 19, 1985, Reg; November 16, 2006, Susp.	.....do .....	Do.
McHenry, City of, McHenry County .....	170483	January 17, 1974, Emerg; November 19, 1980, Reg; November 16, 2006, Susp.	.....do .....	Do.
McHenry County, Unincorporated Areas	170732	January 15, 1974, Emerg; September 30, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
North Barrington, Village of, Lake County.	170383	May 27, 1975, Emerg; October 18, 1983, Reg; November 16, 2006, Susp.	.....do .....	Do.
Port Barrington, Village of, McHenry County.	170478	January 19, 1973, Emerg; March 4, 1980, Reg; November 16, 2006, Susp.	.....do .....	Do.
Prairie Grove, Village of, McHenry County.	170975	October 26, 1992, Emerg; November 16, 2006, Reg; November 16, 2006, Susp.	.....do .....	Do.
Richmond, Village of, McHenry County	170484	May 9, 1975, Emerg; July 16, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Riverwoods, Village of, Lake County ....	170387	August 21, 1975, Emerg; August 15, 1980, Reg; November 16, 2006, Susp.	.....do .....	Do.
South Barrington, Village of, Cook County.	170161	August 1, 1975, Emerg; July 16, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Spring Grove, Village of, McHenry County.	170485	February 10, 1975, Emerg; November 4, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Union, Village of, McHenry County .....	170487	July 18, 1973, Emerg; August 15, 1983, Reg; November 16, 2006, Susp.	.....do .....	Do.
Volo, Village of, Lake County .....	171042	April 3, 1998, Emerg; April 3, 1998, Reg; November 16, 2006, Susp.	.....do .....	Do.
Wauconda, Village of, Lake County .....	170396	January 13, 1975, Emerg; December 1, 1981, Reg; November 16, 2006, Susp.	.....do .....	Do.
Wonder Lake, Village of, McHenry County.	170976	October 2, 1980, Emerg; August 15, 1983, Reg; November 16, 2006, Susp.	.....do .....	Do.
Woodstock, City of, McHenry County ...	170488	June 12, 1974, Emerg; June 15, 1979, Reg; November 16, 2006, Susp.	.....do .....	Do.

\* .....do = Ditto.

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

Dated: October 27, 2006.  
**David I. Maurstad,**  
 Mitigation Division Director, Federal  
 Emergency Management Agency, Department  
 of Homeland Security.  
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**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND  
 SECURITY**  
**Federal Emergency Management  
 Agency**

**44 CFR Part 67**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency  
 Management Agency (FEMA),  
 Department of Homeland Security,  
 Mitigation Division.  
**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 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 on 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:**  
 William R. Blanton, Jr., Engineering  
 Management Section, Mitigation  
 Division, 500 C Street, SW.,  
 Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** 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 Mitigation Division  
 Director 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. The Agency 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 rule is categorically excluded from  
 the requirements of 44 CFR Part 10,

Environmental Consideration. No  
 environmental impact assessment has  
 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 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.

**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 modified	Communities affected
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**Cook County, Illinois and Incorporated Areas  
 Docket No.: FEMA-P-7921**

Buffalo Creek .....	Just upstream of Elmhurst Road .....	*653	Village of Wheeling.
	Just downstream of Aptakisic Road .....	*667	
Wheeling Drainage Ditch .....	Just downstream of Wolf Road .....	*641	Cook County (Unincorporated Areas).
William Rogers Memorial Diver- sion Channel.	Approximately 400 feet downstream of Elmhurst Road .....	*652	Village of Wheeling.
	Approximately 300 feet upstream of the confluence with Des Plaines River.	*644	Cook County (Unincorporated Areas).
	At divergence from Wheeling Drainage Ditch .....	*646	Village of Wheeling.

# Depth in feet above ground.  
 \* National Geodetic Vertical Datum.  
 + North American Vertical Datum.