

Friday, 8:30 to 4:30, excluding Federal holidays.

**Instructions:** Direct your comments to Docket ID No. "EPA-R04-OAR-2005-AL-0002." EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit through <http://www.regulations.gov> or e-mail, information that you consider to be CBI or otherwise protected. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

**Docket:** EPA has established a docket for this action under Docket Identification No. EPA-R04-OAR-2005-AL-0002. All documents in the docket are listed on the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically through <http://www.regulations.gov> or in hard copy at the Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. EPA

requests that, if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 to 4:30, excluding Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Lynorae Benjamin, Chief, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, Region 4, U.S. Environmental Protection Agency, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9040. Ms. Benjamin can also be reached via electronic mail at [benjamin.lynorae@epa.gov](mailto:benjamin.lynorae@epa.gov).

**SUPPLEMENTARY INFORMATION:** The proposed rule was signed by the Acting Regional Administrator on September 10, 2009, and published in the **Federal Register** on October 2, 2009 (74 FR 50930). The proposed action provided a 45-day public comment period. EPA has received a request for an additional 15 days to comment on the proposed rule from one requester, and 90 days from another requester. EPA has considered these requests and has decided to extend the comment period an additional 30 days until December 16, 2009.

Dated: November 2, 2009.

**Beverly H. Banister,**

*Acting Regional Administrator, Region 4.*

[FR Doc. E9-27045 Filed 11-9-09; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2008-0020; Internal Agency Docket Nos. FEMA-B-1060 and FEMA-B-1062]

#### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule; correction.

**SUMMARY:** FEMA is correcting a table for Black Hawk County, Iowa, and Incorporated Areas. Further, on July 8, 2009, FEMA published a proposed rule that properly addressed St. Charles County, Missouri, and Incorporated Areas, but incorrectly indicated that St. Charles County had not been included in any previously published proposed

rule. FEMA seeks to correct and clarify that statement.

**FOR FURTHER INFORMATION CONTACT:** Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820 or (e-mail) [kevin.long@dhs.gov](mailto:kevin.long@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes determinations of Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs for communities participating in the National Flood Insurance Program (NFIP), in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a). These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are minimum requirements. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

#### Need for Corrections

FEMA is correcting a table in a proposed rule which published on July 2, 2009, at 74 FR 31656, and correcting an incorrect statement made in the preamble to a proposed rule that published on July 8, 2009, at 74 FR 32480. On July 2, 2009, FEMA published a proposed rule that contained two errors: first, a table for Black Hawk County, Iowa, and Incorporated Areas contained incorrect information; and second, a table for St. Charles County, Missouri, and Incorporated Areas should not have been included in the rule and published in error. On July 8, 2009, at 74 FR 32480, FEMA published a separate proposed rule which properly addressed St. Charles County, Missouri, and Incorporated Areas. However, the July 8 rule incorrectly indicated that St. Charles County had not been included in any previous proposed rule. FEMA seeks to correct and clarify that statement.

The July 2, 2009, proposed rule contained a table entitled “Black Hawk County, Iowa, and Incorporated Areas,” which contained errors. For flooding source “Dry Run Creek Diversion,” the table contained inaccurate information as to the location of referenced elevation, effective and modified elevation in feet, or communities affected. Also, for flooding source “Ponded Area No. 2, from Elk Run Creek, landside of levee,” the table contained a misspelling for Lafayette Road. FEMA is now publishing a revised table for Black Hawk County, Iowa, and Incorporated Areas, containing the accurate information, to address these prior errors. The information provided in the table below should be used in lieu of the table published on July 2, 2009.

In addition, the July 2, 2009 proposed rule also contained a table entitled, “St. Charles County, Missouri, and Incorporated Areas.” The table was erroneously included in the July 2 rule,

and should not have published at that time. Base flood elevations for St. Charles County properly published in a subsequent proposed rule on July 8, 2009, at 74 FR 32480; the proposed table in the July 8 rule effectively replaced the July 2 proposed table.

The July 8 proposed rule addressed communities in the greater St. Louis, Missouri, area, that are the subject of an act of Congress that required FEMA to delay the statutory appeals process, required under Section 1363 of the National Flood Insurance Act of 1968, until certain publication requirements were met for each of these communities. (Consolidated Security, Disaster Assistance, and Continuing Appropriations Act 2009, Public Law 110–329, Div. B, Sec. 10503, 122 Stat. 3574, 3593 (2008)). The preamble of the July 8 proposed rule contained an incorrect statement which FEMA seeks to clarify here. The proposed rule stated that it was the first publication of proposed BFEs for the affected Missouri

counties. This statement was inaccurate; as explained above, St. Charles County, Missouri, and Incorporated Areas had been inadvertently included in the July 2 rule. However, the inadvertent publication of the July 2 table for St. Charles County will not affect FEMA’s determination to run concurrent comment and appeal periods for all of the communities affected by the July 8 proposed rule. Therefore, counties should consider the July 2 tables for St. Charles County, Missouri, and Incorporated Areas withdrawn and replaced by the July 8 proposed tables. All comment periods and associated time deadlines shall be calculated using the dates and information published in the July 8 proposed rule.

**Correction**

In the proposed rule published July 2, 2009 (74 FR 31656), on page 31658, revise the table for Black Hawk County, Iowa, and Incorporated Areas to read 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)		Communities affected
		Effective	Modified	
<b>Black Hawk County, Iowa, and Incorporated Areas</b>				
Big Woods Creek .....	Approximately 88 feet upstream of Lone Tree Road ...	None	+864	City of Cedar Falls, Unincorporated Areas of Black Hawk County.
Big Woods Creek Upper Diversion.	Just downstream of Cedar-Wapsi Road .....	None	+920	Unincorporated Areas of Black Hawk County.
	Approximately 0.5 mile upstream of Mount Vernon Road.	None	+870	
	Approximately 0.6 mile upstream of Cedar-Wapsi Road.	None	+875	
Black Hawk Creek .....	Just upstream of West Shaulis Road .....	+872	+870	Unincorporated Areas of Black Hawk County, City of Hudson, City of Waterloo.
Cedar River .....	Approximately 975 feet downstream of Zaneta Road	+890	+891	City of Cedar Falls.
	Just upstream of Lone Tree Road and Interstate 218	None	+864	
	East of Big Woods Road and approximately 0.3 mile south of Dunkerton Road along Illinois Central Gulf Railroad.	None	+864	
Cedar River .....	Approximately 0.6 mile downstream of Interstate 218	+858	+859	City of Cedar Falls, City of Waterloo, Unincorporated Areas of Black Hawk County.
Cedar River Diversion Channel.	Approximately 2.1 miles upstream of Center Street ...	+868	+869	City of Cedar Falls.
	Approximately 440 feet downstream of State Highway 57.	+859	+860	
	Approximately 1.3 miles upstream of Illinois Central Railroad.	+864	+865	
City View Branch .....	Approximately 0.3 mile downstream of Independence Avenue.	+853	+847	City of Waterloo.
	Just downstream of Chicago and North Western Railroad.	+857	+859	
Crane Creek .....	Approximately 117 feet downstream of Wheeler Road	None	+936	Unincorporated Areas of Black Hawk County, City of Dunkerton.
	Just downstream of East Cedar-Wapsi Road .....	None	+967	

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Crossroads Creek .....	Approximately 91 feet downstream of Hess Road .....	None	+845	City of Waterloo.
	Approximately 514 feet upstream of Alexander Drive .....	None	+871	
Crossroads Creek Diversion	Approximately 91 feet downstream of Hess Road .....	+846	+849	City of Waterloo.
	Approximately 0.3 mile upstream of Sarah Drive .....	+866	+867	
Dry Run Creek Diversion .....	Approximately 25 feet upstream of 20th Street .....	+867	+864	City of Cedar Falls.
	Approximately 225 feet downstream of Seerley Boulevard.	+868	+866	
Dry Run Creek at Cedar Falls.	Approximately 293 feet downstream of Illinois Central Gulf Railroad.	+860	+852	City of Cedar Falls.
Dry Run Creek at Waterloo ..	Approximately 540 feet downstream of U.S. Route 20	+927	+928	City of Waterloo.
	Approximately 664 feet downstream of Commercial Street.	#1	#2	
	Approximately 106 feet upstream of Byron Avenue ....	+868	+861	City of Waterloo.
	Approximately 0.5 mile upstream of Kimball Avenue ..	None	+942	
Maywood Branch .....	Approximately 0.4 mile downstream of Bishop Avenue	+856	+855	City of Waterloo.
	Just upstream of Bishop Avenue .....	+858	+857	
Myers Lake .....	West end of lake .....	+826	+838	City of Evansdale.
	East end of lake .....	+826	+838	
Ponded Area No. 2, from Elk Run Creek, landside of levee.	North end of ponding area, approximately 0.3 mile downstream of Lafayette Road.	+833	+836	City of Evansdale.
	South end of ponding area, approximately 0.4 mile upstream of Gilbert Road.	+833	+836	
Ponded Area No.1 from Elk Run Creek, landside of levee.	North end of ponding area, approximately 150 feet downstream of Gilbert Drive.	+831	+836	City of Evansdale.
	South end of ponding area, approximately 350 feet upstream of State Route 380.	+831	+836	
South West Branch of Dry Run Creek.	Approximately 279 feet downstream of Main Street ....	+870	+865	City of Cedar Falls.
	Approximately 1.8 miles upstream of Future Greenhill Road.	+917	+921	
Stream No. 13 .....	Approximately 1.0 mile downstream of Wagner Road	+857	+856	City of Waterloo.
	Approximately 364 feet upstream of Airline Highway ..	+864	+863	
Stream No. 36 .....	Approximately 1.0 mile downstream of Wagner Road	+864	+863	City of Waterloo, Unincorporated Areas of Black Hawk County.
	Approximately 0.4 mile downstream of Dunkerton Road.	None	+870	
Sunnyside Creek .....	Approximately 0.3 mile downstream of Martin Road ...	None	+855	City of Waterloo.
	Approximately 130 feet upstream of 4th Street .....	None	+878	
Sunnyside Creek Bypass .....	Approximately 0.6 mile downstream of Marine Avenue	+858	+861	City of Waterloo.
	Approximately 450 feet upstream of Marine Avenue ...	None	+869	
Unnamed Tributary to Big Woods Creek.	Just downstream of Dunkerton Road .....	None	+864	City of Cedar Falls.
	Approximately 408 feet west of Interstate 218 .....	None	+864	
Unnamed Tributary to Big Woods Creek.	Approximately 0.5 mile upstream of Mount Vernon Road.	None	+871	Unincorporated Areas of Black Hawk County.
	Just upstream of Dunkerton Road .....	None	+871	
Unnamed Tributary to Cedar River.	Approximately 182 feet downstream of Dunkerton Road.	+863	+864	City of Cedar Falls.
	Just upstream of Lone Tree Road .....	+863	+864	
Wolf Creek .....	Approximately 0.6 mile downstream of Bike Path .....	+814	+815	City of La Porte City.
	Approximately 1.3 miles upstream of Main Street .....	None	+824	
Wolf Creek Overflow .....	Approximately 0.4 mile downstream of 8th Street .....	+814	+815	City of La Porte City, Unincorporated Areas of Black Hawk County.
	Approximately 1.3 miles upstream of Poplar Street ....	+822	+823	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

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

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Flooding source(s)	Location of referenced elevation**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

Send comments to Kevin C. Long, Acting Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### City of Cedar Falls

Maps are available for inspection at 220 Clay Street, Cedar Falls, IA 50613.

##### City of Dunkerton

Maps are available for inspection at 200 Tower Street, Dunkerton, IA 50626.

##### City of Evansdale

Maps are available for inspection at 123 North Evans Road, Evansdale, IA 50707.

##### City of Hudson

Maps are available for inspection at 525 Jefferson Street, Hudson, IA 50643.

##### City of La Porte City

Maps are available for inspection at 202 Main Street, La Porte City, IA 50651.

##### City of Waterloo

Maps are available for inspection at 715 Mulberry Street, Waterloo, IA 50703.

##### Unincorporated Areas of Black Hawk County

Maps are available for inspection at 316 East 5th Street, Suite 203, Waterloo, IA 50703.

#### Deborah S. Ingram,

*Acting Deputy Assistant Administrator for Mitigation, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.*

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BILLING CODE 9110-12-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 36 and 54

[WC Docket No. 05-337; FCC 09-89]

#### High-Cost Universal Service Support

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** In this notice of proposed rulemaking, the Commission addresses the effect of line loss on universal service Local Switching Support (LSS) received by incumbent local exchange carriers (LECs) that are designated as eligible telecommunications carriers (ETCs). Pursuant to the LSS mechanism, an incumbent LEC ETC serving 50,000 or fewer lines in a study area may recover a portion of its switching costs from the universal service fund. Under the Commission's rules, as an incumbent LEC ETC's access lines increase above certain thresholds, the amount of LSS it may receive decreases, but its support does not increase if its number of access lines falls below the same thresholds. In this notice of proposed rulemaking, the Commission

tentatively concludes that the LSS rules should be modified to permit incumbent LEC ETCs that lose lines to increase their LSS, and we seek comment on these proposed rule changes.

**DATES:** Comments are due on or before November 24, 2009 and reply comments are due on or before December 1, 2009.

**ADDRESSES:** You may submit comments, identified by WC Docket No. 05-337, by any of the following methods:

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

- *Federal Communications Commission's Web Site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- *E-mail:* [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and include the following words in the body of the message, "get form." A sample form and directions will be sent in response. Include the docket number in the subject line of the message.

- *Mail:* Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

- *People With Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Ted Burmeister, Wireline Competition Bureau, Telecommunications Access Policy Division, 202-418-7389 or TTY: 202-418-0484.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rulemaking in WC Docket No. 05-337, FCC 09-89, adopted October 2, 2009, and released October 9, 2009. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554.

The document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (800) 378-3160 or (202) 863-2893, facsimile (202) 863-2898, or via e-mail at: <http://www.bcpweb.com>. It is also available on the Commission's Web site at: <http://www.fcc.gov>.

#### Initial Paperwork Reduction Act of 1995 Analysis

This notice of proposed rulemaking does not contain new, modified, or proposed information collections subject to the Paperwork Reduction Act of 1995. In addition, therefore, it does not contain any new, modified, or proposed "information collection burden for small business concerns with fewer than 25 employees" pursuant to the Small Business Paperwork Relief Act of 2002.