

Name of nonregulatory SIP provision	Applicable geographic or nonattainment area	State submittal date/ effective date	EPA approval date
20. Severe Area Vehicle Miles Traveled (VMT SIP) for the Atlanta 1-hour severe ozone nonattainment area.	Atlanta 1-hour ozone severe nonattainment area.	6/30/04	6/14/05, 70 FR 34358.
21. Atlanta 1-hour ozone attainment area 2015 maintenance plan.	Atlanta severe 1-hour ozone maintenance area.	2/1/05	6/14/05, 70 FR 34660.
22. Attainment Demonstration for the Chattanooga Early Action Area.	Walker and Catoosa Counties .....	12/31/04	8/26/05, 70 FR 50199.
23. Attainment Demonstration for the Lower Savannah-Augusta Early Action Compact Area.	Columbia and Richmond Counties .....	12/31/04	8/26/05, 70 FR 50195.
24. Alternative Fuel Refueling Station/Park and Ride Transportation Center, Project DO-AR-211 is removed.	Douglas County, GA .....	9/19/06	11/28/06, 71 FR 68743.
25. Macon 8-hour Ozone Maintenance Plan ...	Macon, GA encompassing a portion of Monroe County.	6/15/07	9/19/07, 72 FR 53432.
26. Murray County 8-hour Ozone Maintenance Plan.	Murray County .....	6/15/07	10/16/07, 72 FR 58538.
27. Atlanta Early Progress Plan .....	Barrow, Bartow, Carroll, Cherokee, Clayton, Cobb, Coweta, DeKalb, Douglas, Fayette, Forsyth, Fulton, Gwinnett, Hall, Henry, Newton, Paulding, Rockdale, Spalding and Walton counties.	1/12/07	2/20/08, 73 FR 9206.

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**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 64**

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-8119]

**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.

**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.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 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. 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 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.

**§ 64.6 [Amended]**

■ 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 II</b>				
New York:				
Cincinnatus, Town of, Cortland County	360177	July 7, 1975, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	March 2, 2010 ..	March 2, 2010
Cortland, City of, Cortland County .....	360178	February 3, 1975, Emerg; August 15, 1983, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Cortlandville, Town of, Cortland County	360179	June 24, 1975, Emerg; August 15, 1983, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Cuyler, Town of, Cortland County .....	361386	June 6, 1977, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Freetown, Town of, Cortland County ....	361325	June 19, 2007, Emerg; N/A, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Harford, Town of, Cortland County .....	360180	June 26, 1975, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Homer, Town of, Cortland County .....	360181	January 15, 1975, Emerg; August 15, 1983, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Homer, Village of, Cortland County .....	360182	October 10, 1974, Emerg; August 15, 1983, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Lapeer, Town of, Cortland County .....	361326	November 4, 1976, Emerg; July 20, 1984, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Marathon, Village of, Cortland County ..	360183	November 21, 1974, Emerg; October 15, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
McGraw, Village of, Cortland County ....	360184	March 12, 1975, Emerg; December 1, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Preble, Town of, Cortland County .....	360185	June 19, 1975, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Scott, Town of, Cortland County .....	361328	December 17, 1975, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Solon, Town of, Cortland County .....	361329	February 2, 1976, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Taylor, Town of, Cortland County .....	361330	May 19, 1977, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Truxton, Town of, Cortland County .....	360186	September 12, 1975, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Virgil, Town of, Cortland County .....	360187	March 31, 1975, Emerg; May 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Willet, Town of, Cortland County .....	361331	January 21, 1977, Emerg; July 20, 1984, Reg; March 2, 2010, Susp.	.....do* .....	Do.
<b>Region II</b>				
West Virginia: Franklin, Town of, Pendleton County.	540154	July 2, 1975, Emerg; September 1, 1987, Reg; March 2, 2010, Susp.	.....do* .....	Do.
<b>Region IV</b>				
Mississippi: Forrest County, Unincorporated Areas	280052	March 6, 1975, Emerg; April 2, 1990, Reg; March 2, 2010, 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
Hattiesburg, City of, Forrest and Lamar Counties.	280053	April 3, 1970, Emerg; April 3, 1970, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Lamar County, Unincorporated Areas ...	280304	April 16, 1979, Emerg; April 2, 1990, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Lumberton, City of, Lamar and Pearl River Counties.	280337	N/A, Emerg; February 26, 2009, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Petal, City of, Forrest County .....	280260	September 27, 1974, Emerg; April 15, 1980, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Purvis, Town of, Lamar County .....	280318	May 14, 1980, Emerg; March 1, 1987, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Sumrall, Town of, Lamar County .....	280326	April 22, 1983, Emerg; August 19, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Tennessee: Fentress County, Unincorporated Areas.	470343	November 30, 2006, Emerg; April 1, 2007, Reg; March 2, 2010, Susp.	.....do* .....	Do.
<b>Region V</b>				
Ohio:				
Camden, Village of, Preble County .....	390461	June 28, 1984, Emerg; June 28, 1984, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Coshocton, City of, Coshocton County	390089	July 24, 1975, Emerg; December 18, 1986, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Coshocton County, Unincorporated Areas.	390765	February 28, 1977, Emerg; February 4, 1987, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Eaton, City of, Preble County .....	390462	February 14, 1975, Emerg; April 15, 1981, Reg; March 2, 2010, Susp.	.....do* .....	Do.
New Paris, Village of, Preble County ...	390463	March 3, 1975, Emerg; April 15, 1981, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Preble County, Unincorporated Areas ..	390460	February 12, 1982, Emerg; February 12, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Warsaw, Village of, Coshocton County	390733	August 26, 1977, Emerg; September 1, 1987, Reg; March 2, 2010, Susp.	.....do* .....	Do.
West Alexandria, Village of, Preble County.	390905	N/A, Emerg; May 21, 2001, Reg; March 2, 2010, Susp.	.....do* .....	Do.
West Lafayette, Village of, Coshocton County.	390814	August 26, 1977, Emerg; March 22, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Wisconsin:				
Bloomer, City of, Chippewa County .....	550042	March 20, 1975, Emerg; August 19, 1991, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Cadott, Village of, Chippewa County ...	550043	January 23, 1975, Emerg; March 5, 1996, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Chippewa County, Unincorporated Areas.	555549	March 26, 1971, Emerg; June 22, 1973, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Chippewa Falls, City of, Chippewa County.	550044	April 16, 1971, Emerg; September 1, 1977, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Cornell, City of, Chippewa County .....	550045	September 25, 1974, Emerg; September 28, 1990, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Eau Claire, City of, Chippewa and Eau Claire Counties.	550128	March 19, 1971, Emerg; June 1, 1977, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Stanley, City of, Chippewa and Clark Counties.	550047	April 1, 1975, Emerg; September 18, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
<b>Region VI</b>				
Arkansas:				
Atkins, City of, Pope County .....	050304	August 7, 1975, Emerg; July 6, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Dover, City of, Pope County .....	050321	May 24, 1976, Emerg; March 15, 1983, Reg; March 2, 2010, Susp.	.....do* .....	Do.
London, Town of, Pope County .....	050340	September 17, 1975, Emerg; July 13, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Pope County, Unincorporated Areas ...	050458	April 8, 2005, Emerg; July 1, 2009, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Pottsville, Town of, Pope County .....	050277	August 26, 1976, Emerg; April 15, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Russellville, City of, Pope County .....	050178	July 17, 1970, Emerg; July 18, 1970, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Louisiana:				
Cotton Valley, Town of, Webster Parish	220322	December 21, 1978, Emerg; October 15, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Cullen, Town of, Webster Parish .....	220235	April 30, 1975, Emerg; February 12, 1979, Reg; March 2, 2010, 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
Doyline, Village of, Webster Parish .....	220236	July 21, 1978, Emerg; September 18, 1979, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Minden, City of, Webster Parish .....	220237	December 17, 1974, Emerg; July 18, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Sibley, Village of, Webster Parish .....	220258	May 16, 1980, Emerg; July 18, 1985, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Springhill, City of, Webster Parish .....	220238	March 12, 1975, Emerg; June 15, 1981, Reg; March 2, 2010, Susp.	.....do* .....	Do.
<b>Region X</b>				
Oregon:				
Amity, City of, Yamhill County .....	410250	May 20, 1975, Emerg; December 1, 1981, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Carlton, City of, Yamhill County .....	410251	May 6, 1975, Emerg; June 30, 1976, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Dayton, City of, Yamhill County .....	410252	June 4, 1975, Emerg; June 1, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Dundee, City of, Yamhill County .....	410253	April 23, 1975, Emerg; March 1, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Lafayette, City of, Yamhill County .....	410254	May 20, 1975, Emerg; June 15, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
McMinnville, City of, Yamhill County .....	410255	July 22, 1975, Emerg; December 1, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Newberg, City of, Yamhill County .....	410256	August 5, 1974, Emerg; March 1, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Sheridan, City of, Yamhill County .....	410257	January 21, 1975, Emerg; August 1, 1980, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Willamina, City of, Yamhill County .....	410258	January 21, 1975, Emerg; March 15, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Yamhill, City of, Yamhill County .....	410259	June 30, 1975, Emerg; March 1, 1982, Reg; March 2, 2010, Susp.	.....do* .....	Do.
Yamhill County, Unincorporated Areas	410249	May 28, 1974, Emerg; September 30, 1983, Reg; March 2, 2010, Susp.	.....do* .....	Do.

\* do=Ditto.

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

Dated: February 2, 2010.

**Sandra K. Knight,**

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

[FR Doc. 2010-2615 Filed 2-5-10; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. NHTSA-2009-0156]

RIN 2127-AK57

### Federal Motor Vehicle Safety Standards; Occupant Crash Protection

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Final rule; response to petitions for reconsideration.

**SUMMARY:** This document provides the agency's response to petitions for reconsideration of a November 12, 2008 final rule that amended the child restraint systems (CRSs) prescribed in Appendix A of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, "Occupant crash protection." The final rule established a new appendix, "Appendix A-1," which effectively deleted seven older CRSs, added five new CRSs, and provided cosmetic replacements for seven others. Today's response grants some aspects of two of the petitions. All other requests are denied.

**DATES:** This final rule is effective April 9, 2010. If you wish to petition for reconsideration of this rule, your petition must be received by March 25, 2010.

**ADDRESSES:** If you wish to petition for reconsideration of this rule, you should refer in your petition to the docket number of this document and submit your petition to: Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590.

The petition will be placed in the docket. Anyone is able to search the electronic form of all documents received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.) You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78).

**FOR FURTHER INFORMATION CONTACT:** For non-legal issues, you may contact Ms. Carla Rush, NHTSA Office of Crashworthiness Standards, telephone 202-366-1740, fax 202-366-2739. For legal issues, you may contact Ms. Deirdre Fujita, NHTSA Office of Chief Counsel, telephone 202-366-2992, fax 202-366-3820. You may send mail to these officials at the National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**