

Dated: March 28, 2016.

Mathy Stanislaus,

Assistant Administrator, Office of Land and  
Emergency Management.

For reasons set out in the preamble,  
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(d); 42 U.S.C.  
9601–9657; E.O. 13626, 77 FR 56749, 3 CFR,  
2013 Comp., p. 306; E.O. 12777, 56 FR 54757,  
3 CFR, 1991 Comp., p. 351; E.O. 12580, 52  
FR 2923, 3 CFR, 1987 Comp., p. 193.

■ 2. Table 1 of Appendix B to Part 300  
is amended by adding entries for “PCE  
Former Dry Cleaner”, “Old American  
Zinc Plant”, “Iowa-Nebraska Light &  
Power Co”, “Former Kil-Tone  
Company” and “Lea and West Second  
Street” in alphabetical order by state to  
read as follows:

## **Appendix B to Part 300—National Priorities List**

TABLE 1—GENERAL SUPERFUND SECTION

State	Site name	City/county	Notes <sup>(a)</sup>
IA	PCE Former Dry Cleaner	Atlantic.	
IL	Old American Zinc Plant	Fairmont City.	
NE	Iowa-Nebraska Light & Power Co	Norfolk.	
NJ	Former Kil-Tone Company	Vineland.	
NM	Lea and West Second Street	Roswell.	

<sup>(a)</sup> A = Based on issuance of health advisory by Agency for Toxic Substances and Disease Registry (if scored, HRS score need not be greater than or equal to 28.50).

\* \* \* \* \*

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## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

#### **44 CFR Part 62**

[Docket ID: FEMA-2016-0009]

RIN 1660-AA88

### **National Flood Insurance Program: Update To Address Information for Claims Appeals**

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

**ACTION:** Final rule.

**SUMMARY:** The Federal Emergency  
Management Agency is revising its  
regulations to remove address  
information for the National Flood  
Insurance Program’s claims appeals  
process.

**DATES:** This final rule is effective April  
7, 2016.

**FOR FURTHER INFORMATION CONTACT:**  
Claudia Murphy, Policyholder Services

Division Director, Federal Insurance and  
Mitigation Administration, Federal  
Emergency Management Agency, 400 C  
Street SW., Washington, DC 20472–  
3020, 202-646-2775, or (email)  
[Claudia.murphy@fema.dhs.gov](mailto:Claudia.murphy@fema.dhs.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Removal of Address**

In accordance with Federal  
Emergency Management Agency  
(FEMA) regulations at title 44 Code of  
Federal Regulations (CFR) part 62,  
subpart B, once a flood insurer  
participating in the National Flood  
Insurance Program (NFIP) issues a final  
claim determination, a policyholder  
may appeal an action related to the  
claim taken by the insurer, a FEMA  
employee, or insurance agent. To pursue  
an appeal, a policyholder must submit  
a written appeal to FEMA within 60  
days from the date of the decision. See  
44 CFR 62.20(e)(1).

The current regulations at  
§ 62.20(e)(1) indicate that policyholders  
should submit their appeal to: DHS/  
FEMA, Mitigation Directorate, Federal  
Insurance Administrator, 1800 S. Bell  
Street, Arlington, VA 20598-MS3010.  
FEMA is removing this address from the  
regulations because the Federal  
Insurance and Mitigation  
Administration (FIMA), which handles

claims appeals, is relocating from  
Arlington, Virginia to Washington, DC,  
and the address in the regulations will  
no longer be valid. Beginning April 4,  
2016, policyholders should submit  
written appeals to FEMA at the  
following address: Federal Insurance  
and Mitigation Administration (FIMA),  
DHS/FEMA, 400 C Street SW., 3rd  
Floor, Washington, DC 20472-3020.  
FEMA is also introducing the option to  
submit written appeals via electronic  
mail at [FEMA-NFIP-Appeals@  
fema.dhs.gov](mailto:FEMA-NFIP-Appeals@fema.dhs.gov).

FEMA will make this information  
available on its Web site at  
[www.fema.gov](http://www.fema.gov). FEMA has decided to no  
longer include the address in the  
regulations, and instead to continue  
providing the address via its Web site  
and requiring participating flood  
insurance carriers to include the address  
in all denial letters,<sup>1</sup> so that it is more  
readily available to policyholders and so  
that FEMA can more easily update the  
address.

<sup>1</sup> See FEMA, Memorandum For: WYO Principal  
Coordinators and the NFIP Direct Servicing Agent,  
FIMA Address Change, W-16011 (March 8, 2016),  
[http://www.nfipiservice.com/Stakeholder/pdf/  
bulletin/w-16011.pdf](http://www.nfipiservice.com/Stakeholder/pdf/bulletin/w-16011.pdf).

## II. Regulatory Analysis

### a. Administrative Procedure Act

FEMA did not publish a Notice of Proposed Rulemaking for this regulation. FEMA finds that this rule is exempt from the Administrative Procedure Act's (5 U.S.C. 553(b)) notice and comment rulemaking requirements because it is purely procedural in nature. This rule is making a technical change to ensure the accuracy of FEMA's regulations as FIMA relocates from Arlington, Virginia to Washington, DC. FEMA believes this technical amendment is not controversial and will not result in any adverse comments. These changes do not confer any substantive rights, benefits, or obligations; therefore, this rule will have no substantive effect on the public.

Under 5 U.S.C. 553(d)(3), FEMA has determined it has good cause to make this technical amendment effective immediately, so that appellants are aware of the new address as soon as possible and their appeals will be received at the correct address.

### b. Executive Order 12866, as Amended, Regulatory Planning and Review; Executive Order 13563, Improving Regulation and Regulatory Review

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, "Regulatory Planning and Review" (58 FR 51735, Oct. 4, 1993), accordingly FEMA has not submitted it to the Office of Management and Budget for review. As this rule involves a non-substantive change, FEMA expects that it will not impose any costs on the public.

### c. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601–612) requires that special consideration be given to the effects of proposed regulations on small entities. This rule does not require a Notice of Proposed Rulemaking and, therefore, is exempt from the requirements of the Regulatory Flexibility Act.

### d. Paperwork Reduction Act of 1995

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Ch. 3501–3520), FEMA reviewed this final rule and has determined that there are no new collections of information contained therein.

### e. Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This rule does not have Tribal implications under Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments" (65 FR

67249, Nov. 9, 2000), because it does not have a substantial direct effect on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

### f. Executive Order 13132, Federalism

A rule has implications for federalism under Executive Order 13132, "Federalism" (64 FR 43255, Aug. 10, 1999), if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. FEMA has analyzed this rule under that Order and determined that it does not have implications for federalism.

### g. Congressional Review of Agency Rulemaking

FEMA has sent this final rule to the Congress and to the Government Accountability Office under the Congressional Review of Agency Rulemaking Act (Act), Public Law 104–121, 110 Stat. 873 (March 29, 1996) (5 U.S.C. 804). The rule is not a "major rule" within the meaning of that Act and will not result in an annual effect on the economy of \$100,000,000 or more. Moreover, it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. FEMA does not expect that it will have "significant adverse effects" on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises.

### List of Subjects in 44 CFR Part 62

Claims, Flood insurance, Reporting and recordkeeping requirements.

For the reasons discussed in the preamble, the Federal Emergency Management Agency is amending 44 CFR part 62 as follows:

### PART 62—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS

■ 1. The authority citation for part 62 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

■ 2. In § 62.20, revise paragraph (e)(1) to read as follows:

### § 62.20 Claims appeals.

\* \* \* \* \*

(e) \* \* \*  
(1) Submit a written appeal to FEMA within 60 days from the date of the decision.

\* \* \* \* \*

**Authority:** 42 U.S.C. 4001 *et seq.*

**W. Craig Fugate,**

*Administrator, Federal Emergency Management Agency.*

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**BILLING CODE 9111–A6–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 12

[PS Docket No. 14–174, FCC 15–98]

### Ensuring Continuity of 911 Communications

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection associated with the Commission's *Ensuring Continuity of 911 Communications* Report and Order's (Order) consumer disclosure requirement. This document is consistent with the Order, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules.

**DATES:** *Effective date:* The amendments to 47 CFR 12.5(d), published at 80 FR 62470, October 16, 2015 are effective August 5, 2016.

*Compliance date:* For providers with fewer than 100,000 domestic retail subscriber lines, April 1, 2017.

**FOR FURTHER INFORMATION CONTACT:** Linda M. Pinto, Policy and Licensing Division, Public Safety and Homeland Security Bureau, at (202) 418–7490, or email: [linda.pinto@fcc.gov](mailto:linda.pinto@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on March 21, 2016, OMB approved, for a period of three years, the information collection requirements relating to the subscriber notification rules contained in the Commission's Order, FCC 15–98, published at 80 FR 62470, October 16, 2015. The OMB Control Number is 3060–1217. The Commission publishes this document as an announcement of the effective date of the rules. If you