

### Paperwork Reduction Act of 1995 (PRA) Statement

This **Federal Register** Notice does not refer to or impose any information collection subject to the PRA.

Dated: November 9, 2010.

**L. Renee Orr,**

*Acting Associate Director for Offshore Energy and Minerals Management.*

[FR Doc. 2010-32674 Filed 12-28-10; 8:45 am]

**BILLING CODE 4310-MR-P**

## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Part 201

[Docket No. RM 2010-5]

#### Gap in Termination Provisions

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notice of inquiry: Extension of comment period

**SUMMARY:** The Copyright Office of the Library of Congress is extending the time in which comments can be filed in response to its Notice of Proposed Rulemaking to amend its regulations governing notices of termination of certain grants of transfers and licenses of copyright under section 203 of the Copyright Act of 1976.

**DATES:** Comments must be received on or before January 24, 2011.

**ADDRESSES:** The Copyright Office strongly prefers that comments be submitted electronically. A comment page containing a comment form is posted on the Copyright Office Web site at <http://www.copyright.gov/docs/termination>. The Web site interface requires submitters to complete a form specifying name and organization, as applicable, and to upload comments as an attachment via a browse button. To meet accessibility standards, all comments must be uploaded in a single file in either the Adobe Portable Document File (PDF) format that contains searchable, accessible text (not an image); Microsoft Word; WordPerfect; Rich Text Format (RTF); or ASCII text file format (not a scanned document). The maximum file size is 6 megabytes (MB). The name of the submitter and organization should appear on both the form and the face of the comments. All comments will be posted publicly on the Copyright Office Web site exactly as they are received, along with names and organizations. If electronic submission of comments is not feasible, please contact the

Copyright Office at 202-707-0796 for special instructions.

**FOR FURTHER INFORMATION CONTACT:**

David O. Carson, General Counsel, Copyright GC/I&R, P.O. Box 70400, Washington, DC 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** On

November 26, 2010, the Copyright Office published a notice of proposed rulemaking and request for comments relating to recordation of notices of termination of transfers of copyright under Section 203 of the Copyright Act in circumstances where a grant was agreed to prior to January 1, 1978, but the work in question was created on or after January 1, 1978. The notice stated that comments would be due on December 27, 2010.

The Office has been contacted by representatives of interested parties who have stated that in light of the complexity of the issues raised in the notice and in light of the holidays, they request an extension of time to submit comments in order to more thoroughly analyze the issues.

Although the Register of Copyrights had hoped to issue a final rule by the end of this year, the Office wants to ensure that interested parties are given sufficient time to formulate and submit their views. Accordingly, the deadline for submission of comments is being extended to Monday, January 24, 2011.

Dated: December 22, 2010.

**David O. Carson,**

*General Counsel.*

[FR Doc. 2010-32864 Filed 12-28-10; 8:45 am]

**BILLING CODE 1410-30-P**

## ENVIRONMENTAL PROTECTION AGENCY

**40 CFR Parts 85, 86, 1036, 1037, 1065, 1066, and 1068**

### DEPARTMENT OF TRANSPORTATION

#### National Highway Traffic Safety Administration

**49 CFR Parts 523, 534, and 535**

[EPA-HQ-OAR-2010-0162; FRL-9219-4; NHTSA 2010-0079]

RIN 2060-AP61; RIN 2127-AK74

#### Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles

**AGENCIES:** Environmental Protection Agency (EPA) and National Highway

Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Proposed rules; correction.

**SUMMARY:** NHTSA and EPA published in the **Federal Register** of November 30, 2010, proposed rules to establish a comprehensive Heavy-Duty National Program that will increase fuel efficiency and reduce greenhouse gas emissions for on-road heavy-duty vehicles, responding to the President's directive on May 21, 2010, to take coordinated steps to produce a new generation of clean vehicles. That document inadvertently contained some incorrect fuel consumption values in NHTSA-specific tables in the preamble that resulted from using an incorrect conversion factor for determining CO<sub>2</sub> emissions to equivalent fuel consumption for gasoline fuel. That document also contained some rounding errors in NHTSA-specific tables in the preamble. This document corrects the rounding errors by adopting a uniform rounding approach for all fuel consumption equivalents for those NHTSA-specific tables and makes the appropriate corrections to the conversions.

**FOR FURTHER INFORMATION CONTACT:**

Rebecca Yoon, Office of Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Telephone: (202) 366-2992.

**SUPPLEMENTARY INFORMATION:** NHTSA and EPA published in the **Federal Register** of November 30, 2010,

proposed rules to establish a comprehensive Heavy-Duty National Program that will increase fuel efficiency and reduce greenhouse gas emissions for on-road heavy-duty vehicles, responding to the President's directive on May 21, 2010, to take coordinated steps to produce a new generation of clean vehicles. That document inadvertently contained some incorrect fuel consumption values in NHTSA-specific tables in the preamble that resulted from using an incorrect conversion factor for determining CO<sub>2</sub> emissions to equivalent fuel consumption for gasoline fuel. The correct values that should have been used in the document are a factor of 1,018 grams of CO<sub>2</sub> per gallon of diesel for conversion of diesel fuel, and a factor of 8,887 grams of CO<sub>2</sub> per gallon of gasoline for gasoline.

That document also contained some rounding errors in NHTSA-specific tables in the preamble. This document corrects the rounding errors by adopting a uniform rounding approach for all fuel consumption equivalents and makes the

appropriate corrections to the conversions. These changes are made to several NHTSA-specific tables and in several places in the NHTSA-specific text of the preamble. The proposed

regulatory text for both NHTSA and EPA is not affected.

In FR Doc. 2010–28120, appearing on page 74152 in the **Federal Register** of

Tuesday, November 30, 2010, the following corrections are made:

1. On page 74176, correct Table II–1 and accompanying footnote 39 by revising them to read as follows:

**TABLE II–1—HEAVY-DUTY COMBINATION TRACTOR EMISSIONS AND FUEL CONSUMPTION STANDARDS**

|   | Day cab |         | Sleeper cab |
|---|---------|---------|-------------|
|   | Class 7 | Class 8 | Class 8     |
| 2014 Model Year CO <sub>2</sub> Grams per Ton-Mile                    |         |         |             |
| Low Roof .....  | 104     | 79      | 65          |
| Mid Roof .....  | 104     | 79      | 70          |
| High Roof .....   | 118     | 87      | 73          |
| 2014–2016 Model Year Gallons of Fuel per 1,000 Ton-Mile <sup>39</sup> |         |         |             |
| Low Roof .....  | 10.2    | 7.8     | 6.4         |
| Mid Roof .....  | 10.2    | 7.8     | 6.9         |
| High Roof .....   | 11.6    | 8.5     | 7.2         |
| 2017 Model Year CO <sub>2</sub> Grams per Ton-Mile                    |         |         |             |
| Low Roof .....  | 103     | 78      | 64          |
| Mid Roof .....  | 103     | 78      | 69          |
| High Roof .....   | 116     | 86      | 71          |
| 2017 Model Year Gallons of Fuel per 1,000 Ton-Mile                    |         |         |             |
| Low Roof .....  | 10.1    | 7.7     | 6.3         |
| Mid Roof .....  | 10.1    | 7.7     | 6.8         |
| High Roof .....   | 11.4    | 8.4     | 7.0         |

2. On page 74194, correct Tables II–7 and II–8 by revising them to read as follows:

**TABLE II–2—COEFFICIENTS FOR PROPOSED HD PICKUP AND VAN TARGET STANDARDS<sup>74</sup>**

| Model year                | a      | b   | c        | d    |
|---------------------------|--------|-----|----------|------|
| <b>Diesel Vehicles:</b>   |        |     |          |      |
| 2014 .....                | 0.0478 | 368 | 0.000470 | 3.61 |
| 2015 .....                | 0.0474 | 366 | 0.000466 | 3.60 |
| 2016 .....                | 0.0460 | 354 | 0.000452 | 3.48 |
| 2017 .....                | 0.0445 | 343 | 0.000437 | 3.37 |
| 2018 and later .....      | 0.0416 | 320 | 0.000409 | 3.14 |
| <b>Gasoline Vehicles:</b> |        |     |          |      |
| 2014 .....                | 0.0482 | 371 | 0.000542 | 4.17 |
| 2015 .....                | 0.0479 | 369 | 0.000539 | 4.15 |
| 2016 .....                | 0.0469 | 362 | 0.000528 | 4.07 |
| 2017 .....                | 0.0460 | 354 | 0.000518 | 3.98 |
| 2018 and later .....      | 0.0440 | 339 | 0.000495 | 3.81 |

**TABLE II–3—COEFFICIENTS PROPOSED FOR NHTSA’S FIRST ALTERNATIVE AND EPA’S ALTERNATIVE HD PICKUP AND VAN TARGET STANDARDS**

| Model year                | a      | b   | c        | d    |
|---------------------------|--------|-----|----------|------|
| <b>Diesel Vehicles:</b>   |        |     |          |      |
| 2014 <sup>a</sup> .....   | 0.0478 | 368 | 0.000470 | 3.61 |
| 2015 <sup>a</sup> .....   | 0.0474 | 366 | 0.000466 | 3.60 |
| 2016–2018 .....           | 0.0440 | 339 | 0.000432 | 3.33 |
| 2019 and later .....      | 0.0416 | 320 | 0.000409 | 3.14 |
| <b>Gasoline Vehicles:</b> |        |     |          |      |
| 2014 <sup>a</sup> .....   | 0.0482 | 371 | 0.000542 | 4.17 |
| 2015 <sup>a</sup> .....   | 0.0479 | 369 | 0.000539 | 4.15 |

<sup>39</sup> Manufacturers may voluntarily opt-in to the NHTSA fuel consumption program in 2014 or 2015.

If a manufacturer opts-in, the program becomes mandatory. See Section I.B.5 for more information

about NHTSA’s voluntary opt-in program for MYs 2014 and 2015.

TABLE II-3—COEFFICIENTS PROPOSED FOR NHTSA’S FIRST ALTERNATIVE AND EPA’S ALTERNATIVE HD PICKUP AND VAN TARGET STANDARDS—Continued

| Model year           | a      | b   | c        | d    |
|----------------------|--------|-----|----------|------|
| 2016–2018 .....      | 0.0456 | 352 | 0.000513 | 3.96 |
| 2019 and later ..... | 0.0440 | 339 | 0.000495 | 3.81 |

3. On page 74202, correct Table II-11 by revising it to read as follows:

TABLE II-4—PROPOSED VOCATIONAL DIESEL ENGINE STANDARDS OVER THE HEAVY-DUTY FTP CYCLE

| Model year           | Standard  | Light heavy-duty diesel | Medium heavy-duty diesel | Heavy heavy-duty diesel |
|----------------------|---|-------------------------|--------------------------|-------------------------|
| 2014–2016 .....      | CO <sub>2</sub> Standard (g/bhp-hr) .....                     | 600                     | 600                      | 567                     |
|                      | Voluntary Fuel Consumption Standard (gallon/100 bhp-hr) ..... | 5.89                    | 5.89                     | 5.57                    |
| 2017 and Later ..... | CO <sub>2</sub> Standard (g/bhp-hr) .....                     | 576                     | 576                      | 555                     |
|                      | Fuel Consumption (gallon/100 bhp-hr) .....                    | 5.66                    | 5.66                     | 5.45                    |

4. On page 74202, in the third column, correct the first sentence of the first complete paragraph by revising it to read as follows: “The baseline 2010 model year CO<sub>2</sub> performance of these heavy-duty gasoline engines over the Heavy-duty FTP cycle is 660 g CO<sub>2</sub>/bhp-

hr (7.43 gal/100 bhp-hr) in 2010 based on non-GHG certification data provided to EPA by the manufacturers.”

5. On page 74202, in the third column, correct the first sentence of the second complete paragraph by revising it to read as follows: “NHTSA is

proposing a 7.06 gallon/100 bhp-hr standard for fuel consumption while EPA is proposing a 627 g CO<sub>2</sub>/bhp-hr standard tested over the Heavy-duty FTP, effective in the 2016 model year.”

6. On page 74220, correct Table III-2 by revising it to read as follows:

TABLE III-5—CLASS 7 AND 8 TRACTOR BASELINE CO<sub>2</sub> EMISSIONS AND FUEL CONSUMPTION

|   | Class 7      |           | Class 8      |           |             |          |           |
|---|--------------|-----------|--------------|-----------|-------------|----------|-----------|
|   | Day cab      |           | Day cab      |           | Sleeper cab |          |           |
|   | Low/mid roof | High roof | Low/mid roof | High roof | Low roof    | Mid roof | High roof |
| CO <sub>2</sub> (grams CO <sub>2</sub> /ton-mile) ..... | 111          | 130       | 84           | 96        | 76          | 81       | 89        |
| Fuel Consumption (gal/1,000 ton-mile) .....             | 10.9         | 12.8      | 8.3          | 9.4       | 7.5         | 8.0      | 8.6       |

7. On page 74225, correct Table III-6 by revising it to read as follows:

TABLE III-6—PROPOSED 2014 AND 2017 MODEL YEAR TRACTOR REDUCTIONS

|   | Class 7      |           | Class 8      |           |             |          |           |
|---|--------------|-----------|--------------|-----------|-------------|----------|-----------|
|   | Day cab      |           | Day cab      |           | Sleeper cab |          |           |
|   | Low/mid roof | High roof | Low/mid roof | High roof | Low roof    | Mid roof | High roof |
| 2014 Model Year   |              |           |              |           |             |          |           |
| 2014 MY Voluntary Fuel Consumption Standard (gallon/1,000 ton-mile) ..... | 10.2         | 11.6      | 7.8          | 8.5       | 6.4         | 6.9      | 7.2       |

<sup>74</sup> The NHTSA proposal provides voluntary standards for model years 2014 and 2015. Target

line functions for 2016–2018 are for the second NHTSA alternative described in Section ILC(d)(ii).

TABLE III-6—PROPOSED 2014 AND 2017 MODEL YEAR TRACTOR REDUCTIONS—Continued

|  | Class 7      |           | Class 8      |           |             |          |           |
|--|--------------|-----------|--------------|-----------|-------------|----------|-----------|
|  | Day cab      |           | Day cab      |           | Sleeper cab |          |           |
|  | Low/mid roof | High roof | Low/mid roof | High roof | Low roof    | Mid roof | High roof |
| 2014 MY CO <sub>2</sub> Standard (grams CO <sub>2</sub> /ton-mile) ..... | 104          | 118       | 79           | 87        | 65          | 70       | 73        |
| Percent Reduction .....  | 6%           | 9%        | 6%           | 9%        | 15%         | 14%      | 18%       |
| 2017 Model Year  |              |           |              |           |             |          |           |
| 2017 MY Fuel Consumption Standard (gallon/1,000 ton-mile) .....          | 10.1         | 11.4      | 7.7          | 8.4       | 6.3         | 6.8      | 7.0       |
| 2017 MY CO <sub>2</sub> Standard (grams CO <sub>2</sub> /ton-mile) ..... | 103          | 116       | 78           | 86        | 64          | 69       | 71        |
| Percent Reduction .....  | 7%           | 11%       | 7%           | 10%       | 16%         | 15%      | 20%       |

8. On page 74244, correct Table III-12 by revising it to read as follows:

TABLE III-7—BASELINE VOCATIONAL VEHICLE PERFORMANCE

|  | Vocational vehicle |                   |                  |
|--|--------------------|-------------------|------------------|
|  | Light heavy-duty   | Medium heavy-duty | Heavy heavy-duty |
| Fuel Consumption Baseline (gallon/1,000 ton-mile) .....          | 37.5               | 22.3              | 11.3             |
| CO <sub>2</sub> Baseline (grams CO <sub>2</sub> /ton-mile) ..... | 382                | 227               | 115              |

9. On page 74245, correct Table III-14 by revising it to read as follows:

TABLE III-8—PROPOSED VOCATIONAL VEHICLE STANDARDS AND PERCENT REDUCTIONS

|  | Vocational vehicle |                   |                  |
|--|--------------------|-------------------|------------------|
|  | Light heavy-duty   | Medium heavy-duty | Heavy heavy-duty |
| 2016 MY Fuel Consumption Standard (gallon/1,000 ton-mile) .....          | 35.2               | 20.8              | 10.7             |
| 2017 MY Fuel Consumption Standard (gallon/1,000 ton-mile) .....          | 33.8               | 20.0              | 10.5             |
| 2014 MY CO <sub>2</sub> Standard (grams CO <sub>2</sub> /ton-mile) ..... | 358                | 212               | 109              |
| 2017 MY CO <sub>2</sub> Standard (grams CO <sub>2</sub> /ton-mile) ..... | 344                | 204               | 107              |
| Percent Reduction from 2010 baseline in 2014 MY .....                    | 6%                 | 7%                | 5%               |
| Percent Reduction from 2010 baseline in 2017 MY .....                    | 10%                | 10%               | 7%               |

10. On page 74245, in the third column, correct the second sentence of the third paragraph by revising it to read as follows: "The agencies are projecting a 100% application rate of this technology package to the heavy-duty gasoline engines, which results in a CO<sub>2</sub> standard of 627 g/bhp-hr and a fuel consumption standard of 7.06 gallon/100 bhp-hr."

11. On page 74440, correct Table 1 by revising it to read as follows:

**TABLE 1—EQUATION COEFFICIENTS FOR VEHICLE CONFIGURATION TARGET STANDARDS**

| Model year   | c        | d    |
|--|----------|------|
| <b>Alternative 1—Fixed Target Standards</b>                              |          |      |
| Compression-Ignition Vehicle Coefficients for Model Years 2016 and Later |          |      |
| 2016 through 2018 .....  | 0.000432 | 3.33 |
| 2019 and later ..  | 0.000409 | 3.14 |

**TABLE 1—EQUATION COEFFICIENTS FOR VEHICLE CONFIGURATION TARGET STANDARDS—Continued**

| Model year   | c        | d    |
|--|----------|------|
| Spark-Ignition Vehicle Coefficients for Model Years 2016 and Later   |          |      |
| 2016 through 2018 .....  | 0.000513 | 3.96 |
| 2019 and later ..  | 0.000495 | 3.81 |
| <b>Alternative 2—Phased-in Target Standards Compression-Ignition Vehicle Coefficients for Model Years 2016 and Later</b> |          |      |
| 2016 .....   | 0.000452 | 3.48 |
| 2017 .....   | 0.000437 | 3.37 |
| 2018 and later ..  | 0.000409 | 3.14 |
| Spark-Ignition Vehicle Coefficients for Model Years 2016 and Later   |          |      |
| 2016 .....   | 0.000528 | 4.07 |
| 2017 .....   | 0.000518 | 3.98 |
| 2018 and later ..  | 0.000495 | 3.81 |

12. On page 74442, correct Table 2 by revising it to read as follows:

**TABLE 2—VOLUNTARY COMPLIANCE EQUATION COEFFICIENTS FOR VEHICLE FUEL CONSUMPTION STANDARDS**

| Model year  | c        | d    |
|---|----------|------|
| Compression-Ignition Vehicle Coefficients for Voluntary Compliance in Model Years 2013 Through 2015 |          |      |
| 2013 and 14 .....   | 0.000470 | 3.61 |
| 2015 .....  | 0.000466 | 3.60 |
| Spark-Ignition Vehicle Coefficients for Voluntary Compliance in Model Years 2013 Through 2015       |          |      |
| 2013 and 14 .....   | 0.000542 | 4.17 |
| 2015 .....  | 0.000539 | 4.15 |

13. On page 74444, correct Table 4 by revising it to read as follows:

**TABLE 4—TRUCK TRACTOR FUEL CONSUMPTION STANDARDS**

| Regulatory subcategories   | Day cab |         | Sleeper cab |
|--|---------|---------|-------------|
|  | Class 7 | Class 8 | Class 8     |
| Fuel Consumption Standards (gallons per 1000 ton-miles) Effective for Model Years 2017 and Later |         |         |             |
| Low Roof .....   | 10.1    | 7.7     | 6.3         |
| Mid Roof .....   | 10.1    | 7.7     | 6.8         |
| High Roof .....  | 11.4    | 8.4     | 7.0         |
| Fuel Consumption Standards (gallons per 1000 ton-miles) Effective for Model Years 2013 to 2016   |         |         |             |
| Low Roof .....   | 10.2    | 7.8     | 6.4         |
| Mid Roof .....   | 10.2    | 7.8     | 6.9         |
| High Roof .....  | 11.6    | 8.5     | 7.2         |

14. On page 74445, correct Table 5 by revising it to read as follows:

**TABLE 5—HEAVY-DUTY ENGINE STANDARDS**

| Fuel Consumption Standards (gallons per 100 bhp-hr)                          |  |   |                   |  |               |                            |
|--|--|---|-------------------|--|---------------|----------------------------|
| Regulatory subcategory   | Light heavy-duty compression-ignition engine | Medium heavy-duty compression-ignition engine |                   | Heavy heavy-duty compression-ignition engine |               | Spark-ignition engines     |
| Truck Application .....  | Vocational .....                             | Vocational .....                              | Tractor .....     | Vocational .....                             | Tractor ..... | All. 2016 and later. 7.06. |
| Effective Model Years  | 5.66 .....                                   | 5.66 .....                                    | 4.78 .....        | 5.45 .....                                   | 4.52 .....    |                            |
| Fuel Consumption Standard.   |  |   | 2017 and later    |  |               |                            |
| Fuel Consumption Standards for Voluntary Compliance (gallons per 100 bhp-hr) |  |   |                   |  |               |                            |
| Regulatory subcategory   | Light heavy-duty diesel engine               | Medium heavy-duty diesel engine               |                   | Heavy heavy-duty diesel engine               |               | Spark-ignition engine      |
| Truck Application .....  | Vocational .....                             | Vocational .....                              | Tractor .....     | Vocational .....                             | Tractor ..... | All. 2013 through 2015.    |
| Effective Model Years  |  |   | 2013 through 2016 |  |               |                            |

TABLE 5—HEAVY-DUTY ENGINE STANDARDS—Continued

| Regulatory subcategory               |            |            |            |            |            |       |
|--------------------------------------|------------|------------|------------|------------|------------|-------|
| Voluntary Fuel Consumption Standard. | 5.89 ..... | 5.89 ..... | 4.93 ..... | 5.57 ..... | 4.67 ..... | 7.06. |

Issued: December 20, 2010.

**Joseph S. Carra,**

*Acting Associate Administrator for Rulemaking, National Highway Traffic Safety Administration, Department of Transportation.*

Issued: December 20, 2010.

**Margo Tsirigotis Oge,**

*Director, Office of Transportation Air Quality, Environmental Protection Agency.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1166]

#### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before March 29, 2011.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1166, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [luis.rodriquez1@dhs.gov](mailto:luis.rodriquez1@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [luis.rodriquez1@dhs.gov](mailto:luis.rodriquez1@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, 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 the minimum that are required. 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 also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are

made final, and for the contents in those buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*National Environmental Policy Act.* This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not 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.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

*Executive Order 13132, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This proposed 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 proposed to be 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.

#### § 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows: