



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA-2012-0003; Internal Agency Docket No. FEMA-8245]

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. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <http://www.fema.gov/fema/csb.shtm>.

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 Starrett, Federal Insurance and Mitigation Administration, Federal

Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures 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 the sale of NFIP flood insurance 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. We recognize that 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the Federal Register.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 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 FIRM for 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 procedures 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, Section 1315, 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
Region III				
Pennsylvania: Addison, Township of, Somerset County.	422508	January 18, 1985, Emerg; June 1, 1989, Reg; September 19, 2012, Susp.	September 19, 2012	September 19, 2012
Allegheny, Township of, Somerset County.	422509	August 4, 1983, Emerg; June 1, 1989, Reg; September 19, 2012, Susp.	-do-*	-do-
Benson, Borough of, Somerset County.	420793	October 14, 1975, Emerg; May 17, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Black, Township of, Somerset County.	422510	March 2, 1977, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Boswell, Borough of, Somerset County.	420794	March 22, 1977, Emerg; September 24, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Brothersvalley, Township of, Somerset County.	422511	July 25, 1985, Emerg; August 19, 1985, Reg; September 19, 2012, Susp.	-do-	-do-
Casselman, Borough of, Somerset County.	420795	March 9, 1977, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Central City, Borough of, Somerset County.	420796	August 29, 1975, Emerg; June 18, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Conemaugh, Township of, Somerset County.	422047	August 1, 1975, Emerg; June 4, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Confluence, Borough of, Somerset County.	422043	March 11, 1975, Emerg; September 6, 1989, Reg; September 19, 2012, Susp.	-do-	-do-
Elk Lick, Township of, Somerset County.	422048	March 8, 1977, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Fairhope, Township of, Somerset County.	422049	August 5, 1983, Emerg; August 19, 1985, Reg; September 19, 2012, Susp.	-do-	-do-
Garrett, Borough of, Somerset County.	420797	July 31, 1975, Emerg; June 4, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Greenville, Township of, Somerset County.	422512	October 27, 1981, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Hooversville, Borough of, Somerset County.	420798	August 5, 1975, Emerg; June 18, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Indian Lake, Borough of, Somerset County.	422513	October 12, 1976, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Jefferson, Township of, Somerset County.	422050	March 26, 1976, Emerg; August 19, 1985, Reg; September 19, 2012, 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
Jenner, Township of, Somerset County.	422051	February 18, 1976, Emerg; September 4, 1985, Reg; September 19, 2012, Susp.	-do-	-do-
Jennerstown, Borough of, Somerset County.	422514	March 1, 1977, Emerg; September 24, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Larimer, Township of, Somerset County.	422515	September 8, 1983, Emerg; April 1, 1988, Reg; September 19, 2012, Susp.	-do-	-do-
Lincoln, Township of, Somerset County.	422516	March 7, 1977, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Lower Turkeyfoot, Township of, Somerset County.	422517	May 4, 1977, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Meyersdale, Borough of, Somerset County.	422044	March 21, 1977, Emerg; June 17, 1986, Reg; September 19, 2012, Susp.	-do-	-do-
Middlecreek, Township of, Somerset County.	422518	April 25, 1979, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Milford, Township of, Somerset County.	422519	May 21, 1979, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
New Baltimore, Borough of, Somerset County.	420799	April 8, 1981, Emerg; September 24, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Northampton, Township of, Somerset County.	422520	February 10, 1976, Emerg; September 24, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Ogle, Township of, Somerset County.	422052	April 23, 1976, Emerg; May 17, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Paint, Borough of, Somerset County.	420800	August 27, 1975, Emerg; November 19, 1986, Reg; September 19, 2012, Susp.	-do-	-do-
Paint, Township of, Somerset County.	422521	February 13, 1976, Emerg; June 4, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Quemahoning, Township of, Somerset County.	422053	April 19, 1976, Emerg; August 15, 1989, Reg; September 19, 2012, Susp.	-do-	-do-
Rockwood, Borough of, Somerset County.	422045	February 17, 1977, Emerg; June 18, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Salisbury, Borough of, Somerset County.	420801	April 22, 1975, Emerg; September 24, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Shade, Township of, Somerset County.	422054	August 21, 1975, Emerg; February 6, 1991, Reg; September 19, 2012, Susp.	-do-	-do-
Shanksville, Borough of, Somerset County.	420802	March 2, 1977, Emerg; September 24, 1984, Reg; September 19, 2012, 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
Somerset, Borough of, Somerset County.	420803	September 10, 1971, Emerg; November 27, 1976, Reg; September 19, 2012, Susp.	-do-	-do-
Somerset, Township of, Somerset County.	422055	July 19, 1976, Emerg; May 17, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Southampton, Township of, Somerset County.	422523	March 1, 1977, Emerg; September 24, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Stonycreek, Township of, Somerset County.	422524	April 21, 1976, Emerg; August 19, 1985, Reg; September 19, 2012, Susp.	-do-	-do-
Summit, Township of, Somerset County.	422056	October 27, 1981, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Upper Turkeyfoot, Township of, Somerset County.	422525	April 25, 1979, Emerg; September 10, 1984, Reg; September 19, 2012, Susp.	-do-	-do-
Ursina, Borough of, Somerset County.	420804	August 21, 1975, Emerg; June 18, 1990, Reg; September 19, 2012, Susp.	-do-	-do-
Wellersburg, Borough of, Somerset County.	422526	April 19, 1984, Emerg; June 1, 1989, Reg; September 19, 2012, Susp.	-do-	-do-
Windber, Borough of, Somerset County.	422046	April 29, 1975, Emerg; October 17, 1986, Reg; September 19, 2012, Susp.	-do-	-do-
Region IV				
Kentucky: Burkesville, City of, Cumberland County.	210061	October 2, 1975, Emerg; July 3, 1986, Reg; September 19, 2012, Susp.	-do-	-do-
Grayson County, Unincorporated Areas.	210330	N/A, Emerg; September 15, 2001, Reg; September 19, 2012, Susp.	-do-	-do-
Leitchfield, City of, Grayson County.	210085	February 4, 2002, Emerg; N/A, Reg; September 19, 2012, Susp.	-do-	-do-
Mississippi: George County, Unincorporated Areas.	280223	May 2, 1975, Emerg; August 16, 1988, Reg; September 19, 2012, Susp.	-do-	-do-
Lucedale, City of, George County.	280056	April 24, 1975, Emerg; April 15, 1986, Reg; September 19, 2012, Susp.	-do-	-do-
Region V				
Ohio: Malta, Village of, Morgan County.	390421	April 22, 1975, Emerg; September 1, 1987, Reg; September 19, 2012, Susp.	-do-	-do-
McConnelsville, Village of, Morgan County.	390422	August 1, 1975, Emerg; July 1, 1987, Reg; September 19, 2012, 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
Stockport, Village of, Morgan County.	390423	May 30, 1975, Emerg; August 1, 1987, Reg; September 19, 2012, Susp.	-do-	-do-
Region VII				
Missouri: Argyle, Village of, Osage County.	290491	May 13, 1974, Emerg; August 1, 1986, Reg; September 19, 2012, Susp.	-do-	-do-
Linn, City of, Osage County.	290708	N/A, Emerg; April 28, 2006, Reg; September 19, 2012, Susp.	-do-	-do-
Region VIII				
Montana: East Helena, City of, Lewis and Clark County.	300039	May 23, 1975, Emerg; June 4, 1980, Reg; September 19, 2012, Susp.	-do-	-do-
Helena, City of, Lewis and Clark County.	300040	May 6, 1975, Emerg; April 15, 1981, Reg; September 19, 2012, Susp.	-do-	-do-
Lewis and Clark County, Unincorporated Areas.	300038	August 26, 1975, Emerg; April 1, 1981, Reg; September 19, 2012, Susp.	-do-	-do-

*-do- =Ditto.

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

Dated: September 10, 2012

David L. Miller

Associate Administrator

Federal Insurance and Mitigation Administration

Department of Homeland Security

Federal Emergency Management Agency

[FR Doc. 2012-22825 Filed 09/14/2012 at 8:45 am; Publication Date: 09/17/2012]