

TABLE 1—WASTES EXCLUDED FROM SPECIFIC SOURCES—Continued

Facility	Address	Waste description
*	*	*

(d) Following the receipt of information from the facility described in paragraph 4. (c) or if no information is presented under paragraph 4. (c) the Regional Administrator will issue a final written determination describing the Agency actions that are necessary to protect human health or the environment. Any required action described in the Regional Administrator's determination shall become effective immediately, unless the Regional Administrator provides otherwise.

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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-8151]

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
Region I				
Rhode Island:				
Charlestown, Town of, Washington County.	445395	October 30, 1970, Emerg; July 13, 1972, Reg; October 19, 2010, Susp.	Oct. 19, 2010	Oct. 19, 2010.
Exeter, Town of, Washington County ...	440032	February 4, 1976, Emerg; March 1, 1982, Reg; October 19, 2010, Susp.	.....do	Do.
Hopkinton, Town of, Washington County.	440028	September 8, 1975, Emerg; March 16, 1981, Reg; October 19, 2010, Susp.	.....do	Do.
Narragansett Indian Tribe, Washington County.	445414	N/A, Emerg; February 14, 2005, Reg; October 19, 2010, Susp.	.....do	Do.
Narragansett, Town of, Washington County.	445402	September 18, 1970, Emerg; December 3, 1971, Reg; October 19, 2010, Susp.	.....do	Do.
New Shoreham, Town of, Washington County.	440036	October 16, 1975, Emerg; April 3, 1985, Reg; October 19, 2010, Susp.	.....do	Do.
North Kingstown, Town of, Washington County.	445404	September 18, 1970, Emerg; July 14, 1972, Reg; October 19, 2010, Susp.	.....do	Do.
Richmond, Town of, Washington County.	440031	July 7, 1975, Emerg; November 5, 1980, Reg; October 19, 2010, Susp.	.....do	Do.
South Kingstown, Town of, Washington County.	445407	September 11, 1970, Emerg; June 23, 1972, Reg; October 19, 2010, Susp.	.....do	Do.
Westerly, Town of, Washington County	445410	August 14, 1970, Emerg; July 28, 1972, Reg; October 19, 2010, Susp.	.....do	Do.
Region IV				
Alabama:				
Guin, City of, Marion County	010162	January 17, 1974, Emerg; September 28, 1979, Reg; October 19, 2010, Susp.	.....do	Do.
Hamilton, City of, Marion County	010163	December 10, 1974, Emerg; January 16, 1980, Reg; October 19, 2010, Susp.	.....do	Do.
Marion County, Unincorporated Areas ..	010161	November 6, 1975, Emerg; December 4, 1979, Reg; October 19, 2010, Susp.	.....do	Do.
Winfield, City of, Marion County	010164	January 23, 1974, Emerg; November 1, 1979, Reg; October 19, 2010, Susp.	.....do	Do.
Kentucky: Brownsville, City of, Edmonson County.	210236	June 13, 1989, Emerg; September 4, 1991, Reg; October 19, 2010, Susp.	.....do	Do.
Tennessee:				
Cumberland City, Town of, Stewart County.	470375	June 20, 2007, Emerg; October 19, 2010, Reg; October 19, 2010, Susp.	.....do	Do.
Dover, Town of, Stewart County	470237	August 19, 1988, Emerg; February 1, 1990, Reg; October 19, 2010, Susp.	.....do	Do.
Erin, City of, Houston County	470213	April 23, 1974, Emerg; July 17, 1986, Reg; October 19, 2010, Susp.	.....do	Do.
Region VI				
New Mexico:				
Deming, City of, Luna County	350038	June 2, 1975, Emerg; June 15, 1979, Reg; October 19, 2010, Susp.	.....do	Do.
Luna County, Unincorporated Areas	350139	August 20, 1976, Emerg; September 14, 1990, Reg; October 19, 2010, Susp.	.....do	Do.
Texas:				
Goliad, City of, Goliad County	480828	October 26, 1984, Emerg; August 19, 1986, Reg; October 19, 2010, Susp.	.....do	Do.
Goliad County, Unincorporated Areas ..	480827	April 19, 1996, Emerg; October 19, 2010, Reg; October 19, 2010, Susp.	.....do	Do.
Karnes City, City of, Karnes County	480405	June 10, 1975, Emerg; August 1, 1986, Reg; October 19, 2010, Susp.	.....do	Do.
Karnes County, Unincorporated Areas	481175	April 12, 1999, Emerg; April 1, 2004, Reg; October 19, 2010, Susp.	.....do	Do.
Kenedy, City of, Karnes County	485482	September 4, 1970, Emerg; June 25, 1971, Reg; October 19, 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
Maud, City of, Bowie County	480057	June 2, 1975, Emerg; December 12, 1978, Reg; October 19, 2010, Susp.	.....do	Do.
Nash, City of, Bowie County	480058	April 7, 1975, Emerg; June 21, 1977, Reg; October 19, 2010, Susp.	.....do	Do.
Redwater, Town of, Bowie County	480309	April 17, 2009, Emerg; October 19, 2010, Reg; October 19, 2010, Susp.	.....do	Do.
Upshur County, Unincorporated Areas	481036	February 27, 1981, Emerg; May 1, 1987, Reg; October 19, 2010, Susp.	.....do	Do.
Wake Village, City of, Bowie County	480061	September 24, 1974, Emerg; October 15, 1985, Reg; October 19, 2010, Susp.	.....do	Do.
Region VII				
Kansas:				
Cowley County, Unincorporated Areas	200563	February 26, 1979, Emerg; August 5, 1991, Reg; October 19, 2010, Susp.	.....do	Do.
Winfield, City of, Cowley County	200071	May 30, 1974, Emerg; March 16, 1981, Reg; October 19, 2010, Susp.	.....do	Do.
Region VIII				
South Dakota:				
Doland, Town of, Spink County	460079	May 11, 1978, Emerg; November 12, 1985, Reg; October 19, 2010, Susp.	.....do	Do.
Redfield, City of, Spink County	460081	May 22, 1975, Emerg; November 15, 1985, Reg; October 19, 2010, Susp.	.....do	Do.
Spink County, Unincorporated Areas	460076	March 28, 1978, Emerg; August 5, 1986, Reg; October 19, 2010, Susp.	.....do	Do.

.....do and Do = Ditto.

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

Dated: September 15, 2010.

Edward L. Connor,

Acting Federal Insurance and Mitigation Administrator, Department of Homeland Security Federal Emergency Management Agency.

[FR Doc. 2010–23710 Filed 9–21–10; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF ENERGY

48 CFR Parts 907, 923, 936, 952, and 970

RIN 1991–AB95

Acquisition Regulation: Sustainable Acquisition

AGENCY: Department of Energy.

ACTION: Interim final rule with request for comments.

SUMMARY: The Department of Energy (DOE) is amending the Department of Energy Acquisition Regulation (DEAR) to implement Executive Order 13514, Federal Leadership in Environmental, Energy and Economic Performance. The intent of the rule is to leverage agency acquisitions to foster markets for sustainable technologies and energy efficient and environmentally sustainable materials, products, and services.

DATES: *Effective Date:* October 22, 2010.

Comment Date: Submit comments to the address below by October 22, 2010.

ADDRESSES: You may submit comments on this interim final rule, identified by RIN 1991–AB95, by any of the following methods:

- Federal eRulemaking Portal at <http://www.Regulations.gov>. Follow the instructions for submitting documents.
- E-mail to

DEARrulemaking@hq.doe.gov. Include Sustainable Acquisition and RIN 1991–AB95 in the subject line of the e-mail with a copy to

Richard.Langston@hq.doe.gov.

- Mail to Richard Langston, MA–61, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT:

Richard Langston at 202–287–1339 or Richard.Langston@hq.doe.gov.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Section by Section Analysis
- III. Procedural Requirements
 - A. Review Under Executive Order 12866
 - B. Review Under Executive Order 12988
 - C. Review Under the Regulatory Flexibility Act
 - D. Review Under the Paperwork Reduction Act
 - E. Review Under the National Environmental Policy Act
 - F. Review Under Executive Order 13132
 - G. Review Under the Unfunded Mandates Reform Act of 1995

- H. Review Under the Treasury and General Government Appropriations Act, 1999
- I. Review Under Executive Order 13211
- J. Review Under the Treasury and General Government Appropriations Act, 2001
- K. Review Under the Small Business Regulatory Enforcement Fairness Act of 1996
- L. Approval by the Office of the Secretary of Energy

I. Background

Executive Order (E.O.) 13514, Federal Leadership in Environmental, Energy and Economic Performance was issued October 5, 2009. It is being implemented in Federal contracting by FAR Case 2010–001 which is being processed concurrently with this rulemaking. This rulemaking will implement and supplement FAR Case 2010–001.

FAR Case 2010–001 was drafted in recognition of changing environmental circumstances and our Nation’s heightened energy demands. These circumstances demand that the Federal Government lead by example to create a clean energy economy that will increase prosperity, promote energy security, protect the interests of taxpayers, and safeguard the health of our environment. Executive Order 13514 requires Federal agencies to leverage agency acquisitions to foster markets for sustainable technologies and energy efficient and environmentally sustainable materials, products, and