

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) Modified	Communities affected
Unnamed Tributary No. 1 to Fink Run (Backwater effects from Buckhannon River).	At the area bounded by U.S. Route 33, Wabash Avenue, and County Route 33/1.	+1415	Unincorporated Areas of Upshur County.

* National Geodetic Vertical Datum.
 + North American Vertical Datum.
 # Depth in feet above ground.
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

ADDRESSES

Unincorporated Areas of Upshur County

Maps are available for inspection at the Upshur County Courthouse Annex, 38 West Main Street, Buckhannon, WV 26201.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: September 21, 2010.

Edward L. Connor,

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

[FR Doc. 2010-24326 Filed 9-27-10; 8:45 am]

BILLING CODE 9110-12-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 73 and 76

Radio Broadcast Services and Multichannel Video and Cable Television Service; Clarification Regarding Information Collection Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rule; clarification.

SUMMARY: The Federal Communications Commission has published a number of requirements related to Radio Broadcast Services and Multichannel Video and Cable Television Service, which were determined to contain information collection requirements that were subject to OMB review. After further review, we have found OMB approval is not required. This document intends to provide clarification that these rules are effective and that it has been determined that these provisions are not subject to OMB review.

DATES: Effective September 28, 2010, the following regulations are no longer pending OMB approval for the sections listed:

- 73.6027—69 FR 69331, November 29, 2004.
- 76.5(l1)—61 FR 6137, February 16, 1996.

- 76.913(b)(1)—62 FR 6495, February 12, 1997.
- 76.924(e)(1)(iii) and (e)(2)(iii)—61 FR 9367, March 8, 1996.
- 76.925—60 FR 52119, October 5, 1995.
- 76.942(f)—60 FR 52120, October 5, 1995.
- 76.944(c)—60 FR 52121, October 5, 1995.
- 76.957—60 FR 52121, October 5, 1995.
- 76.1504(e)—61 FR 43176, August 26, 1996.
- 76.1511—61 FR 43177, August 21, 1996.
- 76.1512—61 FR 43177, August 21, 1996.
- 76.1514—61 FR 43176, August 21, 1996.

FOR FURTHER INFORMATION CONTACT: Shirley Suggs, (202) 418-1568, Media Bureau.

SUPPLEMENTARY INFORMATION: The Commission published several documents in the **Federal Register** identifying rules that required OMB approval. After further review, we have found OMB approval is not required. The affected CFR sections are as follows:

Marlene H. Dortch,
Secretary, Federal Communications Commission.

■ For the reasons stated in the preamble, and under the authority at 47 U.S.C. 154, 303, 334, 336 and 339; 47 U.S.C. 151, 152, 153, 154, 301, 302, 302a, 303, 303a, 307, 308, 309, 312, 315, 317, 325, 339, 340, 341, 503, 521, 522, 531, 532, 534, 535, 536, 537, 543, 544, 544a, 545, 548, 549, 552, 554, 556, 558, 560, 561, 571, 572, and 573 * * *, the Federal Communications Commission has determined that the regulations at §§ 73.6027, 76.5(l1), 76.913(b)(1), 76.924(e)(1)(iii) and (e)(2)(iii), 76.925, 76.942(f), 76.944(c), 76.957, 76.1504(e), 76.1511, 76.1512, and 76.1514 are effective and do not contain information

collection requirements that are subject to OMB approval.

[FR Doc. 2010-24203 Filed 9-27-10; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS-R9-IA-2008-0068; 92210-0-0010-B6]

RIN 1018-AV60

Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the African Penguin

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service, determine endangered status for the African penguin (*Spheniscus demersus*) under the Endangered Species Act of 1973, as amended. This final rule implements the Federal protections provided by the Act for this species.

DATES: This rule becomes effective October 29, 2010.

ADDRESSES: This final rule is available on the Internet at <http://www.regulations.gov> and comments and materials received, as well as supporting documentation used in the preparation of this rule, will be available for public inspection, by appointment, during normal business hours at: U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Suite 400, Arlington, VA 22203.

FOR FURTHER INFORMATION CONTACT: Janine Van Norman, Chief, Branch of