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**Docket:** All documents in the electronic docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Maryland Department of the Environment, 1800 Washington Boulevard, Suite 705, Baltimore, Maryland 21230.

**FOR FURTHER INFORMATION CONTACT:** Ellen Wentworth, (215) 814-2034, or by e-mail at [wentworth.ellen@epa.gov](mailto:wentworth.ellen@epa.gov).

**SUPPLEMENTARY INFORMATION:** For further information, please see the information provided in the direct final action, with the same title, "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control Technique Guidelines for Paper, Film, and Foil Coatings," that is located in the "Rules and Regulations" section of this **Federal Register** publication.

Dated: September 7, 2010.

**W.C. Early,**

*Acting Regional Administrator, Region III.*

[FR Doc. 2010-23981 Filed 9-24-10; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2010-000; Internal Agency Docket No. FEMA-B-1137]

#### 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 December 27, 2010.

**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-1137, to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3461, or (e-mail) [roy.e.wright@dhs.gov](mailto:roy.e.wright@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3461, or (e-mail) [roy.e.wright@dhs.gov](mailto:roy.e.wright@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:

State	City/town/county	Source of flooding	Location**	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)	
				Existing	Modified
City of Poquoson, Virginia					
Virginia .....	City of Poquoson ...	Chesapeake Bay .....	At the intersection of Hunt Wood Drive and Oscars Court.	None	+7
	City of Poquoson ...	Chesapeake Bay/Cedar Creek.	At the intersection of Villa Drive and Huntlandia Way.	None	+7
			Approximately 400 feet north of the intersection of State Route 171 and City Hall Avenue.	None	+7

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES****City of Poquoson**

Maps are available for inspection at the Building Official's Office, 500 City Hall Avenue, Poquoson, VA 23662.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Stearns County, Minnesota, and Incorporated Areas				
Sauk Lake .....	Entire shoreline within Stearns County .....	None	+1232	Unincorporated Areas of Stearns County. City of Sauk Centre, Unincorporated Areas of Stearns County.
Sauk River .....	Approximately 7,260 feet downstream of County Road 17.	None	+1226	
	Approximately 1,450 feet downstream of Main Street	None	+1227	

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+ North American Vertical Datum.

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**ADDRESSES****City of Sauk Centre**

Maps are available for inspection at 320 Oak Street South, Sauk Centre, MN 56378.

**Unincorporated Areas of Stearns County**

Maps are available for inspection at the Stearns County Administration Center, 705 Courthouse Square, St. Cloud, MN 56303.

Barrett Pond .....	At the confluence with Clove Creek .....	+356	+361	Town of Philipstown.
	Approximately 2,741 feet upstream of Fishkill Road ...	None	+378	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
Clove Creek .....	Approximately 50 feet downstream of U.S. Route 9 ...	+258	+259	Town of Philipstown.
	Approximately 1.6 mile upstream of Briars Road .....	None	+517	
Croton Falls Diverting Reservoir.	Entire shoreline within the Town of Southeast .....	None	+310	Town of Southeast.
Croton Falls Reservoir .....	Entire shoreline .....	None	+311	Town of Carmel, Town of Southeast.
East Branch Croton River .....	At the confluence with the Croton Falls Diverting Reservoir.	+311	+310	Town of Southeast, Village of Brewster.
Reach 1 .....	Approximately 777 feet upstream of State Route 22 ...	+418	+359	
Foundry Brook .....	Approximately 1,320 feet downstream of State Route 9D.	+7	+8	Town of Philipstown, Village of Cold Spring, Village of Nelsonville.
	Approximately 852 feet upstream of Fishkill Road .....	None	+369	
Holly Stream .....	Approximately 1,099 feet downstream of State Route 22.	+272	+273	Town of Southeast.
	Approximately 854 feet upstream of I-684 .....	None	+312	
Lake Mahopac .....	Entire shoreline within the Town of Carmel .....	None	+660	Town of Carmel.
Lost Lake .....	Entire shoreline .....	None	+466	Town of Patterson.
Michael Brook .....	At the confluence with the Croton Falls Reservoir .....	+305	+311	Town of Carmel, Town of Kent.
	Approximately 0.9 mile upstream of Fair Street .....	None	+593	
Middle Branch Croton River	At confluence with the Middle Branch Reservoir .....	+374	+371	Town of Carmel, Town of Kent, Town of Southeast.
	Approximately 101 feet upstream of Lakeshore Drive	+622	+620	
Middle Branch Reservoir .....	Entire shoreline within the Town of Southeast .....	None	+371	Town of Southeast.
Muscoot River .....	At the county boundary .....	+512	+509	Town of Carmel.
	Approximately 1,009 feet upstream of Stillwater Road	+513	+511	
Oscawana Brook .....	At the county boundary .....	+116	+115	Town of Putnam Valley.
	Approximately 1,550 feet upstream of Oscawana Lake Road.	None	+516	
Putnam Lake .....	Entire shoreline .....	None	+494	Town of Patterson.
Secor Brook .....	At the confluence with the Muscoot River .....	+513	+511	Town of Carmel.
	Approximately 1,396 feet upstream of Secor Road .....	None	+566	
Shrub Oak Brook .....	Approximately 500 feet upstream of the confluence with Peekskill Hollow Creek.	+218	+219	Town of Putnam Valley.
	At the county boundary .....	+391	+393	
Stephens Brook .....	Approximately 250 feet upstream of the confluence with East Branch Croton River Reach 2.	+432	+433	Town of Patterson.
	Approximately 31 feet upstream of Thunder Ridge Road.	+475	+473	
Tonetta Brook .....	At the confluence with East Branch Croton River Reach 1.	+314	+313	Town of Southeast, Village of Brewster.
	Approximately 351 feet upstream of Pumphouse Road.	+446	+444	

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Town of Carmel

Maps are available for inspection at the Carmel Town Hall, 60 McAlpin Avenue, Mahopac, NY 10541.

##### Town of Kent

Maps are available for inspection at the Town of Kent Administration Office, 25 Sybils Crossing, Kent Lakes, NY 10512.

##### Town of Patterson

Maps are available for inspection at the Town Hall, 1142 Route 311, Patterson, NY 12563.

##### Town of Philipstown

Maps are available for inspection at the Philipstown Town Hall, 238 Main Street, Cold Spring, NY 10516.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

**Town of Putnam Valley**

Maps are available for inspection at the Town Hall, 265 Oscawana Lake Road, Putnam Valley, NY 10579.

**Town of Southeast**

Maps are available for inspection at the Southeast Town Building Department, 1 Main Street, Brewster, NY 10509.

**Village of Brewster**

Maps are available for inspection at the Village Hall, Larry T. Jewell Municipal Building, 50 Main Street, Brewster, NY 10509.

**Village of Cold Spring**

Maps are available for inspection at the Village Hall, 85 Main Street, Cold Spring, NY 10516.

**Village of Nelsonville**

Maps are available for inspection at the Village Hall, 258 Main Street, Nelsonville, NY 10516.

East Branch Tunungwant Creek.	Approximately 0.59 mile upstream of Browntown Road.	None	+1532	Borough of Lewis Run.
	Approximately 0.70 mile upstream of Browntown Road.	None	+1535	
Marvin Creek .....	Approximately 0.46 mile upstream of U.S. Route 6 (Marvin Street).	None	+1484	Township of Keating.
	Approximately 0.59 mile upstream of U.S. Route 6 (Marvin Street).	None	+1485	
Potato Creek .....	Approximately 0.62 mile downstream of Champlin Hill Road.	None	+1448	Township of Keating.
	Approximately 1,050 feet downstream of Champlin Hill Road.	None	+1448	

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES****Borough of Lewis Run**

Maps are available for inspection at the Borough Hall, 60 Main Street, Lewis Run, PA 16738.

**Township of Keating**

Maps are available for inspection at the Keating Township Building, 7160 State Route 46, Smethport, PA 16749.

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

Dated: September 13, 2010.

**Sandra K. Knight,**

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

[FR Doc. 2010-24144 Filed 9-24-10; 8:45 am]

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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-1131]**

**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.