

FOR FURTHER INFORMATION CONTACT:

Amaris Johnson, Field and External Affairs Division, Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-9542; fax number: (703) 305-5884; e-mail address: johnson.amaris@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information****A. Does this Action Apply to Me?**

You may be affected by this action if you are a producer of pesticide products (NAICS 32532), antifoulants (NAICS 32551), antimicrobial pesticides (NAICS 32561) or wood preservatives (NAICS 32519), importers of such products, or any person or company who seeks to register an antimicrobial, antifoulant coating, ballast water treatment, or wood preservative pesticide or to obtain a tolerance for such a pesticide. This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed above could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, please contact Norm Cook, Chief of the Risk Assessment and Science Support Branch in the Antimicrobials Division of the Office of Pesticide Programs at (703) 308-8253 or via email, cook.norm@epa.gov.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established a docket for this action under docket ID number EPA-HQ-OPP-2008-0110. Publicly available docket materials are available either in the electronic docket at <http://www.regulations.gov>, or, if only available in hard copy, at the Office of Pesticide Programs (OPP) Regulatory Public Docket in Rm. S-4400, One Potomac Yard (South Bldg.), 2777 S. Crystal Dr., Arlington, VA 22202. The hours of operation of this Docket Facility are from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket Facility telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr>.

II. Background

EPA is convening a public workshop to explain the proposed revisions to the data requirements for the registration of antimicrobial pesticides. Under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetic Act (FFDCA), anyone seeking to register a pesticide product is required to provide information to EPA to demonstrate that their products can be used without posing “unreasonable adverse effects on the environment” as defined by FIFRA section 2(bb).

The public workshop will include presentations by staff from the Antimicrobial, and the Field and External Affairs Divisions of the Office of Pesticide Programs. The proposed revisions are directed at antimicrobial pesticides, not conventional pesticides, biochemical and microbial pesticides or product performance data requirements. Nonetheless, all interested parties are welcome and may benefit from the discussions since two areas not addressed in the conventional pesticide (72 FR 60934, October 26, 2007) (FRL-8106-5), or biochemical and microbial pesticide (72 FR 60988, October 26, 2007) (FRL-8109-8) data requirements final rules are addressed in the antimicrobial data requirements proposed rule. These two areas are: Down-the-drain data requirements and the Program’s use of structure-activity-relationship (SAR).

During the workshop, persons in attendance will be able to ask questions regarding the proposed rule and/or material being presented and seek any clarification they believe may assist them in submitting comments to the docket for the proposed rule. Any person wishing to comment on the proposed rule must submit any comments to the docket within the timeframe set forth in the Notice of Proposed Rulemaking.

The proposed revisions were issued in the **Federal Register** of October 8, 2008 (73 FR 59382) (FRL-8358-2). A 90-day comment period will end on January 6, 2008. The notice of the workshop was published on October 10, 2008 (73 FR 60211) (FRL-8383-6). A limited number of copies of the proposed rule will be available at the workshop. Attendees are encouraged to access the electronic version of the proposed rule from the [regulations.gov](http://www.regulations.gov) website under Docket ID number EPA-HQ-OPP-2008-0110.

The Agency has arranged for a web conference to serve as an alternate means of participating in the workshop. You can join the web conference

starting at 8 a.m. on November 6, 2008. To access the web conference go to <http://portal.epa.gov/webconference>, and complete the Join Conference box on the right of the screen using the following information: Conference ID: 309742 and Conference Key: 12345. Type in your full name and then select: Join Conference. For the audio portion call (866) 299-3188 and then use code 7033056304#. Additional information on web conferencing can be accessed from the [regulations.gov](http://www.regulations.gov) website under Docket ID number EPA-HQ-OPP-2008-0110.

List of Subjects

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: October 17, 2008.

Martha Monell,

Acting Director, Office of Pesticide Programs.
[FR Doc. E8-25350 Filed 10-22-08; 8:45 am]

BILLING CODE 6560-50-S

DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 67**

[Docket No. FEMA-B-1013]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1 percent 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 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 January 21, 2009.

ADDRESSES: The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community are 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-1013, to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151, or (e-mail) bill.blanton@dhs.gov.

FOR FURTHER INFORMATION CONTACT:

William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3151 or (e-mail) bill.blanton@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 are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these 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.

Administrative Procedure Act Statement. This matter is not a rulemaking governed by the Administrative Procedure Act (APA), 5 U.S.C. 553. FEMA publishes flood elevation determinations for notice and comment; however, they are governed by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and do not fall under the APA.

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:

Flooding source(s)	Location of referenced elevation**	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground		Communities affected
		Effective	Modified	
Graves County, Kentucky, and Incorporated Areas				
Camp Creek	Approximately 2,000 feet upstream KY-348	None	+352	Graves County.
	Approximately 800 feet upstream Railroad	None	+370	
Kess Creek	At Paris Road	None	+456	Graves County, City of Mayfield.
	Approximately 750 downstream of South 10th Street	None	+470	
Obion Creek	Approximately 2,100 feet downstream Railroad (West County Boundary).	None	+378	Graves County.
	At US-45	None	+410	

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

** 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 William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES

City of Mayfield

Maps are available for inspection at 211 East Broadway, Mayfield, KY 42066.

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

Graves County

Maps are available for inspection at 101 East South Street, Mayfield, KY 42066.

Cocke County, Tennessee, and Incorporated Areas

Clear Creek	Approximately 2.2 miles upstream of the confluence of French Broad River.	None	+1030	Unincorporated Areas of Cocke County.
	Approximately 927 feet upstream of the confluence of French Broad River.	+1029	+1030	
French Broad River/Douglas Lake.	Approximately 4.7 miles downstream of U.S. Highway 25 E.	None	+1002	Unincorporated Areas of Cocke County.
	Approximately 1.5 miles upstream of the confluence of Pigeon River.	+1016	+1014	
Haney Branch	At the confluence of French Broad River	None	+1010	Unincorporated Areas of Cocke County.
	Approximately 1,290 feet upstream of Wynn Way	None	+1010	
McCowan Creek	At the confluence of French Broad River	None	+1002	Unincorporated Areas of Cocke County.
	Approximately 1.1 miles upstream of the confluence of French Broad River.	None	+1002	
Nolichucky River	Approximately 1.2 miles upstream of Hale Road	None	+1022	Unincorporated Areas of Cocke County.
	Approximately 1.1 miles upstream of Glendale Road	None	+1044	

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+ North American Vertical Datum.

Depth in feet above ground.

** 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 William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES**Unincorporated Areas of Cocke County**

Maps are available for inspection at Cocke County Courthouse, 111 Court Avenue, Rm 112, Newport, TN 37821.

Buffalo County, Wisconsin, and Incorporated Areas

Buffalo River	Approximately 7,700 feet downstream of the Eau Claire Street bridge.	None	+777	Unincorporated Areas of Buffalo County.
	Approximately 7,000 feet downstream of the Eau Claire Street bridge.	None	+777	
Mississippi River	Approximately 4.8 miles downstream of State Highway 54.	+658	+657	City of Alma, City of Buffalo, City of Fountain City, Unincorporated Areas of Buffalo County, Village of Cochrane, Village of Nelson.
	Approximately 2.1 miles upstream of State Highway 25 ..	+681	+680	
Peeso Creek	Approximately 3,400 feet upstream of the Washington Street Bridge.	None	+822	Unincorporated Areas of Buffalo County.
	Approximately 4,200 feet upstream of the Washington Street Bridge.	None	+825	

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+ North American Vertical Datum.

Depth in feet above ground.

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Send comments to William R. Blanton, Jr., Chief, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

ADDRESSES**City of Alma**

Maps are available for inspection at City Hall, 314 North Main Street, Alma, WI 54610.

City of Buffalo

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

Maps are available for inspection at Municipal Building, 245 East 10th Street, Buffalo City, WI 54622.

City of Fountain City

Maps are available for inspection at City Hall, 42 North Main Street, Fountain City, WI 54629.

Unincorporated Areas of Buffalo County

Maps are available for inspection at Buffalo County Courthouse, 407 South 2nd Street, Alma, WI 54610.

Village of Cochrane

Maps are available for inspection at Village Hall, 102 East 5th Street, Cochrane, WI 54622.

Village of Nelson

Maps are available for inspection at Village Hall, 105 South Main Street, Nelson, WI 54756.

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

Dated: October 10, 2008.

Michael K. Buckley,

Acting Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. E8-25264 Filed 10-22-08; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-B-1012]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule.

SUMMARY: Comments are requested on the proposed Base (1 percent 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 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.

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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.