

ozone maintenance plan that Utah submitted in 1999.

IV. Proposed Action

For the reasons described above, we are proposing the following actions concerning Utah's revisions to the 1-hour ozone maintenance plan for Salt Lake and Davis Counties that Utah submitted on February 22, 1999:³

- We are proposing to ratify our 2003 approval of Utah's revisions to Section IX.D.2.b(4)(a), "NO_x RACT."
- We are proposing to approve Utah's revisions to Section IX.D.2.f(3), "Safety Margin," and Utah's addition of Table 9, "Safety Margin."
- We are proposing to approve Utah's revisions to Section IX.D.2.f, Table 8.
- We are proposing to disapprove Utah's revisions to Section IX.D.2.h(2), "Determination of Contingency Action Level."
- We are proposing to ratify our 2003 approval of Utah's revisions to subsection IX.D.2.j(1)(b) of Section IX.D.2.j(1), "Tracking System for Verification of Emission Inventory."
- We are proposing to ratify our 2003 approval of Utah's removal of some references to CO in the plan and to approve Utah's removal of all other references to CO in the plan.

EPA is soliciting public comments on its proposed rulemaking as discussed in this document. EPA will consider these comments before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to EPA as discussed in this notice.

V. Statutory and Executive Order Reviews

Under the CAA, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations (42 U.S.C. 7410(k), 40 CFR 52.02(a)). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the CAA. Accordingly, this proposed action merely approves some state law as meeting Federal requirements and disapproves other state law because it does not meet Federal requirements; this proposed action does not impose additional requirements beyond those imposed by state law. For that reason, this proposed action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Order 12866 (58 FR 51735, October 4, 1993);

- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.);

- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.);

- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);

- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);

- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);

- Is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and,

- Does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, this rule does not have Tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), because the SIP is not approved to apply in Indian country located in the State, and EPA notes that it will not impose substantial direct costs on Tribal governments or preempt Tribal law.

List of Subjects in 40 CFR Part 52

Air pollution control, Carbon monoxide, Environmental protection, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401 et seq.

Dated: March 28, 2012.

James B. Martin,

Regional Administrator, Region 8.

[FR Doc. 2012-8565 Filed 4-9-12; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2011-0002; Internal Agency Docket Nos. FEMA-B-7749 and FEMA-B-7775]

Proposed Flood Elevation Determinations; Correction

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Proposed rule; correction.

SUMMARY: On December 6, 2007, and on May 8, 2008, FEMA published in the **Federal Register** proposed rules that contained erroneous tables affecting Washington County, Oregon, and Incorporated Areas. This notice provides corrections to those tables, to be used in lieu of the information published at 72 FR 68769 and 73 FR 26060. The table provided in this notice represents the flooding sources, location of referenced elevations, effective and modified elevations, and communities affected for Washington County, Oregon, and Incorporated Areas. Specifically, it addresses the following flooding sources: Beal Creek, Beaverton Creek, Bethany Creek, Bronson Creek, Butternut Creek, Cedar Creek, Cedar Mill Creek, Cedar Mill Creek—North Overflow, Cedar Mill Creek—South Overflow, Cedar Mill Creek—Upper North Overflow, Celebrity Creek, Chicken Creek, Chicken Creek—West Tributary, Council Creek, Dairy Creek, Dawson Creek, Deer Creek, Erickson Creek, Fanno Creek, Glencoe Swale, Golf Creek, Gordon Creek, Hall Creek, Hall Creek—106th Tributary, Hall Creek South Fork, Hedges Creek, Holcomb Creek, McKay Creek, North Fork Hall Creek, North Johnson Creek, North Johnson Creek—East Tributary, North Johnson Creek—North Tributary, Rock Creek North, Rock Creek South, South Johnson Creek, Storey Creek, Storey Creek—East Tributary, Storey Creek—Middle Tributary, Tualatin River, Tualatin River—Golf Overflow, Tualatin River—LaFollett Overflow, Tualatin River Overflow to Nyberg Slough, Turner Creek, Waible Creek, Waible Creek—North Tributary, Waible Creek—South Tributary, West Fork Dairy Creek, and Willow Creek.

DATES: Comments are to be submitted on or before July 9, 2012.

ADDRESSES: You may submit comments, identified by Docket Nos. FEMA-B-7749 and FEMA-B-7775, to Luis Rodriguez, Chief, Engineering

³ All section and table references are to sections and tables in the 1-hour ozone maintenance plan for Salt Lake and Davis Counties.

Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064 or (email) Luis.Rodriguez3@fema.dhs.gov.

FOR FURTHER INFORMATION CONTACT: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064 or (email) Luis.Rodriguez3@fema.dhs.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA) publishes proposed determinations of Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs for communities participating in the National Flood Insurance Program (NFIP), 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 minimum requirements. 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.

Corrections

In the proposed rule published at 72 FR 68769, in the December 6, 2007, issue of the **Federal Register**, FEMA published a table under the authority of 44 CFR 67.4. The table, entitled “Washington County, Oregon, and Incorporated Areas,” addressed the flooding sources Beal Creek, Beaverton Creek, Bethany Creek, Bronson Creek, Butternut Creek, Cedar Creek, Cedar Mill Creek, Cedar Mill Creek—North Overflow, Cedar Mill Creek—South Overflow, Cedar Mill Creek—Upper North Overflow, Celebrity Creek, Chicken Creek, Chicken Creek—West Tributary, Council Creek, Dairy Creek, Dawson Creek, Deer Creek, Erickson Creek, Glencoe Swale, Golf Creek, Gordon Creek, Hall Center Creek, Hall Creek, Hall Creek—106th Tributary, Hall Creek—South Fork, Hedges Creek, Holcomb Creek, McKay Creek, North

Johnson Creek, North Johnson Creek—East Tributary, North Johnson Creek—North Tributary, Rock Creek North, Rock Creek South, South Johnson Creek, Storey Creek, Storey Creek—East Tributary, Storey Creek—Middle Tributary, Tualatin River, Tualatin River Overflow to Nyberg Slough, Turner Creek, Waible Gulch, Waible Gulch—North Tributary, Waible Gulch—South Tributary, and Willow Creek. In the proposed rule published at 73 FR 26060, in the May 8, 2008, issue of the **Federal Register**, FEMA published a table under the authority of 44 CFR 67.4. The table, entitled “Washington County, Oregon, and Incorporated Areas” addressed the flooding sources Dairy Creek and West Fork Dairy Creek. Both tables contained inaccurate information as to the location of referenced elevation, effective and modified elevation in feet, and/or communities affected for those flooding sources. In addition, they did not include the following flooding sources: Fanno Creek, Tualatin River—Golf Overflow, and Tualatin River—LaFollett Overflow. In this notice, FEMA is publishing a table containing the accurate information, to address these prior errors. The information provided below should be used in lieu of that previously published for Washington County, Oregon, and Incorporated Areas.

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	
Washington County, Oregon, and Incorporated Areas				
Beal Creek	Approximately 750 feet upstream of State Highway 47	None	+170	City of Forest Grove, Unincorporated Areas of Washington County.
Beaverton Creek	Approximately 765 feet upstream of Main Street	None	+172	
	At the upstream side of Southwest 197th Avenue	+158	+160	City of Beaverton, City of Hillsboro, Unincorporated Areas of Washington County.
Bethany Creek	Approximately 870 feet upstream of Southwest Laurelwood Avenue.	None	+267	
	Approximately 0.21 mile downstream of Northwest 185th Avenue.	+173	+174	Unincorporated Areas of Washington County.
Bronson Creek	Approximately 0.58 mile upstream of Northwest West Union Road.	None	+188	
	Approximately 65 feet downstream of Northwest Anzalone Drive.	+155	+158	City of Beaverton, City of Hillsboro, Unincorporated Areas of Washington County.
Butternut Creek	Approximately 1.0 mile upstream of Northwest West Union Road.	+236	+238	
	Approximately 940 feet downstream of Southwest 209th Avenue.	+164	+165	Unincorporated Areas of Washington County.
	Approximately 80 feet upstream of Southwest Farmington Road.	+199	+200	

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	
Cedar Creek	Approximately 0.4 mile downstream of Southwest Edy Road.	+144	+145	City of Sherwood, Unincorporated Areas of Washington County.
	Approximately 560 feet upstream of Southwest Sunset Boulevard.	None	+176	
Cedar Mill Creek	Approximately 0.6 mile downstream of Portland & Western Railroad.	+172	+171	City of Beaverton, Unincorporated Areas of Washington County.
	Approximately 90 feet upstream of Northwest 113th Avenue.	None	+300	
Cedar Mill Creek—North Overflow.	At the Cedar Mill Creek confluence	None	+207	City of Beaverton, Unincorporated Areas of Washington County.
	Approximately 250 feet upstream of Southwest 131st Avenue.	None	+213	
Cedar Mill Creek—South Overflow.	At the Cedar Mill Creek confluence	None	+195	City of Beaverton, Unincorporated Areas of Washington County.
	At the upstream side of Southwest Evergreen Street	None	+205	
Cedar Mill Creek—Upper North Overflow.	At the Cedar Mill Creek-North Overflow confluence	None	+212	City of Beaverton, Unincorporated Areas of Washington County.
	Approximately 550 feet upstream of the Cedar Mill Creek—North Overflow confluence.	None	+214	
Celebrity Creek	At the Butternut Creek confluence	None	+176	Unincorporated Areas of Washington County.
	Approximately 65 feet downstream of Southwest Farmington Road.	None	+212	
Chicken Creek	Approximately 0.8 mile downstream of Southwest Roy Rogers Road.	None	+135	City of Sherwood, Unincorporated Areas of Washington County.
	At the upstream side of Southwest Edy Road	None	+157	
Chicken Creek—West Tributary.	At the upstream side of Southwest Elwert Road	None	+151	Unincorporated Areas of Washington County.
	Approximately 0.3 mile upstream of Southwest Elwert Road.	None	+156	
Council Creek	Approximately 0.25 mile downstream of Northwest Hobbs Road.	+155	+156	Unincorporated Areas of Washington County.
	Approximately 0.39 mile downstream of Beal Road	+167	+166	
Dairy Creek	At the Tualatin River confluence	+151	+152	City of Hillsboro, Unincorporated Areas of Washington County.
	Approximately 125 feet upstream of Northwest Susbauer Road.	+158	+159	
Dawson Creek	Approximately 317 feet upstream of Northwest Brookwood Avenue.	+150	+151	City of Hillsboro, Unincorporated Areas of Washington County.
	Approximately 0.3 mile upstream of Northwest Shute Road.	None	+184	
Deer Creek	Approximately 475 feet downstream of Northwest Kahneeta drive.	None	+176	Unincorporated Areas of Washington County.
	Approximately 90 feet upstream of Northwest 174th Avenue.	None	+202	
Erickson Creek	Approximately 211 feet upstream of Southwest 144th Avenue.	+174	+175	City of Beaverton.
	Approximately 322 feet upstream of Southwest 10th Street.	+202	+203	
Fanno Creek	At the Tualatin River confluence	+129	+131	City of Durham, City of Tigard.
	Approximately 0.3 mile downstream of Southwest Durham Road.	+130	+131	
Glencoe Swale	Approximately 980 feet upstream of the McKay Creek confluence.	+154	+156	City of Hillsboro, Unincorporated Areas of Washington County.
	Approximately 0.5 mile upstream of Northwest Sewell Road.	None	+201	

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	
Golf Creek	Approximately 390 feet upstream of the Hall Creek confluence.	None	+198	City of Beaverton, Unincorporated Areas of Washington County.
Gordon Creek	Approximately 625 feet upstream of 97th Avenue	None	+223	City of Hillsboro, Unincorporated Areas of Washington County.
	Approximately 275 feet upstream of Southwest River Road.	None	+146	
Hall Creek	Approximately 0.25 mile upstream of Southwest 229th Avenue.	None	+196	City of Beaverton, Unincorporated Areas of Washington County.
	Approximately 175 feet downstream of the North Fork Hall Creek confluence.	+179	+181	
Hall Creek—106th Tributary	At the downstream side of Southwest 87th Avenue	None	+256	City of Beaverton, Unincorporated Areas of Washington County.
	At the Hall Creek confluence	None	+191	
Hall Creek South Fork	Approximately 600 feet upstream of Southwest 106th Avenue.	None	+245	City of Beaverton, Unincorporated Areas of Washington County.
	Approximately 750 feet downstream of Southwest 96th Avenue.	None	+213	
Hedges Creek	Approximately 150 feet upstream of Southwest 86th Avenue.	None	+260	City of Tualatin, Unincorporated Areas of Washington County.
	At the downstream side of Southwest Boones Ferry Road.	None	+129	
Holcomb Creek	Approximately 0.75 mile upstream of Southwest Teton Avenue.	None	+142	Unincorporated Areas of Washington County.
	Approximately 500 feet upstream of the Rock Creek North confluence.	None	+178	
McKay Creek	Approximately 0.15 mile upstream of Northwest Plastics Drive.	None	+211	City of Hillsboro, Unincorporated Areas of Washington County.
	At the Dairy Creek confluence	+154	+156	
North Fork Hall Creek	At the upstream side of Northwest Union Road	+175	+174	City of Beaverton, Unincorporated Areas of Washington County.
	At the Hall Creek confluence	+179	+181	
North Johnson Creek	Approximately 0.4 mile upstream of Center Street	+181	+183	City of Beaverton, Unincorporated Areas of Washington County.
	At the Cedar Mill Creek confluence	+188	+187	
North Johnson Creek—East Tributary.	Approximately 0.4 mile upstream of the North Johnson Creek—East Tributary confluence.	None	+307	Unincorporated Areas of Washington County.
	At the North Johnson Creek confluence	None	+249	
North Johnson Creek—North Tributary.	Approximately 0.4 mile upstream of the North Johnson Creek confluence.	None	+327	City of Beaverton, Unincorporated Areas of Washington County.
	Approximately 0.24 mile downstream of Northwest 114th Avenue.	None	+212	
Rock Creek North	Approximately 0.22 mile upstream of Northwest 112th Avenue.	None	+343	Unincorporated Areas of Washington County.
	Approximately 0.47 mile downstream of Northwest Union Road.	+172	+174	
Rock Creek South	Approximately 0.75 mile upstream of Old Cornelius Pass Road.	None	+247	City of Sherwood, Unincorporated Areas of Washington County.
	Approximately 750 feet downstream of Southwest Pacific Highway.	+133	+134	
South Johnson Creek	Approximately 0.32 mile upstream of Portland & Western Railroad.	+140	+139	City of Beaverton, Unincorporated Areas of Washington County.
	Approximately 800 feet downstream of Southwest Hart Road.	+199	+205	

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	
Storey Creek	Approximately 160 feet upstream of Southwest Hart Road.	None	+219	Unincorporated Areas of Washington County.
	Approximately 200 feet upstream of the Waible Creek confluence.	None	+164	
	Approximately 0.80 mile upstream of the Storey Creek—Middle Tributary confluence.	None	+197	
Storey Creek—East Tributary	At the Storey Creek confluence	None	+173	Unincorporated Areas of Washington County.
Storey Creek—Middle Tributary.	Approximately 0.35 mile upstream of Northwest Sunset Highway.	None	+188	Unincorporated Areas of Washington County.
	Approximately 870 feet upstream of the Storey Creek confluence.	None	+180	
	At the upstream side of Northwest West Union Road	None	+196	
Tualatin River	Approximately 490 feet downstream of the Tualatin River Overflow to Nyberg Slough confluence.	+125	+126	City of Durham, City of King City, City of Tigard, City of Tualatin, Unincorporated Areas of Washington County.
Tualatin River	Approximately 0.3 mile upstream of Southwest Roy Rogers Road.	+134	+135	City of Cornelius, City of Hillsboro, Unincorporated Areas of Washington County.
	Approximately 1.6 miles downstream of Southwest Golf Course Road.	+154	+153	
	Approximately 0.3 mile downstream of the Gales Creek confluence.	+167	+168	
Tualatin River—Golf Overflow.	Approximately 150 feet downstream of Southwest Golf Course Road.	+155	+156	City of Forest Grove, Unincorporated Areas of Washington County.
Tualatin River—LaFollett Overflow.	Approximately 1.0 mile upstream of Southwest Golf Course Road.	+160	+162	Unincorporated Areas of Washington County.
	Approximately 0.3 mile upstream of Southwest Golf Course Road.	+156	+157	
	At the downstream side of Southwest LaFollett Road	+157	+160	
Tualatin River Overflow to Nyberg Slough.	At the Tualatin River confluence	+125	+126	City of Tualatin.
Turner Creek	Approximately 300 feet downstream of the divergence from the Tualatin River.	+127	+129	City of Hillsboro.
	Approximately 450 feet downstream of Southeast 32nd Avenue.	None	+147	
	Approximately 0.5 mile upstream of East Main Street	None	+168	
Waible Creek	Approximately 0.25 mile upstream of the McKay Creek confluence.	None	+160	Unincorporated Areas of Washington County.
	Approximately 0.25 mile upstream of the Waible Creek—North Tributary confluence.	None	+196	
	At the Waible Creek confluence	None	+192	
Waible Creek—North Tributary.	At the upstream side of Northwest West Union Road	None	+207	City of Hillsboro, Unincorporated Areas of Washington County.
	At the Waible Creek confluence	None	+179	
	Approximately 90 feet upstream of Northwest Jacobson Road.	None	+211	
West Fork Dairy Creek	Approximately 0.8 mile upstream of Northwest Wilson River Highway.	None	+195	City of Banks.
	Approximately 0.72 mile downstream of Northwest Banks Road.	None	+196	
	Approximately 400 feet upstream of the Beaverton Creek confluence.	+161	+162	
Willow Creek	At the upstream side of Northwest 141st Place	None	+239	City of Beaverton, City of Hillsboro, Unincorporated Areas of Washington County.

* National Geodetic Vertical Datum.

+ North American Vertical Datum.

Depth in feet above ground.

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

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	

**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 Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

ADDRESSES

City of Banks

Maps are available for inspection at City Hall, Planning Department, 100 South Main Street, Banks, OR 97106.

City of Beaverton

Maps are available for inspection at City Hall, Community Development Department, 4755 Southwest Griffith Drive, Beaverton, OR 97005.

City of Cornelius

Maps are available for inspection at the Development and Operations Building, Planning Department, 1300 South Kodiak Circle, Cornelius, OR 97113.

City of Durham

Maps are available for inspection at City Hall, 17160 Southwest Upper Boones Ferry Road, Durham, OR 97224.

City of Forest Grove

Maps are available for inspection at City Hall, Planning Department, 1924 Council Street, Forest Grove, OR 97116.

City of Hillsboro

Maps are available for inspection at City Hall, Planning Department, 150 East Main Street, Hillsboro, OR 97123.

City of King City

Maps are available for inspection at City Hall, 15300 Southwest 116th Avenue, King City, OR 97224.

City of Tigard

Maps are available for inspection at City Hall, Planning Department, 13125 Southwest Hall Boulevard, Tigard, OR 97223.

City of Tualatin

Maps are available for inspection at City Hall, Building and Planning Department, 18880 Southwest Martinazzi Avenue, Tualatin, OR 97062.

City of Sherwood

Maps are available for inspection at City Hall, Engineering Department, 22560 Southwest Pine Street, Sherwood, OR 97140.

Unincorporated Areas of Washington County

Maps are available for inspection at the Washington County Public Services Building, Land Use and Transportation Department, 155 North 1st Avenue, Suite 350, Hillsboro, OR 97124.

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

Dated: March 29, 2012.

Sandra K. Knight,

*Deputy Associate Administrator for
Mitigation, Department of Homeland
Security, Federal Emergency Management
Agency.*

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