

TSCA section 4 or 5(b). Under this paragraph, notice of export to a particular country is not required if an exporter previously submitted to EPA a notice of export to that country prior to January 16, 2007.

\* \* \* \* \*

(c) Notices shall be marked "TSCA Section 12(b) Notice" and sent to EPA by mail or delivered by hand or courier. Send notices by mail to: Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001 (Attention: TSCA Section 12(b) Notice). Hand delivery of TSCA section 12(b) notices should be made to: OPPT Document Control Office (DCO), EPA East., Rm. 6428, Environmental Protection Agency, 1201 Constitution Ave., NW., Washington, DC (Attention: TSCA Section 12(b) Notice). The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564-8930. Such deliveries are only accepted during the DCO's normal hours of operation.

#### **§707.67 [Amended]**

■ 4. In §707.67, add "and/" before "or" in the first sentence of paragraph (a) after "6," and in the parenthetical in paragraph (e) after "6,".

■ 5. In §707.70, revise paragraph (a) to read as follows:

#### **§707.70 EPA notice to foreign governments.**

(a)(1) Notice by EPA to the importing country shall be sent no later than 5 working days after receipt by the TSCA Document Processing Center of the first annual notification from any exporter for each chemical substance or mixture that is the subject of an order issued, an action that is pending, or relief that has been granted under TSCA section 5(f), a rule that has been proposed or promulgated under TSCA section 6, or an action that is pending or relief that has been granted under TSCA section 7.

(2) Notice by EPA to the importing country shall be sent no later than 5 working days after receipt by the TSCA Document Processing Center of the first notification from any exporter for each chemical substance or mixture that is the subject of an order issued, an action that is pending, or relief that has been granted under TSCA section 5(e), a rule that has been proposed or promulgated under TSCA section 5(a)(2), or for which the submission of data is required under TSCA section 4 or 5(b).

\* \* \* \* \*

## **PART 799—[AMENDED]**

■ 6. The authority citation for part 799 continues to read as follows:

**Authority:** 15 U.S.C. 2603, 2611, 2625.

■ 7. By revising §799.19 to read as follows:

#### **§799.19 Chemical imports and exports.**

Persons who export or who intend to export chemical substances or mixtures listed in subpart B, subpart C, or subpart D of this part are subject to the requirements of 40 CFR part 707.

[FR Doc. E6-19182 Filed 11-13-06; 8:45 am]

**BILLING CODE 6560-50-S**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

#### **44 CFR Part 64**

[Docket No. FEMA-7951]

#### **Suspension of Community Eligibility**

**AGENCY:** Mitigation Division, Federal Emergency Management Agency (FEMA), Department of Homeland Security.

**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 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.

**ADDRESSES:** If you want to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office.

#### **FOR FURTHER INFORMATION CONTACT:**

David Stearrett, Mitigation Division, 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 *et seq.* 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 is revised 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]

■ 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 |
|---|---------------|---|----------------------------|--|
| <b>Region V</b>   |               |   |                            |  |
| Illinois:   |               |   |                            |  |
| Algonquin, Village of, Kane and McHenry Counties.                 | 170474        | September 4, 1974, Emerg; March 16, 1981, Reg; November 16, 2006, Susp.           | 11/16/2006 .....           | 11/16/2006   |
| Bannockburn, Village of, Lake County ..                           | 170359        | March 7, 1975, Emerg; June 15, 1979, Reg; November 16, 2006, Susp.                | .....do .....              | Do.  |
| Barrington, Village of, Cook and Lake Counties.                   | 170057        | October 30, 1974, Emerg; October 16, 1984, Reg; November 16, 2006, Susp.          | .....do .....              | Do.  |
| Barrington Hills, Village of, Cook, Kane, Lake, McHenry Counties. | 170058        | April 3, 1975, Emerg; August 10, 1979, Reg; November 16, 2006, Susp.              | .....do .....              | Do.  |
| Carpentersville, Village of, Kane County                          | 170322        | September 25, 1974, Emerg; August 17, 1981, Reg; November 16, 2006, Susp.         | .....do .....              | Do.  |
| Cary, Village of, McHenry County .....                            | 170475        | November 27, 1974, Emerg; July 2, 1980, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Cook County, Unincorporated Areas ....                            | 170054        | March 9, 1973, Emerg; April 15, 1981, Reg; November 16, 2006, Susp.               | .....do .....              | Do.  |
| Crystal Lake, City of, McHenry County                             | 170476        | October 21, 1974, Emerg; June 15, 1982, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Deerfield, Village of, Lake County .....                          | 170361        | October 13, 1972, Emerg; September 30, 1977, Reg; November 16, 2006, Susp.        | .....do .....              | Do.  |
| Deer Park, Village of, Lake County .....                          | 171028        | February 17, 1993, Emerg; September 3, 1997, Reg; November 16, 2006, Susp.        | .....do .....              | Do.  |
| East Dundee, Village of, Cook and Kane Counties.                  | 170323        | May 9, 1975, Emerg; March 16, 1981, Reg; November 16, 2006, Susp.                 | .....do .....              | Do.  |
| Elgin, City of, Cook and Kane Counties                            | 170087        | May 29, 1975, Emerg; March 1, 1982, Reg; November 16, 2006, Susp.                 | .....do .....              | Do.  |
| Fox Lake, Village of, Lake and McHenry Counties.                  | 170362        | March 9, 1973, Emerg; September 29, 1978, Reg; November 16, 2006, Susp.           | .....do .....              | Do.  |
| Fox River Grove, Village of, McHenry County.                      | 170477        | April 17, 1973, Emerg; June 4, 1980, Reg; November 16, 2006, Susp.                | .....do .....              | Do.  |
| Gilberts, Village of, Kane County .....                           | 170326        | September 4, 1996, Emerg; December 20, 2002, Reg; November 16, 2006, Susp.        | .....do .....              | Do.  |
| Greenwood, Village of, McHenry County.                            | 171057        | December 4, 1997, Emerg; December 4, 1997, Reg; November 16, 2006, Susp.          | .....do .....              | Do.  |
| Hampshire, Village of, Kane County ....                           | 170327        | January 14, 1976, Emerg; March 2, 1981, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Harvard, City of, McHenry County .....                            | 170479        | July 23, 1974, Emerg; November 15, 1979, Reg; November 16, 2006, Susp.            | .....do .....              | Do.  |
| Highland Park, City of, Lake County ....                          | 170367        | April 5, 1973, Emerg; November 5, 1980, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Hoffman Estates, Village of, Cook and Kane Counties.              | 170107        | November 10, 1972, Emerg; May 19, 1981, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Holiday Hills, Village of, McHenry County.                        | 170936        | August 8, 1977, Emerg; April 1, 1982, Reg; November 16, 2006, 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 |
|---|---------------|---|----------------------------|--|
| Huntley, Village of, Kane and McHenry Counties.     | 170480        | June 6, 1975, Emerg; December 15, 1992, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Inverness, Village of, Cook County .....            | 170111        | November 27, 1974, Emerg; June 1, 1981, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Island Lake, Village of, Lake and McHenry Counties. | 170370        | January 24, 1975, Emerg; September 16, 1982, Reg; November 16, 2006, Susp.        | .....do .....              | Do.  |
| Johnsburg, Village of, McHenry County               | 170486        | June 27, 1975, Emerg; June 18, 1980, Reg; November 16, 2006, Susp.                | .....do .....              | Do.  |
| Kane County, Unincorporated Areas ....              | 170896        | July 29, 1976, Emerg; March 1, 1982, Reg; November 16, 2006, Susp.                | .....do .....              | Do.  |
| Lake County, Unincorporated Areas ....              | 170357        | April 4, 1973, Emerg; November 3, 1982, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Lake Barrington, Village of, Lake County.           | 170372        | June 25, 1975, Emerg; January 2, 1981, Reg; November 16, 2006, Susp.              | .....do .....              | Do.  |
| Lake Forest, City of, Lake County .....             | 170374        | April 23, 1974, Emerg; February 18, 1981, Reg; November 16, 2006, Susp.           | .....do .....              | Do.  |
| Lake-in-the-Hills, Village of, McHenry County.      | 170481        | December 12, 1974, Emerg; July 5, 1983, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Lakemoor, Village of, Lake and McHenry Counties.    | 170915        | March 5, 1976, Emerg; January 19, 1983, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Lakewood, Village of, McHenry County                | 170805        | March 25, 1974, Emerg; September 4, 1985, Reg; November 16, 2006, Susp.           | .....do .....              | Do.  |
| Marengo, City of, McHenry County .....              | 170482        | June 27, 1973, Emerg; August 1, 1979, Reg; November 16, 2006, Susp.               | .....do .....              | Do.  |
| McCullom Lake, Village of, McHenry County.          | 170829        | March 3, 1975, Emerg; August 19, 1985, Reg; November 16, 2006, Susp.              | .....do .....              | Do.  |
| McHenry, City of, McHenry County .....              | 170483        | January 17, 1974, Emerg; November 19, 1980, Reg; November 16, 2006, Susp.         | .....do .....              | Do.  |
| McHenry County, Unincorporated Areas                | 170732        | January 15, 1974, Emerg; September 30, 1981, Reg; November 16, 2006, Susp.        | .....do .....              | Do.  |
| North Barrington, Village of, Lake County.          | 170383        | May 27, 1975, Emerg; October 18, 1983, Reg; November 16, 2006, Susp.              | .....do .....              | Do.  |
| Port Barrington, Village of, McHenry County.        | 170478        | January 19, 1973, Emerg; March 4, 1980, Reg; November 16, 2006, Susp.             | .....do .....              | Do.  |
| Prairie Grove, Village of, McHenry County.          | 170975        | October 26, 1992, Emerg; November 16, 2006, Reg; November 16, 2006, Susp.         | .....do .....              | Do.  |
| Richmond, Village of, McHenry County                | 170484        | May 9, 1975, Emerg; July 16, 1981, Reg; November 16, 2006, Susp.                  | .....do .....              | Do.  |
| Riverwoods, Village of, Lake County ....            | 170387        | August 21, 1975, Emerg; August 15, 1980, Reg; November 16, 2006, Susp.            | .....do .....              | Do.  |
| South Barrington, Village of, Cook County.          | 170161        | August 1, 1975, Emerg; July 16, 1981, Reg; November 16, 2006, Susp.               | .....do .....              | Do.  |
| Spring Grove, Village of, McHenry County.           | 170485        | February 10, 1975, Emerg; November 4, 1981, Reg; November 16, 2006, Susp.         | .....do .....              | Do.  |
| Union, Village of, McHenry County .....             | 170487        | July 18, 1973, Emerg; August 15, 1983, Reg; November 16, 2006, Susp.              | .....do .....              | Do.  |
| Volo, Village of, Lake County .....                 | 171042        | April 3, 1998, Emerg; April 3, 1998, Reg; November 16, 2006, Susp.                | .....do .....              | Do.  |
| Wauconda, Village of, Lake County .....             | 170396        | January 13, 1975, Emerg; December 1, 1981, Reg; November 16, 2006, Susp.          | .....do .....              | Do.  |
| Wonder Lake, Village of, McHenry County.            | 170976        | October 2, 1980, Emerg; August 15, 1983, Reg; November 16, 2006, Susp.            | .....do .....              | Do.  |
| Woodstock, City of, McHenry County ...              | 170488        | June 12, 1974, Emerg; June 15, 1979, Reg; November 16, 2006, Susp.                | .....do .....              | Do.  |

\* .....do = Ditto.

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

Dated: October 27, 2006.

David I. Maurstad,

Mitigation Division Director, Federal  
Emergency Management Agency, Department  
of Homeland Security.

[FR Doc. E6-19117 Filed 11-13-06; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

#### Final Flood Elevation Determinations

**AGENCY:** Federal Emergency  
Management Agency (FEMA),  
Department of Homeland Security,  
Mitigation Division.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance)  
Flood Elevations (BFEs) and modified  
BFEs are made final for the  
communities listed below. The BFEs  
and modified BFEs are the basis for the  
floodplain management measures that  
each community is required either to  
adopt or to show evidence of being  
already in effect in order to qualify or  
remain qualified for participation in the  
National Flood Insurance Program  
(NFIP).

**DATES:** *Effective Dates:* The date of  
issuance of the Flood Insurance Rate  
Map (FIRM) showing BFEs and  
modified BFEs for each community.  
This date may be obtained by contacting  
the office where the maps are available

for inspection as indicated on the table  
below.

**ADDRESSES:** The final BFEs for each  
community are available for inspection  
at the office of the Chief Executive  
Officer of each community. The  
respective addresses are listed in the  
table below.

**FOR FURTHER INFORMATION CONTACT:**  
William R. Blanton, Jr., Engineering  
Management Section, Mitigation  
Division, 500 C Street, SW.,  
Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** FEMA  
makes the final determinations listed  
below for the modified BFEs for each  
community listed. These modified  
elevations have been published in  
newspapers of local circulation and  
ninety (90) days have elapsed since that  
publication. The Mitigation Division  
Director has resolved any appeals  
resulting from this notification.

This final rule is issued in accordance  
with Section 110 of the Flood Disaster  
Protection Act of 1973, 42 U.S.C. 4104,  
and 44 CFR Part 67. The Agency has  
developed criteria for floodplain  
management in floodprone areas in  
accordance with 44 CFR Part 60.

Interested lessees and owners of real  
property are encouraged to review the  
proof Flood Insurance Study and FIRM  
available at the address cited below for  
each community. The BFEs and  
modified BFEs are made final in the  
communities listed below. Elevations at  
selected locations in each community  
are shown.

*National Environmental Policy Act.*  
This rule is categorically excluded from  
the requirements of 44 CFR Part 10,

Environmental Consideration. No  
environmental impact assessment has  
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.

*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.

#### List of Subjects in 44 CFR Part 67

Administrative practice and  
procedure, Flood insurance, Reporting  
and recordkeeping requirements.

■ Accordingly, 44 CFR part 67 is  
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.

#### § 67.11 [Amended]

■ 2. The tables published under the  
authority of § 67.11 are amended as  
follows:

| Flooding source(s)  | Location of referenced elevation   | *Elevation<br>in<br>feet<br>(NGVD)<br>+Elevation<br>in<br>feet<br>(NAVD)<br>#Depth in<br>feet<br>above<br>ground<br>modified | Communities affected                   |
|---|--|--|--|
| <b>Cook County, Illinois and Incorporated Areas<br/>Docket No.: FEMA-P-7921</b> |  |  |  |
| Buffalo Creek .....   | Just upstream of Elmhurst Road .....   | *653   | Village of Wheeling.                   |
|   | Just downstream of Aptakisic Road .....                                      | *667   |  |
| Wheeling Drainage Ditch .....   | Just downstream of Wolf Road .....   | *641   | Cook County (Unincorporated<br>Areas). |
|   | Approximately 400 feet downstream of Elmhurst Road .....                     | *652   | Village of Wheeling.                   |
| William Rogers Memorial Diver-<br>sion Channel.                                 | Approximately 300 feet upstream of the confluence with Des<br>Plaines River. | *644   | Cook County (Unincorporated<br>Areas). |
|   | At divergence from Wheeling Drainage Ditch .....                             | *646   | Village of Wheeling.                   |

# Depth in feet above ground.

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.