

Section 8.0: Compliance Plan (Effective 12/11/2006)

Section 9.0: Penalties (Effective 12/11/2006)

7 DE Admin. Code 1147: CO₂ Budget Trading Program

Section 1.0: CO₂ Budget Trading Program General Provisions (Effective 12/11/2013)

Section 2.0: CO₂ Authorized Account Representative for CO₂ Budget Source (Effective 11/11/2008)

Section 3.0: Permits (Effective 11/11/2018)

Section 4.0: Compliance Certification (Effective 12/11/2013)

Section 5.0: CO₂ Allowance Allocations (Effective 12/11/2013)

Section 6.0: CO₂ Allowance Tracking System (Effective 12/11/2013)

Section 7.0: CO₂ Allowance Transfers (Effective 12/11/2013)

Section 8.0: Monitoring and Reporting (Effective 12/11/2013)

Section 9.0: Auction of CO₂ CCR allowances (Effective 12/11/2013)

Section 10.0: CO₂ Emissions Offset Projects (Effective 12/11/2013)

Section 11.0: CO₂ Emissions Auction (Effective 12/11/2013)

7 DE Admin. Code 1148: Control of Stationary Combustion Turbine Electric Generating Unit Emissions

Section 1.0: Purpose (Effective 07/11/2007)

Section 2.0: Applicability (Effective 07/11/2007)

Section 3.0: Definitions (Effective 07/11/2007)

Section 4.0: NO_x Emissions Limitations (Effective 07/11/2007)

Section 5.0: Monitoring and Reporting (Effective 07/11/2007)

Section 6.0: Recordkeeping (Effective 07/11/2007)

Section 7.0: Penalties (Effective 07/11/2007)

(2) [Reserved]

(b) Local requirements.

* * * * *

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BILLING CODE 6560-50-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket ID FEMA-2019-0002]

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

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: 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 in 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: Rick Sacibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) patrick.sacibit@fema.dhs.gov; or visit the FEMA Map Information eXchange (FMIX) online at www.floodmaps.fema.gov/fhm/fmx_main.html.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (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 Deputy Associate Administrator for Insurance and Mitigation 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. FEMA 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. FEMA included flood hazard mapping data dissemination determinations as part of the NFIP Nationwide Programmatic Environmental Impact Statement, published on November 3, 2017, and completed in accordance with the Council on Environmental Quality's National Environmental Policy Act implementing regulations in 40 CFR 1500-1508 and therefore has determined that this action will not have a significant effect on the human environment.

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 final rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This final 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.

David I. Maurstad,

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

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 in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL) modified	Communities affected
Erie County, New York (All Jurisdictions) Docket No.: FEMA-B-1128			
Berricks Creek	Approximately 45 feet upstream of the I-90 culvert (upstream face).	+753	Town of Hamburg.
	Approximately 230 feet upstream of the I-90 culvert (upstream face).	+753	
Big Sister Creek	Approximately 5,475 feet downstream of Cain Road/ Evans/Eden town boundary.	+732	Town of Eden.
	Approximately 1,875 feet downstream of Cain Road/ Evans/Eden town boundary.	+735	
Buffalo River	At the confluence with Lake Erie	+581	City of Buffalo.
	At the upstream face of the railroad bridge	+581	
Cayuga Creek	Approximately 80 feet upstream of Clinton Street	+593	Town of Cheektowaga, Town of Lancaster, Town of West Seneca, Village of Depew, Village of Lancaster.
	At the Lancaster/Alden town boundary	+742	
Cazenovia Creek	At the confluence with the Buffalo River	+583	City of Buffalo.
	At the downstream face of Southside Parkway	+583	
Cazenovia Creek East Branch	Approximately 500 feet downstream of Center Street	+874	Village of East Aurora.
	Approximately 10 feet downstream of Center Street (at the Town of Aurora/Village of East Aurora boundary).	+874	
Cazenovia Creek East Branch	Approximately 565 feet upstream of North Main Street (State Route 16).	+1,063	Town of Holland.
	Approximately 1,930 feet upstream of North Main Street (State Route 16).	+1,076	
Eighteenmile Creek	Approximately 230 feet upstream of the confluence with Eighteenmile Creek South Branch Tributary.	+650	Town of Hamburg.
	Approximately 425 feet downstream of South Creek Road	+714	
Eighteenmile Creek	Approximately 5,280 feet upstream of U.S. Route 62 (Pierce Avenue).	+766	Village of Hamburg.
	Approximately 5,750 feet upstream of U.S. Route 62 (Pierce Avenue).	+767	
Ellicott Creek	Approximately 1,035 feet upstream of Colvin Boulevard ...	+572	Town of Amherst, Town of Tonawanda.
	Approximately 1,435 feet northeast of the intersection of Lawrence Bell Drive and Cartwright Drive.	+695	
Ellicott Creek	At the downstream Town of Alden/Village of Alden boundary.	+810	Village of Alden.
	At the upstream Town of Alden/Village of Alden boundary	+815	
Ellicott Creek	At Lynbrook Drive	+572	City of Tonawanda, Town of Tonawanda.
	Approximately 150 feet west of the intersection of Willow Grove Street and Parker Boulevard..	+572	
Lake Erie	At the southern corporate limits of the Town of Brant	+579	City of Buffalo, City of Lackawanna, Town of Brant.
	At the confluence with Black Rock Canal	+581	
Little Buffalo Creek	At the confluence with Cayuga Creek	+686	Town of Lancaster.
	At the downstream face of the dam, upstream of Bowen Road.	+688	
Ransom Creek	At the upstream face of the Glen Oak Drive culvert	+582	Town of Amherst, Town of Clarence.
	Approximately 115 feet upstream of Kraus Road	+652	
Scajaquada Creek	Approximately 15 feet downstream of the I-190 exit ramp	+579	City of Buffalo.
	At the downstream face of the Private Road culvert (downstream of Main Street).	+610	
Slate Bottom Creek	At the confluence with Cayuga Creek	+600	Town of Cheektowaga, Town of Elma, Town of Lancaster.
	Approximately 175 feet upstream of Brunk Road	+715	
Smokes Creek	At the confluence with Lake Erie	+581	City of Lackawanna.
	Approximately 550 feet upstream of the Bethlehem Steel Vehicular Bridge.	+581	
Smokes Creek Northwest Branch.	Approximately 1,475 feet downstream of Berg Road	+662	Town of West Seneca.
	Approximately 2,950 feet upstream of Berg Road	+706	
Smokes Creek Northwest Branch.	Approximately 380 feet upstream of Highland Avenue	+870	Village of Orchard Park.
	Approximately 1,615 feet upstream of Highland Avenue ...	+872	
Smokes Creek Overland Flow ..	At the upstream face of the Lake Shore Road culvert	+581	Town of Hamburg, Village of Blasdel.
	At the upstream Village of Blasdel/City of Lackawanna boundary.	+591	

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
Smokes Creek South Branch ...	Approximately 115 feet upstream of Recreational Park Access Drive/Town of Orchard Park corporate limits. Approximately 630 feet north of the intersection of Elmhurst Drive and Woodland Drive/Town of Orchard Park corporate limits.	+813 +845	Town of Orchard Park.
Tannery Brook	Approximately 195 feet upstream of Fillmore Avenue/Town of Aurora downstream corporate limits. Approximately 170 feet downstream of Brooklea Drive/Town of Aurora upstream corporate limits.	+935 +936	Town of Aurora.
Tonawanda Creek	At Mary Vista Court extended At the downstream face of the footbridge near the intersection of Creekside Road and Niagara Falls Boulevard.	+572 +574	Town of Amherst, Town of Tonawanda.
Unnamed Tributary to Slate Bottom Creek.	At the confluence with Slate Bottom Creek Approximately 450 feet upstream of Towers Boulevard	+609 +609	Town of Cheektowaga.

ADDRESSES

City of Buffalo

Maps are available for inspection at Buffalo City Hall, 65 Niagara Square, Buffalo, NY 14202.

City of Lackawanna

Maps are available for inspection at City Hall, 714 Ridge Road, Lackawanna, NY 14218.

City of Tonawanda

Maps are available for inspection at Tonawanda City Hall, 200 Niagara Street, Tonawanda, NY 14150.

Town of Amherst

Maps are available for inspection at the Amherst Town Hall, 5583 Main Street, Williamsville, NY 14221.

Town of Aurora

Maps are available for inspection at the Aurora Town Hall, 5 South Grove Street, East Aurora, NY 14052.

Town of Brant

Maps are available for inspection at the Town Hall, 1294 Brant-North Collins Road, Brant, NY 14027.

Town of Cheektowaga

Maps are available for inspection at the Town Hall, 3301 Broadway, Cheektowaga, NY 14227.

Town of Clarence

Maps are available for inspection at the Town Hall, 1 Town Place, Clarence, NY 14031.

Town of Eden

Maps are available for inspection at the Town Hall, 2795 East Church Street, Eden, NY 14057.

Town of Elma

Maps are available for inspection at the Town Hall, 1600 Bowen Road, Elma, NY 14059.

Town of Hamburg

Maps are available for inspection at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, NY 14075.

Town of Holland

Maps are available for inspection at the Town Hall, 47 Pearl Street, Holland, NY 14080.

Town of Lancaster

Maps are available for inspection at the Lancaster Town Hall, 21 Central Avenue, Lancaster, NY 14086.

Town of Orchard Park

Maps are available for inspection at the Town Hall, 4295 South Buffalo Road, Orchard Park, NY 14127.

Town of Tonawanda

Maps are available for inspection at the Tonawanda Town Hall, 2919 Delaware Avenue, Tonawanda, NY 14217.

Town of West Seneca

Maps are available for inspection at the Town Hall, 1250 Union Road, West Seneca, NY 14224.

Village of Alden

Maps are available for inspection at the Village Hall, 13336 Broadway, Alden, NY 14004.

Village of Blasdell

Maps are available for inspection at the Village Hall, 121 Miriam Avenue, Blasdell, NY 14219.

Village of Depew

Maps are available for inspection at the Village Hall, 85 Manitou Street, Depew, NY 14043.

Village of East Aurora

Maps are available for inspection at the Village Hall, 571 Main Street, East Aurora, NY 14052.

Village of Hamburg

Maps are available for inspection at the Hamburg Village Hall, 100 Main Street, Hamburg, NY 14075.

Village of Lancaster

Maps are available for inspection at the Lancaster Village Hall, 5423 Broadway, Lancaster, NY 14086.

Village of Orchard Park

Maps are available for inspection at the Orchard Park Village Hall, 4295 South Buffalo Road, Orchard Park, NY 14127.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[GN Docket Nos. 18-122, 17-183, RM-11791, RM-11778; FCC 18-91]

Expanding Flexible Use of the 3.7 to 4.2 GHz Band

AGENCY: Federal Communications Commission.

ACTION: Final action; information collection approval; announcement of effective date.

SUMMARY: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved the request for the information collection requirements contained in the Commission's *Expanding Flexible Use of the 3.7 to 4.2 GHz Band*, Order. This document is consistent with the *Order*, which stated that the Commission would publish a document in the **Federal Register** announcing OMB approval and the effective date of these rules.

DATES: The Earth Station and Space Station Information Collections in paragraphs 7-12 of the Order published at 83 FR 42043, August 20, 2018, are effective April 4, 2019.

FOR FURTHER INFORMATION CONTACT: Cathy Williams by email at Cathy.Williams@fcc.gov and telephone at (202) 418-2918.

SUPPLEMENTARY INFORMATION: This document announces that, on January 28, 2019, OMB approved the request that the Commission submitted pertaining to the revisions to information collection requirements contained in the Commission's *Order*, FCC 18-91, published at 83 FR 42043, August 20, 2018. The OMB Control Number is 3060-0678. The changes to OMB control number 3060-0678 modified the burden hours and annual costs to the information collection. The Commission publishes this document as an announcement of the effective date of the rules.

Synopsis: As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that OMB approved changes to information collection requirements contained in 83 FR 42043. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number. No person shall be

subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-0678. The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060-0678.

OMB Approval Date: January 28, 2018.

OMB Expiration Date: January 31, 2022.

Title: Part 25 of the Federal Communications Commission's Rules Governing the Licensing of, and Spectrum Usage by, Commercial Earth Stations and Space Stations.

Form Number: FCC Form 312; Schedule A; Schedule B; Schedule S; FCC Form 312-R, FCC Form 312-EZ.

Respondents: Business or other for profit entities; Not for profit institutions.

Number of Respondents and Responses: 7,170 respondents; 7,219 responses.

Estimated Time per Response: 0.5-80 hours.

Frequency of Response: On occasion, one time, and annual reporting requirements; third party disclosure requirement; recordkeeping requirement.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority that covers this information collection is contained in 47 U.S.C. 154, 301, 302, 303, 307, 309, 310, 319, 332, 605 and 721.

Total Annual Burden: 42,014 Hours.

Total Annual Cost: \$12,411,120.

Privacy Impact Assessment: No impact(s).

Nature and Extent of Confidentiality: In general, there is no need for confidentiality with this collection of information. Certain information collected regarding international coordination of satellite systems is not routinely available for public inspection pursuant to 5 U.S.C. 552(b) and 47 CFR 0.457(d)(vii).

Needs and Uses: The Office of Management and Budget (OMB) approved a revision of the information collection titled "Part 25 of the Federal Communications Commission's Rules Governing the Licensing of, and Spectrum Usage By, Commercial Earth Stations and Space Stations" under OMB Control No. 3060-0678, as a result of a recent rulemaking discussed below.

On July 13, 2018, the Federal Communications Commission

("Commission") released an Order titled, "In the Matter of Expanding Flexible Use of the 3.7 to 4.2 GHz Band; Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz; Petition for Rulemaking to Amend and Modernize Parts 25 and 101 of the Commission's Rules to Authorize and Facilitate the Deployment of Licensed Point-to-Multipoint Fixed Wireless Broadband Service in the 3.7-4.2 GHz Band; Fixed Wireless Communications Coalition, Inc., Request for Modified Coordination Procedures in Band Shared Between the Fixed Service and the Fixed Satellite Service," GN Docket No. 18-122, GN Docket No. 17-183, RM-11791, RM-11778 (FCC 18-91). The Order has been published in the **Federal Register**. 83 FR 42043 (Aug. 20, 2018).

In this proceeding, the Commission seeks to identify potential opportunities for additional terrestrial use for wireless broadband services of 500 megahertz of mid-band spectrum between 3.7-4.2 GHz. In response to concerns that the Commission's information regarding current use of the band is inaccurate and/or incomplete, the Commission adopted an Order requesting additional information from operators in the fixed-satellite service (FSS). Specifically, for FSS operators in the 3.7-4.2 GHz band, the Order (1) requests additional information on the operations of temporary-fixed earth station licensees, and (2) requests additional information on the operations of space stations. This information collection will provide the Commission and the public with additional information about existing FSS operators that will be used to consider potential new terrestrial services in the 3.7-4.2 GHz band while protecting the interests of those FSS operators. The Order also requires certain earth station operators to file certifications that information on file with the Commission remains accurate.

Federal Communications Commission.

Cecilia Sigmund,

Federal Register Liaison.

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