

become effective on May 5, 2006. We are also making one correction to the amendatory language in the February 22, 2006 direct final rule.

**DATES:** *Effective Date:* As of May 5, 2006, EPA withdraws the amendments to the following sections in 40 CFR part 80, published on February 22, 2006 (71 FR 8973): Sections 80.2, 80.41, 80.65, 80.67, 80.68, 80.69, 80.73, 80.74, 80.75, 80.76, 80.77, 80.78(a)(1)(ii), 80.78(a)(11)(iv), 80.79(c)(1), 80.81, 80.125, 80.126, 80.128, 80.129, 80.130, 80.133, 80.134.

The correction to the direct final rule published in the **Federal Register** on February 22, 2006 (71 FR 8973), described in the **SUPPLEMENTARY INFORMATION** section, is effective on May 5, 2006.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Bennett, Transportation and Regional Programs Division, Office of Transportation and Air Quality, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., (6406J), Washington, DC 20460; telephone: (202) 343-9624; fax: (202) 343-2803, e-mail address: [bennett.marilyn@epa.gov](mailto:bennett.marilyn@epa.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Partial Withdrawal of Direct Final Rule**

EPA published a direct final rule for the removal of the RFG oxygen content requirement and revision of the commingling prohibition to address non-oxygenated reformulated gasoline on February 22, 2006 (71 FR 8973), and a parallel notice of proposed rulemaking (71 FR 9070) also on February 22, 2006. The direct final rule stated that if EPA received adverse comment by March 24, 2006, EPA would publish a timely notice in the **Federal Register** informing the public that the portions of the rule on which adverse comment were received were withdrawn. We subsequently received adverse comment on the provisions designed to remove the RFG oxygen content requirement. Because EPA received adverse comment, we are withdrawing the following amendments to 40 CFR part 80 that were in the direct final rule and which relate to the removal of the RFG oxygen content requirement and associated compliance requirements:

§ 80.2(ii) (definition of reformulated gasoline credit);

§ 80.41(e), (f), (o) (q) heading and introductory text, and (q)(1) (standards and requirements for compliance);

§ 80.65 heading, and paragraphs (c)(1)(ii) and (iii), (c)(2), (c)(3), (d)(2)(vi), (d)(2)(v)(D), (d)(3) and (h) (general requirement for refiners and importers);

§ 80.67(a)(1), (a)(2)(i)(A), (b)(3), (f), (g) introductory text, (g)(3), (g)(5)

introductory text, (g)(5)(i), (g)(6) introductory text, (g)(6)(i), (h)(1) introductory text, (h)(1)(iv), (v), (vi), (vii), and (viii), and (h)(3)(ii) (compliance on average);

§ 80.68(a) introductory text, (a)(3), (b) introductory text, (b)(4)(i) and (ii), (c)(3), (c)(4)(i), (c)(12), and (c)(13)(v)(L) (compliance surveys);

§ 80.69(a)(6)(ii), (iii) and (iv), (a)(8), (a)(9), (a)(10) introductory text, (b), (c), (d), and (e) (requirements for downstream oxygenate blending);

§ 80.73 introductory text (inability to produce conforming gasoline in extraordinary circumstances);

§ 80.74(c) heading and introductory text, (c)(2), and (d) introductory text (recordkeeping requirements);

§ 80.75 introductory text, (a) introductory text, (a)(2)(vii), (f), (h), (i), (l), (m) and (n)(2) (reporting requirements);

§ 80.76(a) (registration of refiners, importers or oxygenate blenders);

§ 80.77(g)(2)(ii) and (i)(1) (product transfer documentation);

§ 80.78(a)(1)(ii) and (a)(11)(iv) (controls and prohibitions on reformulated gasoline);

§ 80.79(c)(1) (liability for violations of the prohibited activities);

§ 80.81(b)(1) and (b)(2) (enforcement exemptions for California gasoline);

§ 80.125(a), (c) and (d) introductory text (attest engagements);

§ 80.126(b) (definition of credit trading records);

§ 80.128(e)(2) (alternative agreed upon procedures for refiners and importers);

§ 80.129 (alternative agreed upon procedures for oxygenate blenders);

§ 80.130(a) (agreed upon procedures reports);

§ 80.133(h)(1) and (h)(4) (agreed upon procedures for refiners and importers); and

§ 80.134 (agreed upon procedures for downstream oxygenate blenders).

EPA published a parallel proposed rule on the same day as the direct final rule. We will address the adverse comment on the above-listed sections in a subsequent final action based on the parallel proposal. As stated in the parallel proposal, we will not institute a second comment period on this action.

The provisions of the direct final rule on which we did not receive adverse comment will become effective on May 5, 2006, as provided in the February 22, 2006 direct final rule.

##### **II. Partial Withdrawal and Correction**

##### **PART 80—[AMENDED]**

■ For the reasons set forth above, the amendments to §§ 80.2, 80.41, 80.65, 80.67, 80.68, 80.69, 80.73, 80.74, 80.75,

80.76, 80.77, 80.78(a)(1)(ii), 80.78(a)(11)(iv), 80.79(c)(1), 80.81, 80.125, 80.126, 80.128, 80.129, 80.130, 80.133, 80.134, published on February 22, 2006 (71 FR 8973) are withdrawn.

In addition, the following correction to FR Doc. 06-1612 appearing on page 8973 in the **Federal Register** of Wednesday, February 22, 2006, is made:

##### **PART 80—[CORRECTED]**

##### **§ 80.79 [Corrected]**

■ On page 8985, in the second column, in § 80.79 Liability for violations of the prohibited activities, in amendment 14, the instruction “Section 80.79 is amended by adding paragraph (a)(5) and revising paragraph (c)(1) to read as follows:” is corrected to read “Section 80.79 is amended by revising paragraphs (a)(5) and (c)(1) to read as follows:”

Dated: May 1, 2006.

**William L. Wehrum,**

*Acting Assistant Administrator, Office of Air and Radiation.*

[FR Doc. 06-4253 Filed 5-4-06; 8:45 am]

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##### **GENERAL SERVICES ADMINISTRATION**

##### **41 CFR Parts 102-37 and 102-39**

**[FMR Amendments 2006-01 and 2006-02; Corrections]**

##### **Federal Management Regulation; Corrections**

**AGENCY:** General Services Administration (GSA).

**ACTION:** Final rule; corrections.

**SUMMARY:** Federal Management Regulation amendment numbers are being corrected to correspond with the effective and publication dates as listed in FMR Case 2006-102-2, Donation of Surplus Personal Property, which was published in the **Federal Register** at 71 FR 23867, April 25, 2006 and FMR Case 2006-102-3, Replacement of Personal Property Pursuant to the Exchange/Sale Authority, which was published in the **Federal Register** at 71 FR 20900, April 24, 2006.

**DATES:** *Effective Date:* May 5, 2006.

**FOR FURTHER INFORMATION CONTACT:** Laurieann Duarte, The Regulatory Secretariat, Room 4035, GS Building, Washington, DC, 20405, (202) 208-7312, for information pertaining to status or publication schedules. Please cite FMR Amendments 2006-01 and 2006-02 Corrections.

**Corrections**

1. In the final rule document appearing in the issue of April 24, 2006:

On page 20900, first column, sixth line under “Headings”, revise the “Agency Number”, to read “[FMR Amendment 2006–01; FMR Case 2006–102–3]”.

2. In the final rule document appearing in the issue of April 25, 2006:

On page 23867, second column, sixth line under “Headings”, revise “Agency Number” to read “[FMR Amendment 2006–02; FMR Case 2006–102–2]”.

Dated: April 27, 2006.

**Laurieann Duarte,**

*Supervisor, Regulatory Secretariat.*

[FR Doc. 06–4127 Filed 5–4–06; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**
**Federal Emergency Management Agency**
**44 CFR Part 64**

[Docket No. FEMA–7923]

**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:**

William H. Lesser, Mitigation Division, 500 C Street, SW., Washington, DC 20472, (202) 646–2807.

**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.

*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: