

EPA-APPROVED REGULATIONS IN THE WEST VIRGINIA SIP—Continued

State citation [Chapter 16–20 or 45 CSR]	Title/subject	State effective date	EPA approval date	Additional explanation/cita- tion at 40 CFR 52.2565
Section 45–14–20 ..	Disposition of Permits .....	6/1/17	9/27/2018 [Insert <b>Federal Register</b> citation].	New state effective date.
Section 45–14–21 ..	Conflict with Other Permitting Rules .....	6/1/17	9/27/2018 [Insert <b>Federal Register</b> citation].	Administrative changes.
Section 45–14–25 ..	Actual PALs .....	6/1/17	9/27/2018 [Insert <b>Federal Register</b> citation].	Administrative changes.
Section 45–14–26 ..	Inconsistency Between Rules .....	6/1/17	9/27/2018 [Insert <b>Federal Register</b> citation].	Administrative changes.
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 [FR Doc. 2018–20966 Filed 9–26–18; 8:45 am]  
 BILLING CODE 6560–50–P

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 64**

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–8549]

**Suspension of Community Eligibility**

**AGENCY:** Federal Emergency Management Agency, DHS.

**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 the Federal Emergency Management Agency (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. Also, information identifying the current participation status of a community can be obtained from FEMA’s Community Status Book (CSB). The CSB is available at <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

**DATES:** The effective date of each community’s scheduled suspension is the third date (“Susp.”) listed in the third column of the following tables.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212–3966.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures 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 the sale of NFIP flood insurance 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. 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. We recognize that 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 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 FIRM for 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 procedures 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.* FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.

*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, Section 1315, 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 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.

**§ 64.6 [Amended]**

■ 2. 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 IV</b>				
Georgia:				
Acworth, City of, Cobb County .....	130053	March 14, 1974, Emerg; February 15, 1978, Reg; October 5, 2018, Susp.	Oct. 5, 2018 .....	Oct. 5, 2018.
Adairsville, City of, Bartow County .....	130235	January 5, 1979, Emerg; July 30, 1982, Reg; October 5, 2018, Susp.	.....do* .....	Do.
Bartow County, Unincorporated Areas ..	130463	May 10, 1979, Emerg; September 29, 1989, Reg; October 5, 2018, Susp.	.....do .....	Do.
Cartersville, City of, Bartow County .....	130209	April 17, 1974, Emerg; June 25, 1982, Reg; October 5, 2018, Susp.	.....do .....	Do.
Cobb County, Unincorporated Areas ....	130052	June 12, 1973, Emerg; January 3, 1979, Reg; October 5, 2018, Susp.	.....do .....	Do.
Emerson, City of, Bartow County .....	130276	April 19, 1976, Emerg; October 8, 1982, Reg; October 5, 2018, Susp.	.....do .....	Do.
Euharlee, City of, Bartow County .....	130570	N/A, Emerg; August 2, 1999, Reg; October 5, 2018, Susp.	.....do .....	Do.
Kennesaw, City of, Cobb County .....	130055	July 25, 1975, Emerg; August 1, 1980, Reg; October 5, 2018, Susp.	.....do .....	Do.
Kingston, City of, Bartow County .....	130277	N/A, Emerg; November 13, 2002, Reg; October 5, 2018, Susp.	.....do .....	Do.
Marietta, City of, Cobb County .....	130226	September 5, 1974, Emerg; February 15, 1978, Reg; October 5, 2018, Susp.	.....do .....	Do.
Smyrna, City of, Cobb County .....	130057	December 17, 1973, Emerg; December 15, 1977, Reg; October 5, 2018, Susp.	.....do .....	Do.
White, City of, Bartow County .....	130278	June 18, 1976, Emerg; June 4, 1982, Reg; October 5, 2018, Susp.	.....do .....	Do.
<b>Region VI</b>				
Louisiana:				
Baskin, Village of, Franklin Parish .....	220072	May 15, 1973, Emerg; September 1, 1986, Reg; October 5, 2018, Susp.	.....do .....	Do.
Epps, Village of, West Carroll Parish ....	220283	July 28, 1995, Emerg; March 1, 2010, Reg; October 5, 2018, Susp.	.....do .....	Do.
Forest, Village of, West Carroll Parish ..	220286	N/A, Emerg; February 6, 2009, Reg; October 5, 2018, Susp.	.....do .....	Do.
Franklin Parish, Unincorporated Areas	220071	May 2, 1973, Emerg; November 1, 1985, Reg; October 5, 2018, Susp.	.....do .....	Do.
Gilbert, Village of, Franklin Parish .....	220073	May 2, 1973, Emerg; September 3, 1980, Reg; October 5, 2018, Susp.	.....do .....	Do.
Oak Grove, Town of, West Carroll Parish.	220342	N/A, Emerg; August 18, 1997, Reg; October 5, 2018, Susp.	.....do .....	Do.
Pioneer, Village of, West Carroll Parish	220244	N/A, Emerg; July 11, 1997, Reg; October 5, 2018, Susp.	.....do .....	Do.
West Carroll Parish, Unincorporated Areas.	220243	March 14, 1975, Emerg; March 1, 1987, Reg; October 5, 2018, Susp.	.....do .....	Do.
Winnsboro, City of, Franklin Parish .....	220074	May 2, 1973, Emerg; September 1, 1978, Reg; October 5, 2018, Susp.	.....do .....	Do.
Wisner, Town of, Franklin Parish .....	220075	May 2, 1973, Emerg; July 16, 1980, Reg; October 5, 2018, Susp.	.....do .....	Do.
<b>Region VII</b>				
Iowa:				

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
Jasper County, Unincorporated Areas ..	190880	February 23, 1983, Emerg; January 1, 1987, Reg; October 5, 2018, Susp.	.....do .....	Do.
Kellogg, City of, Jasper County .....	190164	June 3, 1977, Emerg; June 1, 1987, Reg; October 5, 2018, Susp.	.....do .....	Do.
Lynnville, City of, Jasper County .....	190165	N/A, Emerg; January 11, 2018, Reg; October 5, 2018, Susp.	.....do .....	Do.
Mingo, City of, Jasper County .....	190166	N/A, Emerg; August 4, 2011, Reg; October 5, 2018, Susp.	.....do .....	Do.
Monroe, City of, Jasper County .....	190621	N/A, Emerg; June 18, 2010, Reg; October 5, 2018, Susp.	.....do .....	Do.
Newton, City of, Jasper County .....	190628	May 9, 1977, Emerg; April 25, 1980, Reg; October 5, 2018, Susp.	.....do .....	Do.
Missouri:				
Lincoln County, Unincorporated Areas	290869	June 9, 1980, Emerg; March 15, 1984, Reg; October 5, 2018, Susp.	.....do .....	Do.
Troy, City of, Lincoln County .....	290641	April 17, 1980, Emerg; May 5, 1981, Reg; October 5, 2018, Susp.	.....do .....	Do.

\* -do- and Do = Ditto.  
Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: September 14, 2018.

**Eric Letvin,**  
Deputy Assistant Administrator for Mitigation, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2018–21013 Filed 9–26–18; 8:45 am]

BILLING CODE 9110–12–P

**DEPARTMENT OF TRANSPORTATION**

**Federal Motor Carrier Safety Administration**

**49 CFR Parts 360, 380, 382, 385, 390, 391, 395, 396, and 397**

**RIN 2126–AC09**

**General Technical, Organizational, Conforming, and Correcting Amendments to the Federal Motor Carrier Safety Regulations**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Final rule.

**SUMMARY:** FMCSA amends its regulations by making technical corrections throughout the Federal Motor Carrier Safety Regulations. The Agency makes minor changes to correct inadvertent errors and omissions, remove or update obsolete references, and improve the clarity and consistency of certain regulatory provisions.

**DATES:** Effective September 27, 2018.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Miller, Federal Motor Carrier Safety Administration, Regulatory Development Division, 1200 New Jersey Avenue SE, Washington, DC 20590–

0001, by telephone at (202) 366–5370 or via email at *david.miller@dot.gov*. Office hours are from 9:00 a.m. to 5:00 p.m. ET, Monday through Friday, except Federal holidays.

**SUPPLEMENTARY INFORMATION:**

**I. Legal Basis for the Rulemaking**

Congress delegated certain powers to regulate interstate commerce to the United States Department of Transportation (DOT or Department) in numerous pieces of legislation, most notably in section 6 of the Department of Transportation Act (DOT Act) (Pub. L. 89–670, 80 Stat. 931, 937, Oct. 15, 1966). Section 6 of the DOT Act transferred to the Department the authority of the former Interstate Commerce Commission (ICC) to regulate the qualifications and maximum hours of service of employees, the safety of operations, and the equipment of motor carriers in interstate commerce (id. at 639). This authority, first granted to the ICC in the Motor Carrier Act of 1935 (Pub. L. 74–255, 49 Stat. 543, Aug. 9, 1935), now appears in 49 U.S.C. chapter 315. The regulations issued under this (and subsequently enacted) authority became known as the Federal Motor Carrier Safety Regulations (FMCSRs), codified at 49 CFR parts 350–399. The administrative powers to enforce chapter 315 (codified in 49 U.S.C. chapter 5) were also transferred from the ICC to the DOT in 1966, and assigned first to the Federal Highway Administration (FHWA) and then to FMCSA. The FMCSA Administrator has been delegated authority under 49 CFR 1.87 to carry out the motor carrier functions vested in the Secretary of Transportation.

Between 1984 and 1999, a number of statutes added to FHWA’s authority. Various statutes authorize the enforcement of the FMCSRs, the Hazardous Materials Regulations, and the Commercial Regulations, and provide both civil and criminal penalties for violations of these requirements. These statutes include the Motor Carrier Safety Act of 1984 (MCSA) (Pub. L. 98–554, 98 Stat. 2832, Oct. 30, 1984), codified at 49 U.S.C. chapter 311, subchapter III; the Commercial Motor Vehicle Safety Act of 1986 (Pub. L. 99–570, 100 Stat. 3207–170, Oct. 27, 1986), codified at 49 U.S.C. chapter 313; the Hazardous Materials Transportation Uniform Safety Act of 1990, as amended (Pub. L. 101–615, 104 Stat. 3244, Nov. 16, 1990), codified at 49 U.S.C. chapter 51; and the ICC Termination Act of 1995 (ICCTA) (Pub. L. 104–88, 109 Stat. 803, Dec. 29, 1995), codified at 49 U.S.C. chapters 131–149.

The Motor Carrier Safety Improvement Act of 1999 (MCSIA) (Pub. L. 106–159, 113 Stat. 1748, Dec. 9, 1999) established FMCSA as a new operating administration within DOT, effective January 1, 2000. The motor carrier safety responsibilities previously assigned to both the ICC and FHWA are now assigned to FMCSA.

Congress expanded, modified, and amended FMCSA’s authority in the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act of 2001 (Pub. L. 107–56, 115 Stat. 272, Oct. 26, 2001); the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA–LU) (Pub. L. 109–59, 119 Stat. 1144, Aug. 10,