

inactive CCR surface impoundment for which the owner or operator has completed the actions by the deadlines specified in paragraphs (e)(1)(i) through (iii) of this section is eligible for the alternative timeframes specified in paragraphs (e)(2) through (6) of this section. The owner or operator of the CCR unit must comply with the applicable recordkeeping, notification, and internet requirements associated with these provisions. For the inactive CCR surface impoundment:

(i) The owner or operator must have prepared and placed in the facility's operating record by December 17, 2015, a notification of intent to initiate closure of the inactive CCR surface impoundment pursuant to § 257.105(i)(1);

(ii) The owner or operator must have provided notification to the State Director and/or appropriate Tribal authority by January 19, 2016, of the intent to initiate closure of the inactive CCR surface impoundment pursuant to § 257.106(i)(1); and

(iii) The owner or operator must have placed on its CCR Web site by January 19, 2016, the notification of intent to initiate closure of the inactive CCR surface impoundment pursuant to § 257.107(i)(1).

(2) *Location restrictions.* (i) No later than April 16, 2020, the owner or operator of the inactive CCR surface impoundment must:

(A) Complete the demonstration for placement above the uppermost aquifer as set forth by § 257.60(a), (b), and (c)(3);

(B) Complete the demonstration for wetlands as set forth by § 257.61(a), (b), and (c)(3);

(C) Complete the demonstration for fault areas as set forth by § 257.62(a), (b), and (c)(3);

(D) Complete the demonstration for seismic impact zones as set forth by § 257.63(a), (b), and (c)(3); and

(E) Complete the demonstration for unstable areas as set forth by § 257.64(a), (b), (c), and (d)(3).

(ii) An owner or operator of an inactive CCR surface impoundment who fails to demonstrate compliance with the requirements of paragraph (e)(2)(i) of this section is subject to the closure requirements of § 257.101(b)(1).

(3) *Design criteria.* The owner or operator of the inactive CCR surface impoundment must:

(i) No later than April 17, 2018, complete the documentation of liner type as set forth by § 257.71(a) and (b).

(ii) No later than June 16, 2017, place on or immediately adjacent to the CCR unit the permanent identification marker as set forth by § 257.73(a)(1).

(iii) No later than October 16, 2018, prepare and maintain an Emergency Action Plan as set forth by § 257.73(a)(3).

(iv) No later than April 17, 2018, compile a history of construction as set forth by § 257.73(b) and (c).

(v) No later than April 17, 2018, complete the initial hazard potential classification, structural stability, and safety factor assessments as set forth by § 257.73(a)(2), (b), (d), (e), and (f).

(4) *Operating criteria.* The owner or operator of the inactive CCR surface impoundment must:

(i) No later than April 18, 2017, prepare the initial CCR fugitive dust control plan as set forth in § 257.80(b).

(ii) No later than April 17, 2018, prepare the initial inflow design flood control system plan as set forth in § 257.82(c).

(iii) No later than April 18, 2017, initiate the inspections by a qualified person as set forth by § 257.83(a).

(iv) No later than July 19, 2017, complete the initial annual inspection by a qualified professional engineer as set forth by § 257.83(b).

(5) *Groundwater monitoring and corrective action.* The owner or operator of the inactive CCR surface impoundment must:

(i) No later than April 17, 2019, comply with groundwater monitoring requirements set forth in §§ 257.90(b) and 257.94(b); and

(ii) No later than August 1, 2019, prepare the initial groundwater monitoring and corrective action report as set forth in § 257.90(e).

(6) *Closure and post-closure care.* The owner or operator of the inactive CCR surface impoundment must:

(i) No later than April 17, 2018, prepare an initial written closure plan as set forth in § 257.102(b); and

(ii) No later than April 17, 2018, prepare an initial written post-closure care plan as set forth in § 257.104(d).

#### § 257.102 [Amended]

■ 4. Section 257.102 is amended by removing and reserving paragraph (e)(4)(i).

■ 5. Section 257.104 is amended by revising paragraph (a)(1) and removing paragraph (a)(3) to read as follows:

#### § 257.104 Post-closure care requirements.

(a) \* \* \*

(1) Except as provided by paragraph (a)(2) of this section, § 257.104 applies to the owners or operators of CCR landfills, CCR surface impoundments, and all lateral expansions of CCR units

that are subject to the closure criteria under § 257.102.

\* \* \* \* \*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2016-0002; Internal Agency Docket No. FEMA-8443]

#### 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 <http://www.fema.gov/fema/csb.shtm>.

**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.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Patricia Suber, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW., Washington, DC 20472, (202) 646-4149.

**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.** 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, 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 III</b>				
West Virginia:				
Ceredo, Town of, Wayne County .....	540232	September 25, 1975, Emerg; May 17, 1989, Reg; September 2, 2016, Susp.	September 2, 2016.	September 2, 2016.
Fort Gay, Town of, Wayne County .....	540202	April 29, 1975, Emerg; January 3, 1979, Reg; September 2, 2016, Susp.	*.....do .....	Do.
Kenova, City of, Wayne County .....	540221	April 9, 1975, Emerg; May 17, 1989, Reg; September 2, 2016, Susp.	.....do .....	Do.
Wayne County, Unincorporated Areas ..	540200	October 31, 1975, Emerg; September 18, 1987, Reg; September 2, 2016, Susp.	.....do .....	Do.
<b>Region IX</b>				
California:				
Adelanto, City of, San Bernardino County.	060639	September 21, 1979, Emerg; April 15, 1980, Reg; September 2, 2016, Susp.	.....do .....	Do.
Apple Valley, Town of, San Bernardino County.	060752	N/A, Emerg; June 16, 1995, Reg; September 2, 2016, Susp.	.....do .....	Do.
Barstow, City of, San Bernardino County.	060271	May 24, 1979, Emerg; February 1, 1980, Reg; September 2, 2016, Susp.	.....do .....	Do.
Colton, City of, San Bernardino County	060273	January 15, 1974, Emerg; September 17, 1980, Reg; September 2, 2016, 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
Fontana, City of, San Bernardino County.	060274	March 19, 1971, Emerg; June 4, 1987, Reg; September 2, 2016, Susp.	.....do .....	Do.
Grand Terrace, City of, San Bernardino County.	060737	N/A, Emerg; January 15, 2016, Reg; September 2, 2016, Susp.	.....do .....	Do.
Hesperia, City of, San Bernardino County.	060733	N/A, Emerg; October 19, 1989, Reg; September 2, 2016, Susp.	.....do .....	Do.
Highland, City of, San Bernardino County.	060732	N/A, Emerg; October 19, 1989, Reg; September 2, 2016, Susp.	.....do .....	Do.
Loma Linda, City of, San Bernardino County.	065042	March 19, 1971, Emerg; July 16, 1987, Reg; September 2, 2016, Susp.	.....do .....	Do.
Needles, City of, San Bernardino County.	060277	March 5, 1975, Emerg; July 16, 1979, Reg; September 2, 2016, Susp.	.....do .....	Do.
Ontario, City of, San Bernardino County	060278	June 27, 1975, Emerg; December 2, 1980, Reg; September 2, 2016, Susp.	.....do .....	Do.
Rancho Cucamonga, City of, San Bernardino County.	060671	August 7, 1978, Emerg; September 5, 1984, Reg; September 2, 2016, Susp.	.....do .....	Do.
Redlands, City of, San Bernardino County.	060279	April 12, 1974, Emerg; January 3, 1979, Reg; September 2, 2016, Susp.	.....do .....	Do.
Rialto, City of, San Bernardino County	060280	December 17, 1973, Emerg; February 12, 1979, Reg; September 2, 2016, Susp.	.....do .....	Do.
San Bernardino, City of, San Bernardino County.	060281	December 31, 1970, Emerg; July 16, 1979, Reg; September 2, 2016, Susp.	.....do .....	Do.
San Bernardino County, Unincorporated Areas.	060270	January 29, 1971, Emerg; September 29, 1978, Reg; September 2, 2016, Susp.	.....do .....	Do.
Upland, City of, San Bernardino County	065067	December 31, 1970, Emerg; December 23, 1981, Reg; September 2, 2016, Susp.	.....do .....	Do.
Victorville, City of, San Bernardino County.	065068	June 11, 1971, Emerg; September 21, 1973, Reg; September 2, 2016, Susp.	.....do .....	Do.
Yucca Valley, Town of, San Bernardino County.	060750	N/A, Emerg; March 31, 1993, Reg; September 2, 2016, Susp.	.....do .....	Do.
<b>Region X</b>				
Washington:				
Lacey, City of, Thurston County .....	530190	May 7, 1975, Emerg; July 16, 1980, Reg; September 2, 2016, Susp.	.....do .....	Do.
Olympia, City of, Thurston County .....	530191	October 3, 1974, Emerg; February 17, 1982, Reg; September 2, 2016, Susp.	.....do .....	Do.
Rainier, City of, Thurston County .....	530260	N/A, Emerg; March 29, 1999, Reg; September 2, 2016, Susp.	.....do .....	Do.
Thurston County, Unincorporated Areas	530188	September 13, 1974, Emerg; December 1, 1982, Reg; September 2, 2016, Susp.	.....do .....	Do.
Tumwater, City of, Thurston County .....	530192	December 18, 1974, Emerg; August 1, 1980, Reg; September 2, 2016, Susp.	.....do .....	Do.

\*do = Ditto.

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

Dated: July 25, 2016.

**Michael M. Grimm,**

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

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[Docket No. 150121066-5717-02]

RIN 0648-XE725

#### Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure of Angling category northern area trophy fishery.

**SUMMARY:** NMFS closes the northern area Angling category fishery for large medium and giant (“trophy” (*i.e.*, measuring 73 inches curved fork length or greater)) Atlantic bluefin tuna (BFT). This action is being taken to prevent any further overharvest of the Angling category northern area trophy BFT subquota.

**DATES:** Effective 11:30 p.m., local time, August 6, 2016 through December 31, 2016.

**FOR FURTHER INFORMATION CONTACT:** Sarah McLaughlin or Brad McHale, 978-281-9260.

**SUPPLEMENTARY INFORMATION:** Regulations implemented under the authority of the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et*