Subpart XX—West Virginia

■ 2. Section 62.12150 is amended by adding paragraph (c) to read as follows:

§ 62.12150 Identification of plan.

* * * * *

(c) On September 7, 2011 the West Virginia Department of Environmental Protection submitted a State plan revision that updates the state rule for Control of Air Pollution from Combustion of Solid Waste in Hospital/Medical/Infectious Waste Incinerators, WV45CSR18.

■ 3. Revise § 62.12151 to read as follows:

§ 62.12151 Identification of sources.

The plan applies to each individual HMIWI:

(a) For which construction was commenced on or before June 20, 1996, or for which modification was commenced on or before March 16, 1998.

(b) For which construction was commenced after June 20, 1996 but no later than December 1, 2008, or for which modification is commenced after March 16, 1998 but no later than April 6, 2010.

■ 4. Section 62.12152 is amended by adding paragraph (c) to read as follows:

§ 61.12152 Effective date.

* * * * *

(c) The September 7, 2011 plan revision is effective March 26, 2012.

[FR Doc. 2012–1336 Filed 1–23–12; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 65

[Docket ID FEMA–2011–0002; Internal Agency Docket No. FEMA–B–1240]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

DATES: These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Deputy Federal Insurance and Mitigation Administrator reconsider the changes. The modified BFEs may be changed during the 90-day period.

ADDRESSES: The modified 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: Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–4064, or (email) *Luis.Rodriguez3@fema.dhs.gov.*

SUPPLEMENTARY INFORMATION: The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.,* and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. The changes in BFEs are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not 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 interim 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 interim rule involves no policies that have federalism implications under Executive Order 13132, Federalism.

Executive Order 12988, Civil Justice Reform. This interim rule meets the applicable standards of Executive Order 12988.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

■ 1. The authority citation for part 65 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.

§ 65.4 [Amended]

■ 2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location and case No.	Date and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama:					
Mobile	City of Mobile (11–04–2597P).	November 10, 2011; November 17, 2011; *The Press-Register*.	The Honorable Samuel L. Jones, Mayor, City of Mobile, 205 Government Street, South Tower, 10th Floor, Mobile, AL 36602.	March 16, 2012	015007
Mobile	Unincorporated areas of Mobile County (11–04–5528P).	December 1, 2011; December 8, 2011; *The Press-Register*.	The Honorable Connie Hudson, President, Mobile County Commission, 205 Government Street, Mobile, AL 36644.	April 6, 2012	015008
Arizona:					
Cochise	City of Sierra Vista (11–09–2096P).	October 28, 2011; November 4, 2011; *The Sierra Vista Herald*.	The Honorable Rick Mueller, Mayor, City of Sierra Vista, 1011 North Coronado Drive, Sierra Vista, AZ 85635.	October 20, 2011	040017
Maricopa	City of Glendale (11–09–3464P).	November 24, 2011; December 1, 2011; *The Arizona Business Gazette*.	The Honorable Elaine M. Scruggs, Mayor, City of Glendale, 5850 West Glendale Avenue, Glendale, AZ 85301.	March 30, 2012	040045
Maricopa	City of Peoria (11–09–3464P).	November 24, 2011; December 1, 2011; *The Arizona Business Gazette*.	The Honorable Bob Barrett, Mayor, City of Peoria, 8401 West Monroe Street, Peoria, AZ 85345.	March 30, 2012	040050
California:					
Orange	City of Laguna Beach (11–09–3647P).	November 4, 2011; November 11, 2011; *The Laguna Beach Coastline Pilot*.	The Honorable Toni Iseman, Mayor, City of Laguna Beach, 505 Forest Avenue, Laguna Beach, CA 92651.	March 12, 2012	060223
Santa Clara	City of San Jose (12–09–0140P).	December 2, 2011; December 9, 2011; *The San Jose Mercury News*.	The Honorable Chuck Reed, Mayor, City of San Jose, 200 East Santa Clara Street, San Jose, CA 95113.	December 22, 2011	060349
Colorado:					
El Paso	City of Colorado Springs (11–08–0869P).	November 2, 2011; November 9, 2011; *The El Paso County Advertiser and News*.	The Honorable Steve Bach, Mayor, City of Colorado Springs, 30 South Nevada Avenue, Colorado Springs, CO 80903.	March 8, 2012	080060
El Paso	Unincorporated areas of El Paso County (11–08–0869P).	November 2, 2011; November 9, 2011; *The El Paso County Advertiser and News*.	The Honorable Dennis Hisey, Chairman, El Paso County Board of Commissioners, 27 East Vermijo Avenue, Colorado Springs, CO 80903.	March 8, 2012	080059
Florida:					
Escambia	Unincorporated areas of Escambia County (11–04–7674P).	November 25, 2011; December 2, 2011; *The Pensacola News Journal*.	The Honorable Wilson Robertson, Chairman, Escambia County Board of Commissioners, 221 Palafox Place, Suite 400, Pensacola, FL 32502.	November 17, 2011	120080
Indian River	Town of Indian River Shores (11–04–7942P).	November 25, 2011; December 2, 2011; *The Indian River Press Journal*.	The Honorable Thomas W. Cadden, Mayor, Town of Indian River Shores, 6001 North Highway A1A, Indian River Shores, FL 32963.	November 17, 2011	120121
Lee	Unincorporated areas of Lee County (12–04–0044P).	November 25, 2011; December 2, 2011; *The News-Press*.	The Honorable John Manning, Chairman, Lee County Board of Commissioners, 2120 Main Street, Fort Myers, FL 33901.	November 17, 2011	125124
Orange	City of Orlando (11–04–7338P).	November 22, 2011; November 29, 2011; *The Orlando Sentinel*.	The Honorable Buddy Dyer, Mayor, City of Orlando, 400 South Orange Avenue, Orlando, FL 32802.	March 28, 2012	120186
Seminole	Unincorporated areas of Seminole County (11–04–8756X).	November 4, 2011; November 11, 2011; *The Orlando Sentinel*.	The Honorable Brenda Carey, Chair, Seminole County Board of Commissioners, 1101 East 1st Street, Sanford, FL 32771.	October 26, 2011	120289
Georgia: Cherokee	Unincorporated areas of Cherokee County (10–04–8275P).	October 7, 2011; October 14, 2011; *The Cherokee Tribune*.	The Honorable L. B. Ahrens, Jr., Chairman, Cherokee County Board of Commissioners, 1130 Bluffs Parkway, Canton, GA 30114.	February 13, 2012	130424
Hawaii:	City and County of Honolulu (11–09–3899P).	November 10, 2011; November 17, 2011; *The Honolulu Star-Advertiser*.	The Honorable Peter B. Carlisle, Mayor, City and County of Honolulu, 530 South King Street, Room 300, Honolulu, HI 96813.	March 16, 2012	150001
Mississippi:					
Lee	City of Saltillo (10–04–8523P).	November 4, 2011; November 11, 2011; *The Northeast Mississippi Daily Journal*.	The Honorable Bill Williams, Mayor, City of Saltillo, 395 Mobile Street, Saltillo, MS 38866.	March 12, 2012	280261
Lee	Unincorporated areas of Lee County (10–04–8523P).	November 4, 2011; November 11, 2011; *The Northeast Mississippi Daily Journal*.	The Honorable Joe McKinney, Chairman, Lee County Board of Supervisors, 200 West Jefferson Street, Suite 100, Tupelo, MS 38801.	March 12, 2012	280227
Wyoming:					
Campbell	City of Gillette (11–08–0781P).	October 21, 2011; October 28, 2011; *The News-Record*.	The Honorable Tom Murphy, Mayor, City of Gillette, 201 East 5th Street, Gillette, WY 82717.	February 27, 2012	560007
Campbell	Unincorporated areas of Campbell County (11–08–0781P).	October 21, 2011; October 28, 2011; *The News-Record*.	The Honorable Stephen F. Hughes, Chairman, Campbell County Board of Directors, 500 South Gillette Avenue, Suite #1100, Gillette, WY 82716.	February 27, 2012	560081

(Catalog of Federal Domestic Assistance No. 97.022, ''Flood Insurance.'')

Dated: January 12, 2012.

Sandra K. Knight,

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

[FR Doc. 2012–1318 Filed 1–23–12; 8:45 am]

BILLING CODE 9110–12–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 110913585–2001–02]

RIN 0648–BB36

Atlantic Highly Migratory Species; 2012 Atlantic Shark Commercial Fishing Season

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

ACTION: Final rule; fishing season notification.

SUMMARY: This final rule establishes the opening dates and adjusts quotas for the 2012 fishing season for the Atlantic commercial shark fisheries. Quotas were adjusted based on over- and/or underharvests experienced during the 2010 and 2011 Atlantic commercial shark fishing seasons. In addition, NMFS is using previously-implemented adaptive management measures to provide, to the extent practicable, fishing opportunities for commercial shark fishermen in all regions and areas to determine the opening dates. These actions are expected to provide fishing opportunities for commercial shark fishermen in the northwestern Atlantic, including the Gulf of Mexico and Caribbean.

DATES: The 2012 Atlantic commercial shark fishing season opening dates and quotas are provided in Table 1 under **SUPPLEMENTARY INFORMATION**.

ADDRESSES: Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Karyl Brewster-Geisz or Guy DuBeck at (301) 427–8503 or (fax) (301) 713–1917.

SUPPLEMENTARY INFORMATION:

Background

The Atlantic commercial shark fisheries are managed under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments under the Magnuson-Stevens Act are implemented by regulations at 50 CFR part 635.

On October 31, 2011, NMFS published a rule (76 FR 67121) that proposed the 2012 opening dates of the Atlantic commercial shark fisheries and quotas based on shark landings information as of August 31, 2011. The proposed rule also considered using adaptive management measures such as flexible opening dates for the fishing seasons and inseason adjustments to shark trip limits to provide flexibility in management in the furtherance of equitable fishing opportunities, to the extent practicable, for commercial shark fishermen in all regions and areas. The proposed rule contained details regarding the adaptive management measures and a brief summary of recent management history. Those details are not repeated here.

Approximately 15 comments from the public were received on the proposed rule. Those comments, along with the Agency's responses, are summarized below. As detailed more fully in the Response to Comments section, as a result of public comment, in the final rule NMFS has changed the opening date of the non-sandbar large coastal shark (LCS) fishery in the Gulf of Mexico region from March 1, 2012, to February 15, 2012. The other shark species/complexes will open as proposed in the October 31, 2011, proposed rule.

This final rule serves as notification of the 2012 opening dates of the Atlantic commercial shark fisheries and 2012 quotas, based on shark landings updates as of October 31, 2011, pursuant to § 635.27(b)(1)(i–vi). This action does not change the annual base and adjusted annual base commercial quotas established under Amendments 2 and 3 to the 2006 Consolidated HMS FMP for sandbar sharks, non-sandbar LCS, blue sharks, porbeagle sharks, and pelagic sharks (other than porbeagle and blue sharks), non-blacknose SCS, or blacknose sharks. Any such changes would be performed through a separate action. Rather, this action adjusts the commercial quotas based on over- and/or underharvests that occurred in 2010 and 2011, consistent with existing regulations.

Response to Comments

During the proposed rule stage, NMFS received approximately 15 comments from fishermen, dealers, and other interested parties. All written comments can be found at *http://www.regulations.gov/* and by searching for RIN 0648–BB36.

Comment 1: NMFS received several comments regarding the proposed opening date for the non-sandbar LCS fishery. One comment noted that shark meat is easier to sell in the Gulf of Mexico during the religious period of Lent, which runs from February 22 to April 7, 2012. Other comments indicated that shark dealers and fishermen would prefer for the fishery to open on February 15, since the targeted shark species would no longer be in their fishing areas by March 1.

Response: In the proposed rule, NMFS considered a season opening date of March 1, 2012, to allow for the furtherance of equitable fishing opportunities, to the extent practicable, for commercial shark fishermen in all parts of the Gulf of Mexico region. Under the criteria listed at § 635.27(b)(1)(ii), NMFS examined the season length from previous fishing years, variation in seasonal distribution and abundance of sharks, and the effects of catch rates in one part of a region precluding fishing opportunities for vessels in another part of that region before making a decision. Taking into consideration these criteria, NMFS has determined that changing the opening date of the non-sandbar LCS fishery in the Gulf of Mexico region is allowable and will continue to promote equitable fishing opportunities in this region. Also, changing the opening date will not compromise the resource due to variations in seasonal distribution, abundance, and migratory patterns of the non-sandbar LCs species. As such, based on comments received from fishermen and dealers in different areas of the Gulf of Mexico requesting NMFS to open on February 15, NMFS is changing the proposed opening date of the non-sandbar LCS from March 1, 2012, to February 15, 2012.

Comment 2: NMFS should stop all shark fishing.

Response: This comment is outside the scope of this rulemaking. The purpose of this rulemaking is to adjust quotas based on over- and underharvests from the previous year and opening dates for the 2012 shark season. Management of the Atlantic shark fisheries is based on the best available science to maintain or rebuild overfished shark stocks. The final rule does not reanalyze the overall management measures for sharks, which were analyzed in Amendment 2 and Amendment 3, and are being reviewed again for some shark species in Amendment 5 (76 FR 62331; October 7, 2011) and Amendment 6 (76 FR 57709;