

Chapter I, title 40 of the Code of Federal Regulations is amended as follows:

## PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

■ 1. The authority citation for part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

### Subpart D—Arizona

■ 2. Section 52.120 is amended by adding paragraph (c)(171) to read as follows:

#### § 52.120 Identification of plan.

\* \* \* \* \*

(c) \* \* \*

(171) The following plan was submitted on September 2, 2014 by the Governor's designee.

(i) *Incorporation by reference.*

(A) Arizona Department of Environmental Quality.

(1) House Bill 2128, effective April 22, 2014, excluding sections 1 through 4, and 9 (including the text that appears in all capital letters and excluding the text that appears in strikethrough).

(ii) Additional materials.

(A) Arizona Department of Environmental Quality.

(1) *MAG 2014 State Implementation Plan Revision for the Removal of Stage II Vapor Recovery Controls in the Maricopa Eight-Hour Ozone Nonattainment Area* (August 2014), adopted by the Regional Council of the Maricopa Association of Governments on August 27, 2014, excluding appendix A, exhibit 2 ("Arizona Revised Statutes Listed in Table 1–1").

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA–2015–0001]

#### 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 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:** 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](mailto:Luis.Rodriguez3@fema.dhs.gov).

**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 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.* This final 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 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.

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:

Dated: August 20, 2015.

**Roy E. Wright,**

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

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
<b>Clay County, Missouri, and Incorporated Areas Docket Nos.: FEMA-B-1192</b>			
Brushy Creek .....	Approximately 400 feet upstream of the most downstream Clinton County boundary.	+987	City of Lawson, Unincorporated Areas of Clay County.
Cates Branch .....	At the most upstream Clinton County boundary .....	+1045	City of Liberty, Unincorporated Areas of Clay County.
	At the upstream side of Liberty Landing Road .....	+756	
Clear Creek .....	At the downstream side of Harrison Street .....	+851	City of Kearney, City of Mosby, Unincorporated Areas of Clay County.
	At the Fishing River confluence .....	+775	
Clear Creek Tributary 15 .....	Approximately 0.5 mile upstream of Nation Road .....	+823	Unincorporated Areas of Clay County.
	Approximately 0.8 mile upstream of the Clear Creek confluence.	+780	
	Approximately 1 mile upstream of the Clear Creek confluence.	+788	
Clear Creek Tributary 15.1 (overflow effects from Clear Creek).	Approximately 1,375 feet upstream of the Clear Creek confluence.	+780	City of Kearney, Unincorporated Areas of Clay County.
Crockett Creek .....	Approximately 377 feet upstream of 6th Street .....	+786	City of Mosby, Unincorporated Areas of Clay County.
	At the Holmes Creek confluence .....	+766	
Crockett Creek Tributary 3 .....	Approximately 1,400 feet upstream of Longridge Road .....	+790	Unincorporated Areas of Clay County.
	At the Crockett Creek confluence .....	+771	
Crockett Creek Tributary 4 .....	Approximately 0.7 mile upstream of the Crockett Creek confluence.	+791	Unincorporated Areas of Clay County.
	Approximately 1,400 feet upstream of Longridge Road .....	+790	
Dry Fork .....	Approximately 390 feet upstream of Stockdale road .....	+814	City of Excelsior Springs, Unincorporated Areas of Clay County.
	At the downstream side of South Thompson Avenue .....	+773	
East Creek .....	Approximately 0.6 mile downstream of Salem Road .....	+905	City of Gladstone.
	Approximately 550 feet downstream of North Broadway Avenue.	+867	
East Fork Fishing River .....	At the upstream side of Northeast 61st Street .....	+904	City of Excelsior Springs, Unincorporated Areas of Clay County.
	At the Fishing River confluence .....	+744	
East Fork Fishing River Tributary 2.	Approximately 1,200 feet upstream of Isley Boulevard .....	+786	City of Excelsior Springs.
	Approximately 154 feet downstream of Saint Louis Avenue.	+768	
East Fork Line Creek Tributary 1.	Approximately 1,600 feet upstream of Saint Louis Avenue	+768	City of Gladstone.
	Approximately 1,120 feet upstream of Arrowhead Trafficway.	+909	
	Approximately 1,150 feet upstream of Arrowhead Trafficway.	+909	
First Creek .....	At the Second Creek confluence .....	+819	City of Smithville, Unincorporated Areas of Clay County.
Fishing River .....	At the Platte County boundary .....	+864	City of Kearney, City of Mosby, Unincorporated Areas of Clay County, Village of Prathersville.
	At the Ray County boundary .....	+731	
Holmes Creek .....	Approximately 0.5 mile downstream of North Home Avenue.	+860	City of Kearney, City of Mosby, Unincorporated Areas of Clay County.
	At the Fishing River confluence .....	+763	
	Approximately 1.1 miles upstream of North State Route 33.	+829	

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
Little Platte River .....	Approximately 1.2 miles downstream of U.S. Route 169 ...	+810	City of Smithville, Unincorporated Areas of Clay County.
Little Shoal Creek .....	Approximately 0.5 mile downstream of State Route F .....	+815	
Little Shoal Creek Tributary 5 ...	At the Shoal Creek confluence .....	+744	City of Glenaire, City of Liberty, City of Pleasant Valley, Village of Claycomo.
Little Shoal Creek Tributary 6 ...	At the upstream side of North Church Road .....	+800	
Little Shoal Creek Tributary 7 ...	Approximately 0.4 mile upstream of the Little Shoal Creek confluence.	+764	City of Liberty.
Little Shoal Creek Tributary 6 ...	At the downstream side of South State Route 291 .....	+843	
Little Shoal Creek Tributary 7 ...	At the downstream side of Smiley Street .....	+765	City of Glenaire, City of Liberty.
Mill Creek .....	Approximately 600 feet downstream of Liberty Drive .....	+830	
Missouri River .....	At the Little Shoal Creek confluence .....	+764	City of Glenaire, City of Liberty.
Missouri River .....	Approximately 300 feet upstream of Kings Highway .....	+798	
Muddy Fork .....	At the upstream side of Randolph Road .....	+789	City of Gladstone, Village of Claycomo.
Muddy Fork .....	At the downstream side of Northeast 62nd Terrace .....	+949	
Muddy Fork .....	At the Ray County boundary .....	+717	City of Missouri City, City of North Kansas City, Unincorporated Areas of Clay County, Village of Randolph.
Old Maids Creek .....	Approximately 300 feet upstream of I-29 .....	+748	
Owens Branch .....	At the Clear Creek confluence .....	+788	City of Holt, City of Kearney, Unincorporated Areas of Clay County.
Owens Branch .....	Approximately 0.6 mile upstream of County Road BB .....	+863	
Polecat Creek .....	Approximately 980 feet upstream of Arrowhead Trafficway	+896	City of Gladstone.
Polecat Creek .....	Approximately 990 feet upstream of Arrowhead Trafficway	+896	
Polecat Creek .....	At the Little Platte River confluence .....	+812	City of Smithville, Unincorporated Areas of Clay County.
Polecat Creek .....	Approximately 1,000 feet downstream of Northeast 188th Street.	+911	
Polecat Creek .....	At the Wilkerson Creek confluence .....	+884	Unincorporated Areas of Clay County.
Polecat Creek .....	Approximately 0.95 mile upstream of Clementine Road ....	+980	
Polecat Creek .....	At the upstream side of the most downstream crossing of I-435.	+751	City of Randolph.
Polecat Creek .....	At the downstream side of the most upstream crossing of I-435.	+779	
Polecat Creek Tributary .....	At the Randolph Creek confluence .....	+751	City of Randolph.
Polecat Creek Tributary .....	Approximately 1,700 feet upstream of the Randolph Creek confluence.	+763	
Rock Creek .....	At the upstream side of Armour Road .....	+759	City of Avondale, City of North Kansas City.
Rock Creek Gladstone .....	Approximately 150 feet upstream of Northeast Excelsior Street.	+780	
Rock Creek Gladstone .....	Approximately 150 feet upstream of North Jackson Drive	+851	City of Gladstone.
Rock Creek Gladstone .....	Approximately 250 feet upstream of Northeast 72nd Street.	+934	
Rock Creek Tributary 11 (backwater effects from Rock Creek Tributary 11.2).	From the Rock Creek Tributary 11.2 confluence to the downstream side of I-29.	+761	City of North Kansas City.
Rock Creek Tributary 11.2 .....	At the upstream side of Armour Road .....	+758	
Rocky Branch .....	Approximately 640 feet upstream of I-29 .....	+784	City of North Kansas City.
Rocky Branch .....	At the Wilkerson Creek confluence .....	+848	City of Smithville, Unincorporated Areas of Clay County.
Rush Creek .....	Approximately 250 feet downstream of Northeast 132nd Street.	+888	
Rush Creek .....	At the Missouri River confluence .....	+727	City of Liberty, Unincorporated Areas of Clay County.

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
Second Creek .....	At the Rush Creek Tributary 15 confluence ..... At the Little Platte River confluence .....	+826 +813	City of Smithville, Unincorporated Areas of Clay County.
Shoal Creek Tributary 20 .....	At the Platte County boundary ..... At the Shoal Creek confluence ..... Approximately 300 feet downstream of North Corrington Avenue.	+822 +769 +824	City of Pleasant Valley.
Shoal Creek Tributary 20.1 .....	At the Shoal Creek Tributary 20 confluence ..... Approximately 1,400 feet upstream of Kaill Road .....	+773 +805	City of Pleasant Valley.
Town Branch .....	At the Shoal Creek confluence ..... Approximately 0.8 mile upstream of East Ruth Ewing Road.	+734 +775	City of Liberty.
Wilkerson Creek .....	Approximately 400 feet upstream of East County Road DD.	+817	City of Smithville, Unincorporated Areas of Clay County.
Williams Creek .....	Approximately 0.4 mile upstream of the Wilkerson Creek Tributary 5 confluence. At the Fishing River confluence .....	+936 +758	Unincorporated Areas of Clay County, Village of Pratherville.
Williams Creek Tributary 14 .....	Approximately 0.5 mile upstream of County Road RA ..... At the Williams Creek confluence .....	+851 +817	Unincorporated Areas of Clay County.
	Approximately 150 feet upstream of Northeast 161st Street.	+834	

\* National Geodetic Vertical Datum.  
 + North American Vertical Datum.  
 # Depth in feet above ground.  
 ^ Mean Sea Level, rounded to the nearest 0.1 meter.

**ADDRESSES**

**City of Avondale**

Maps are available for inspection at City Hall, 3007 Northeast Highway 10, Avondale, MO 64117.

**City of Excelsior Springs**

Maps are available for inspection at City Hall, 201 East Broadway Street, Excelsior Springs, MO 64024.

**City of Gladstone**

Maps are available for inspection at City Hall, 7010 North Holmes Street, Gladstone, MO 64118.

**City of Glenaire**

Maps are available for inspection at City Hall, 309 Smiley Road, Glenaire, MO 64068.

**City of Holt**

Maps are available for inspection at City Hall, 315 Main Street, Holt, MO 64048.

**City of Kearney**

Maps are available for inspection at City Hall, 100 East Washington Street, Kearney, MO 64060.

**City of Lawson**

Maps are available for inspection at City Hall, 103 South Pennsylvania Avenue, Lawson, MO 64062.

**City of Liberty**

Maps are available for inspection at City Hall, 101 East Kansas Street, Liberty, MO 64068.

**City of Missouri City**

Maps are available for inspection at the Clay County Planning and Zoning Department, 234 West Shrader Street, Suite C, Liberty, MO 64068.

**City of Mosby**

Maps are available for inspection at City Hall, 12312 4th Street, Mosby, MO 64024.

**City of North Kansas City**

Maps are available for inspection at City Hall, 2010 Howell Street, North Kansas City, MO 64116.

**City of Pleasant Valley**

Maps are available for inspection at City Hall, 6500 Royal Street, Pleasant Valley, MO 64068.

**City of Randolph**

Maps are available for inspection at City Hall, 7777 North East Birmingham Road, Randolph, MO 64161.

**City of Smithville**

Maps are available for inspection at City Hall, 107 West Main Street, Smithville, MO 64089.

#### **Unincorporated Areas of Clay County**

Maps are available for inspection at the Clay County Planning and Zoning Department, 234 West Shrader Street, Suite C, Liberty, MO 64068.

#### **Village of Claycomo**

Maps are available for inspection at the Village Municipal Office, 115 East Highway 69, Claycomo, MO 64119.

#### **Village of Prathersville**

Maps are available for inspection at the Clay County Planning and Zoning Department, 234 West Shrader Street, Suite C, Liberty, MO 64068.

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## **DEPARTMENT OF TRANSPORTATION**

### **National Highway Traffic Safety Administration**

#### **49 CFR Parts 591 and 592**

[Docket No. NHTSA-2015-0076]

RIN 2127-AL63

#### **Allowing Importers To Provide Information to U.S. Customs and Border Protection in Electronic Format**

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Interim Final Rule; request for comments.

**SUMMARY:** This interim Final Rule amends NHTSA's regulation on the importation of motor vehicles and motor vehicle equipment subject to Federal safety, bumper and theft prevention standards by allowing importers to provide information to United States Customs and Border Protection (CBP) in either electronic or paper format. Presently, certain regulatory provisions require importers to provide documentation or information in a "written statement" or in ways that imply the submission of a paper document, including the phrases "in duplicate," "a copy of," a "document," and "accompanied by a statement." Over the course of the coming months, CBP plans to allow importers to file importation information in paper format only or electronic format only. To allow importers to choose their preferred format for filing information required by NHTSA, the agency is amending its importation regulations to specify that importers have the option to file all required information electronically, in addition to the paper option currently available.

This document is being issued as an interim Final Rule to provide timely assistance to importers by allowing alternative methods of filing with CBP the importation information required by

NHTSA. The amendments in this interim Final Rule do not create any new rights or obligations, nor impose any new reporting requirements. The agency herein requests comments on the rule. The agency will publish a notice responding to any comments received, if any, and will amend provisions of the regulation if appropriate.

**DATES:** *Effective date:* This interim Final Rule becomes effective September 2, 2015.

*Comments:* Comments on this interim Final Rule are due not later than October 2, 2015.

**ADDRESSES:** Written comments to NHTSA may be submitted using any one of the following methods:

- *Federal eRulemaking Portal:* go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility, M-30, U.S. Department of Transportation, West Building Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.
- *Hand Delivery or Courier:* U.S. Department of Transportation, West Building Ground Floor, Rm. W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590 between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* (202) 493-2251.

Regardless of how you submit your comments, please be sure you mention the docket number of this document located at the top of this notice in your correspondence.

You may call the Docket at 202-366-9324.

Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

#### **FOR FURTHER INFORMATION CONTACT:**

Arija Flowers, Trial Attorney, Office of the Chief Counsel, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: 202-366-5263).

#### **SUPPLEMENTARY INFORMATION:**

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#### **I. Background**

Under 49 CFR parts 591 and 592, importers of motor vehicles and motor vehicle equipment are required, among other things, to provide certain information to NHTSA at the time of importation, which is collected by CBP. In the past, CBP collected all information on paper but has moved to a system that allows for either paper format filing or a "hybrid" combination of paper and electronic filing. Beginning in the fall of 2015, and with pilot programs beginning in the summer of 2015, CBP is introducing a new data collection system that will allow importers to make an electronic reporting of commodities being presented for importation at U.S. ports. After implementation of this new system, CBP may require importation declaration documents to be filed in either all paper or all electronic format. CBP is currently advising that importers will no longer have the option of using the "hybrid" filing system.

Currently, there are several provisions within 49 CFR part 591, *Importation of Vehicles and Equipment Subject to Federal Safety, Bumper and Theft Prevention Standards*, and a provision in 49 CFR part 592, *Registered Importers of Vehicles Not Originally Manufactured to Conform to the Federal Motor Vehicle Safety Standards*, that either explicitly or impliedly require a paper filing for specific pieces of data. Thus, maintaining these provisions may mean that, once the new CBP data collection system is implemented, importers would be required to file on paper, imposing an unintended burden on those currently making hybrid filings. To avoid this result, this interim Final Rule amends the wording of the provisions in 49 CFR parts 591 and 592 that explicitly or impliedly require paper filings clarifying that filings can be made in any format accepted by CBP. This rulemaking does not impose additional obligations or burdens on any party and, specifically, does not require filing of any new or additional information. Rather, it provides