

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2010-0937; Airspace  
Docket No. 10-ASO-35]

**Amendment of Class E Airspace;  
Henderson, KY**

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** This action corrects errors in the legal description of a final rule published in the **Federal Register** on December 20, 2010 that amends Class E airspace at Henderson, KY.

**DATES:** Effective 0901 UTC, March 10, 2011.

**FOR FURTHER INFORMATION CONTACT:** Richard Horrocks, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P. O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5588.

**SUPPLEMENTARY INFORMATION:****History**

**Federal Register** Docket No. FAA-2010-0937, Airspace Docket No. 10-ASO-35, published on December 20, 2010 (75 FR 79294), amends Class E airspace at Henderson City-County Airport, Henderson, KY. A typographical error was made in the regulatory text concerning the degree radial used; reference to the Pocket City VORTAC, Evansville, IN, will be removed; and the direction of the airspace extension corrected. This action will correct these errors. The airspace designation and regulatory text will be rewritten for clarity.

**Correction to Final Rule**

Accordingly, pursuant to the authority delegated to me, on page 79294, column 3, line 62, the description is corrected to read:

**ASO KY E5 Henderson, KY [Corrected]**

Henderson City-County Airport, KY  
(Lat. 37°48' 28" N., long. 87°41' 09" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Henderson City-County Airport and within 1.0 miles each side of the 333° bearing extending from the 6.5-mile radius of the Henderson City-County Airport to 8.2 miles northwest of the airport.

Issued in College Park, Georgia, on February 11, 2011.

**Mark D. Ward,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2011-3944 Filed 2-22-11; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2010-0815; Airspace  
Docket No. 10-ANE-107]

**Removal and Amendment of Class E  
Airspace, Oxford, CT**

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action removes Class E surface airspace as an extension to Class D airspace, and amends Class E airspace extending upward from 700 feet at Oxford, CT. Decommissioning of the Waterbury Non-Directional Beacon (NDB) at the Waterbury-Oxford airport has made this action necessary for the safety and management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, May 5, 2011. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Richard Horrocks, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5588.

**SUPPLEMENTARY INFORMATION:****History**

On August 26, 2010, the FAA published in the **Federal Register** a notice of proposed rulemaking to remove and amend Class E airspace at Waterbury-Oxford Airport, Oxford, CT (75 FR 52484). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in Paragraph 6004 and 6005, respectively, of FAA order 7400.9U, signed August 18, 2010, and effective September 15, 2010, which is incorporated by reference in 14 CFR 71.1. The Class E

airspace designations listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 removes the Class E surface airspace as an extension to Class D airspace and amends the description of the Class E airspace extending upward 700 feet above the surface at Oxford-Waterbury Airport, Oxford, CT. The Waterbury NDB has been decommissioned and reference to the navigation aid is being removed from the airspace description for the safety and management of IFR operations at Waterbury-Oxford Airport.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It therefore, (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This proposed rulemaking is promulgated under the authority described in subtitle VII, part, A, subpart I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This proposed regulation is within the scope of that authority as it would amend controlled airspace at Waterbury-Oxford Airport, Oxford, CT.

**Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND CLASS E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9U, Airspace Designations and Reporting Points, signed August 18, 2010, effective September 15, 2010, is amended as follows:

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D Surface Area*

\* \* \* \* \*

**ANE CT E4 Oxford, CT [REMOVED]**

\* \* \* \* \*

*Paragraph 6005 Class E Airspace Areas Extending Upward from 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**ANE CT E5 Oxford, CT [AMENDED]**

Waterbury-Oxford Airport, CT  
(Lat. 41°28'43" N., long. 73°08'07" W.)

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Waterbury-Oxford Airport.

Issued in College Park, Georgia, on February 11, 2011.

**Mark D. Ward,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. 2011–3943 Filed 2–22–11; 8:45 am]

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2011–0084]

**Drawbridge Operation Regulation; Chickasaw Creek, AL**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District, issued a temporary deviation from the regulation governing the operation of the CSX Railroad Swing Span Bridge across Chickasaw Creek, mile 0.0, in Mobile, Alabama. The deviation is necessary to replace railroad ties on the bridge. This

deviation allows the bridge to remain closed for eight hours on March 8, 2011. **DATES:** This deviation is effective from 7 a.m. until 3 p.m. on Tuesday, March 8, 2011.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2011–0084 and are available online by going to <http://www.regulations.gov>, inserting USCG–2011–0084 in the “Keyword” box and then clicking “Search”. They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail David Frank, Bridge Administration Branch; telephone 504–671–2128, e-mail [David.m.frank@uscg.mil](mailto:David.m.frank@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** CSX Transportation requested a temporary deviation from the operating schedule for the Swing Span Bridge across Chickasaw Creek, mile 0.0, in Mobile, Alabama. The bridge has a vertical clearance of 6 feet above mean high water in the closed-to-navigation position and unlimited in the open-to-navigation position.

In accordance with 33 CFR 117.5, the bridge currently opens on signal for the passage of vessels. This deviation allows the bridge to remain closed to navigation from 7 a.m. until 3 p.m. on Tuesday, March 8, 2011. At all other times, the bridge will open on signal for the passage of vessels.

The closure is necessary in order to change out railroad lift rails on the bridge. This maintenance is essential for the continued operation of the bridge. Notices will be published in the Eighth Coast Guard District Local Notice to Mariners and will be broadcast via the Coast Guard Broadcast Notice to Mariners System.

Navigation on the waterway consists mainly of tugs with tows and ships. Coordination between the Coast Guard and the waterway users determined that there should not be any significant effects on these vessels. There are no alternate routes available to vessel traffic. The bridge will not be able to open for emergencies.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular

operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: February 9, 2011.

**David M. Frank,**  
*Bridge Administrator.*

[FR Doc. 2011–3955 Filed 2–22–11; 8:45 am]

**BILLING CODE 9110–04–P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**45 CFR Part 88**

**RIN 0991–AB76**

**Regulation for the Enforcement of Federal Health Care Provider Conscience Protection Laws**

**AGENCY:** Office of the Secretary, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Department of Health and Human Services issues this final rule which provides that enforcement of the federal statutory health care provider conscience protections will be handled by the Department’s Office for Civil Rights, in conjunction with the Department’s funding components. This Final Rule rescinds, in part, and revises, the December 19, 2008 Final Rule entitled “Ensuring That Department of Health and Human Services Funds Do Not Support Coercive or Discriminatory Policies or Practices in Violation of Federal Law” (the “2008 Final Rule”). Neither the 2008 final rule, nor this final rule, alters the statutory protections for individuals and health care entities under the federal health care provider conscience protection statutes, including the Church Amendments, Section 245 of the Public Health Service Act, and the Weldon Amendment. These federal statutory health care provider conscience protections remain in effect.

**DATES:** This rule is effective March 25, 2011.

**FOR FURTHER INFORMATION CONTACT:** Georgina Verdugo, Director, Office for Civil Rights, Department of Health and Human Services, 202–619–0403, Room F515, Hubert E. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201.

**SUPPLEMENTARY INFORMATION:**

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