

thereafter be continuously published in the Airport/Facility Directory.”

#### AGL MI E2 Muskegon, MI [Corrected]

On page 6448, column 2, beginning on line 44, remove the following text:

“Within a 4.2-mile radius of the Muskegon County Airport and within 1.3 miles each side of the Muskegon VORTAC 271° radial extending from the VORTAC to the 4.2-mile radius of Muskegon County Airport.”

And add in its place:

“Within a 4.2-mile radius of the Muskegon County Airport and within 1.3 miles each side of the Muskegon VORTAC 271° radial extending from the VORTAC to the 4.2-mile radius of the Muskegon County Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airman. The effective date and time will thereafter be continuously published in the Airport/facility Directory.”

Issued in Fort Worth, Texas, on March 28, 2016.

**Robert W. Beck,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. 2016-07717 Filed 3-31-16; 4:15 pm]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2015-7492; Airspace Docket No. 15-AGL-27]

#### Amendment of Class E Airspace; Rapid City, SD

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

**ACTION:** Final rule; correction.

**SUMMARY:** This correction amends the final rule published in the **Federal Register** of February 4, 2016 amending Class E airspace area at Rapid City Regional Airport, Rapid City, SD. This correction adds part-time Notice to Airmen (NOTAM) language to the Class E surface area description for the airport.

**DATES:** Effective 0901 UTC, April 5, 2016. The compliance date for this rule is March 31, 2016. 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:** Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101

Hillwood Parkway, Fort Worth, TX, 76177; telephone (817) 222-5711.

#### SUPPLEMENTARY INFORMATION:

##### History

The **Federal Register** published a final rule amending Class E airspace at Rapid City Regional Airport, Rapid City, SD, (81 FR 5905, February 4, 2016) Docket No. FAA-2015-7492. Subsequent to publication, the FAA determined that the part-time NOTAM language in the Class E surface area description was inadvertently removed in error. Potential safety concerns were identified due to the possibility for confusion in determining the operating rules and equipment requirements in the Rapid City Regional Airport terminal area. The concerns were based on the opportunity for part-time Class D surface area airspace and continuous Class E surface area airspace to be active at the same time.

To resolve these concerns, the FAA is keeping the part-time NOTAM language in the Class E surface area description to retain it as part-time airspace supplementing the existing part-time Class D surface area airspace at Rapid City Regional Airport. The regulatory text is rewritten for clarity.

##### Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, in the **Federal Register** of February 4, 2016 (81 FR 5905) FR Doc. 2016-02037, Amendment of Class E Airspace; Rapid City, SD, is corrected as follows:

##### § 71.1 [Amended]

On page 5906, column 1, beginning on line 27, remove the following text:

“Within a 4.4-mile radius of the Rapid City Regional Airport, excluding the portion north of a line between the intersection of the Rapid City Regional Airport 4.4-mile radius and the Ellsworth AFB 4.7-mile radius, and that airspace extending upward from the surface within 2.6 miles each side of the Rapid City VORTAC 155°/335° radials extending from the 4.4-mile radius of the Rapid City Regional Airport to 7 miles southeast of the VORTAC, excluding that airspace within the Rapid City, SD, Class D airspace area.”

And add in its place:

“Within a 4.4-mile radius of the Rapid City Regional Airport, excluding the portion north of a line between the intersection of the Rapid City Regional Airport 4.4-mile radius and the Ellsworth AFB 4.7-mile radius, and that airspace extending upward from the surface within 2.6 miles each side of the Rapid City VORTAC 155°/335° radials extending from the 4.4-mile radius of the Rapid City Regional Airport to 7 miles southeast of the VORTAC, excluding that airspace within the Rapid City, SD, Class D

airspace area. This Class E airspace area is effective during the specific dates and times established in advance by Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.”

Issued in Fort Worth, Texas, on March 28, 2016.

**Robert W. Beck,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. 2016-07715 Filed 3-31-16; 4:15 pm]

**BILLING CODE 4910-13-P**

## NATIONAL LABOR RELATIONS BOARD

### 29 CFR Part 100

#### Claims Under the Federal Tort Claims Act

**AGENCY:** National Labor Relations Board.

**ACTION:** Final rule.

**SUMMARY:** The National Labor Relations Board (NLRB) is issuing a final rule amending its Rules and Regulations concerning administrative claims made pursuant to the Federal Tort Claims Act (FTCA). The rule reflects structural changes within the NLRB that impact the NLRB's processing of claims, the current address for submission of claims to the NLRB, the impact of a claimant's submission of an amended claim, and the effect on a claimant of the NLRB's payment of a claim.

**DATES:** The effective date is June 6, 2016.

**FOR FURTHER INFORMATION CONTACT:** Gary Shinnors, Executive Secretary, 1015 Half Street SE., Washington, DC 20570. Telephone: (202) 273-1067.

**SUPPLEMENTARY INFORMATION:** These amendments update the NLRB's regulations governing the submission and processing of administrative claims under the FTCA. Because of the scope of these amendments, the NLRB is replacing subpart D in its entirety.

The amendments include: (i) In paragraph (b), directing claims to be made to the Associate General Counsel for the Division of Legal Counsel, and directing that claims be submitted to the NLRB's current headquarters address available on its Web site; (ii) in paragraph (c), providing that a claim may be amended at any time prior to final action by the NLRB and that the NLRB shall have six months from the amendment to make a final disposition; (iii) in paragraph (d), providing that the Associate General Counsel for the Division of Legal Counsel has authority to determine submitted claims; (iv) in

paragraph (e), omitting that legal review of certain claims is to be performed by the General Counsel or his or her designee; (v) in paragraph (f), providing that awards up to \$2,500 will be paid by the Chief Financial Officer; and (vi) in paragraph (g), providing that acceptance of payment constitutes a release of claims against the United States, the NLRB, and any employee whose act or omission gave rise to the claim.

These amendments are being made primarily as a result of the NLRB's restructuring in 2013 to create a new Division of Legal Counsel (78 FR 44981 (July 25, 2013)). Claims previously were directed to and determined by the NLRB's Director of Administration, and as a matter of practice, claims filed in the regions were forwarded to headquarters for processing by Administration. As a result of the 2013 reorganization of NLRB functions, the Division of Legal Counsel now handles claims under the FTCA, including determining the claims, and the final rule reflects this change in paragraphs (b) and (d). Paragraph (b) also reflects that claims should be submitted to the NLRB's current headquarters address, available on its Web site; the address designated in the current regulations is outdated.

Similarly, financial functions, including payment of FTCA awards, were formerly conducted within the Division of Administration. In 2012, an Office of the Chief Financial Officer was created, with the Chief Financial Officer (CFO) jointly reporting to the General Counsel and the Chairman of the Board (77 FR 43127 (July 23, 2012)). Accordingly, the final rule reflects in paragraph (f) that payments on FTCA administrative claims under \$2,500 are made by the CFO, rather than by the Division of Administration. Payments over that amount continue to be handled in accordance with 28 CFR 14.10.

Paragraph (c) is a new provision for the amendment of claims. It permits amendment at any time prior to the NLRB's determination of a claim, and it provides that an amendment restarts the six-month deadline for responding to the claim. It also provides that the six-month time period prior to which a claimant may not bring a lawsuit against an agency (28 U.S.C. 2675(a)) begins to run at the time of the amendment. While the NLRB has received amendments of claims, its regulations have not previously provided for their treatment.

The elimination of review by "the General Counsel or designee" for claims above \$5,000 in paragraph (e) conforms the proposal with 28 CFR 14.5, which

applies to FTCA administrative claims government-wide. That regulation provides that awards in excess of \$5,000 may be made by the head of an agency or his designee "only after review by a legal officer of the agency."

Accordingly, this regulation does not require legal review specifically by the General Counsel or a designee. Consistent with the NLRB restructuring, the Division of Legal Counsel will provide the legal review.

Finally, paragraph (g) sets forth that acceptance of payment constitutes a release of claims against the United States, the NLRB, and any employee whose act or omission gave rise to the claim. This is consistent with 28 U.S.C. 2672 and is included as a new provision to make the consequences of accepting payment clear to any claimants submitting claims to the NLRB.

Accordingly, consistent with the foregoing, the NLRB is amending 29 CFR part 100, subpart D to revise its procedures governing the submission and processing of administrative claims under the FTCA.

This action relates solely to agency organization, management, or personnel matters and will not impose any additional paperwork, reporting, or other costs, burdens, or responsibilities on claimants under the FTCA. Accordingly, this action is not subject to the advance notice and comment provisions of the Administrative Procedure Act (5 U.S.C. 553) or the requirements of Executive Order 12866, the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), or the Small Business Regulatory Enforcement Fairness Act (5 U.S.C. 801).

#### List of Subjects in 29 CFR Part 100

Administrative regulations, Claims under the Federal Tort Claims Act, Cooperation in audits and investigations, Employee personal property loss claims, Employee responsibilities and conduct, Government employees, Nondiscrimination on the basis of handicap in NLRB programs.

For the reasons set forth above, the NLRB amends 29 CFR part 100, subpart D as follows:

#### PART 100—ADMINISTRATIVE REGULATIONS

■ 1. The authority citation for part 100 continues to read in part as follows:

**Authority:** Section 6, National Labor Relations Act, as amended (29 U.S.C. 141, 156).

\* \* \* \* \*

#### Subpart D—Claims Under the Federal Tort Claims Act

■ 2. Revise § 100.401 to read as follows:

##### § 100.401 Claims under the Federal Tort Claims Act for loss of or damage to property or for personal injury or death.

(a) *Scope of regulations.* These regulations apply to administrative claims filed under the Federal Tort Claims Act (28 U.S.C. 2672), as amended, for money damages against the United States for damage to or loss of property, or for personal injury or death, caused by the negligent or wrongful act or omission of any employee of the National Labor Relations Board acting within the scope of his or her office or employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the place where the act or omission occurred. The regulations in this part supplement the Department of Justice's regulations in 28 CFR part 14.

(b) *Filing a claim.* Claims may be submitted to the Associate General Counsel, Division of Legal Counsel, Headquarters, National Labor Relations Board, Washington, DC 20570 at any time within 2 years after such claim has accrued. The current address for Headquarters can be found at [www.nlr.gov](http://www.nlr.gov). Such claim may be presented by a person specified in 28 CFR 14.3. An executed Standard Form 95, *Claim for Damage, Injury, or Death*, or written notification must be submitted and accompanied by as much of the appropriate information specified in 28 CFR 14.4 as may reasonably be obtained.

(c) *Amendment of claim.* A claim submitted in compliance with this subpart may be amended by the claimant at any time prior to final action by the National Labor Relations Board or prior to the exercise of the claimant's option under 28 U.S.C. 2675(a). Amendments shall be submitted in writing and signed by the claimant or his or her duly authorized agent or legal representative. Upon the timely filing of an amendment to a pending claim, the National Labor Relations Board shall have six months to make a final disposition of the claim as amended and the claimant's option under 28 U.S.C. 2675(a) shall not accrue until six months after filing of an amendment.

(d) *Action on claims.* The Associate General Counsel, Division of Legal Counsel, shall have the power to consider, ascertain, adjust, determine, compromise, or settle any claim submitted in accordance with paragraph (a) of this section. Any exercise of such

power shall be in accordance with 28 U.S.C. 2672 and 28 CFR part 1.

(e) *Legal review of claims.* In accordance with 28 CFR 14.5, legal review is required if the amount of a proposed settlement, compromise, or award exceeds \$5,000. Any exercise of such power shall be in accordance with 28 U.S.C. 2672 and 28 CFR part 14.

(f) *Payment of awards.* Any award, compromise, or settlement in an amount of \$2,500 or less made pursuant to this action will be paid by the Chief Financial Officer out of appropriations available to the National Labor Relations Board. Payment of any award, compromise, or settlement in an amount greater than \$2,500 will be paid in accordance with 28 CFR 14.10.

(g) *Acceptance of payment constitutes release.* Acceptance by a claimant, his or her agent or legal representative of any award, compromise, or settlement made pursuant to this part shall be final and conclusive on the claimant, his or her agent or legal representative and any other person on whose behalf or for whose benefit the claim has been submitted, and shall constitute a complete release of any claims against the United States, the National Labor Relations Board, and any employee of the government whose act or omission gave rise to the claim.

Dated: March 30, 2016.

By direction of the Board.

**William B. Cowen,**

*Solicitor, National Labor Relations Board.*

[FR Doc. 2016-07692 Filed 4-4-16; 8:45 am]

**BILLING CODE 7545-01-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2016-0040]

#### Drawbridge Operation Regulation; Inner Harbor Navigation Canal, New Orleans, LA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of deviation from drawbridge regulation.

**SUMMARY:** The Coast Guard has issued a deviation from the operating schedule that governs the Senator Ted Hickey (Leon C. Simon Blvd./Seabrook) bascule bridge across the Inner Harbor Navigation Canal, mile 4.6, at New Orleans, Louisiana. This deviation is necessary to accommodate the rescheduling of the New Orleans Endurance Festival event. This

deviation allows the bridge to remain closed to navigation during the event.

**DATES:** This deviation is effective from 7 a.m. through 2 p.m. on May 28, 2016.

**ADDRESSES:** The docket for this deviation, [USCG-2016-0040] is available at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary deviation, call or email Geri Robinson, Bridge Administration Branch, Coast Guard, telephone (504) 671-2128, email [geri.a.robinson@uscg.mil](mailto:geri.a.robinson@uscg.mil).

**SUPPLEMENTARY INFORMATION:** On February 1, 2016, a United States Coast Guard notice of temporary deviation from drawbridge regulations under the same docket number, USCG-2016-0040, was published in the **Federal Register** [81 FR 5039]. That temporary deviation resulted from a request made by Premier Event Management, through the Louisiana Department of Transportation and Development (LDOTD), for a deviation from the operating schedule of the Senator Ted Hickey (Leon C. Simon Blvd./Seabrook) bascule bridge across the Inner Harbor Navigation Canal, mile 4.6, at New Orleans, Louisiana. The deviation was requested to accommodate the New Orleans Endurance Festival event, which includes a triathlon, originally scheduled to be held on April 3, 2016. Due to colder than normal weather, the New Orleans Endurance Festival was postponed until May 28, 2016. Therefore, through this document, the Coast Guard issues a temporary deviation for the rescheduled date.

The vertical clearance of the bascule span bridge is 46 feet above mean high water in the closed-to-navigation position and unlimited in the open-to-navigation position. The bridge is governed by 33 CFR 117.458(c).

This deviation is effective on May 28, 2016, from 7 a.m. through 2 p.m. This deviation allows the bridge to remain closed to navigation for seven (7) hours on the day of the event.

Navigation on the waterway consists of small tugs with and without tows, commercial vessels, and recreational craft, including sailboats.

Vessels able to pass through the bridge in the closed-to-navigation position may do so at anytime. The bridge will be able to open for emergencies, and there is no immediate alternate route. The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: March 30, 2016.

**Eric Washburn,**

*Bridge Administrator, Eighth Coast Guard District.*

[FR Doc. 2016-07702 Filed 4-4-16; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2016-0263]

RIN 1625-AA00

#### Safety Zone; Bayou Teche, Crude Oil Spill; Jeanerette, LA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on all navigable waters of Bayou Teche from Jeanerette, LA to Linwood, LA. This safety zone is necessary to protect persons, property, and infrastructure from potential damage and safety hazards associated with an 11,550 gallon type III crude oil spill and corresponding response efforts. During the periods of enforcement, entry into and transiting or anchoring within this safety zone is prohibited unless specifically authorized by Captain of the Port (COTP) Morgan City or other designated representative.

**DATES:** This rule is effective without actual notice from April 5, 2016 until April 15, 2016. The rule will be enforced until April 15, 2016, or until emergency spill response efforts are complete, whichever occurs earlier. For the purposes of enforcement, actual notice will be used from March 29, 2016 until April 5, 2016.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type USCG-2016-0263 in the "SEARCH" box and click "SEARCH." Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Lieutenant Junior Grade Vanessa Taylor, Chief of Waterways