

# Proposed Rules

Federal Register

Vol. 84, No. 188

Friday, September 27, 2019

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 955

[Doc. No. AMS–SC–19–0065; SC19–955–1 CR]

#### Vidalia Onions Grown in Georgia; Continuance Referendum

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Referendum order.

**SUMMARY:** This document directs that a referendum be conducted among eligible producers of Vidalia onions to determine whether they favor continuance of the marketing order regulating the handling of Vidalia onions produced in Georgia.

**DATES:** The referendum will be conducted from October 7 through October 28, 2019. Only current producers of Vidalia onions within the production area that produced onions during the period January 1, 2018, through December 31, 2018, are eligible to vote in this referendum.

**ADDRESSES:** Copies of the marketing order may be obtained from the Southeast Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1124 First Street South, Winter Haven, FL 33880; Telephone: (863) 324–3375; from the Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, Stop 0237, Washington, DC 20250–0237; Telephone: (202) 720–2491; or on the internet: <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Steven W. Kauffman, Marketing Specialist, or Christian D. Nissen, Regional Director, Southeast Marketing Field Office, Marketing Order and Agreement Division, Specialty Crops Program, AMS, USDA, 1124 First Street South, Winter Haven, FL 33880; Telephone: (863) 324–3375, Fax: (863)

291–8614, or Email: [Steven.Kauffman@usda.gov](mailto:Steven.Kauffman@usda.gov) or [Christian.Nissen@usda.gov](mailto:Christian.Nissen@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to Marketing Agreement and Order No. 955, as amended (7 CFR part 955), hereinafter referred to as the “Order,” and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the “Act,” it is hereby directed that a referendum be conducted to ascertain whether continuance of the Order is favored by producers. The referendum will be conducted from October 7 through October 28, 2019, among Vidalia onion producers in the production area. Only current Vidalia onion producers who were also engaged in the production of Vidalia onions during the period of January 1, 2018, through December 31, 2018, may participate in the continuance referendum.

USDA has determined that continuance referenda are an effective means for determining whether producers favor the continuation of marketing order programs. USDA would consider termination of the Order if less than two-thirds of the producers in the referendum, and producers of less than two-thirds of the volume of Vidalia onions voting in the referendum favor continuance of the program. In evaluating the merits of continuance versus termination, USDA will not exclusively consider the results of the continuance referendum. USDA will also consider all other relevant information regarding operation of the Order and relative benefits and disadvantages to producers, handlers, and consumers to determine whether continuing the Order would tend to effectuate the declared policy of the Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the ballots used in the referendum have been approved by the Office of Management and Budget (OMB) and have been assigned OMB No. 0581–0178, Vegetable and Specialty Crops. It has been estimated it will take an average of 20 minutes for each of the approximately 65 Vidalia onion producers to cast a ballot. Participation is voluntary. Ballots postmarked after October 28, 2019, will not be included in the vote tabulation.

Steven W. Kauffman and Christian D. Nissen of the Southeast Marketing Field Office, Specialty Crops Program, AMS,

USDA, are hereby designated as the referendum agents of the Secretary of Agriculture to conduct this referendum. The procedure applicable to the referendum shall be the “Procedure for the Conduct of Referenda in Connection With Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended” (7 CFR 900.400 through 900.407).

Ballots will be mailed to all producers of record and may also be obtained from the referendum agents or from their appointees.

#### List of Subjects in 7 CFR Part 955

Marketing agreements, Onions, Reporting and recordkeeping requirements.

**Authority:** 7 U.S.C. 601–674.

**Dated:** September 18, 2019.

**Bruce Summers,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2019–20571 Filed 9–26–19; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2019–0687; Airspace Docket No. 19–ASO–17]

RIN 2120–AA66

#### Proposed Amendment of Area Navigation Routes, Florida Metroplex Project; Southeastern United States

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend 12 high altitude area navigation (RNAV) routes (Q-routes) in support of the Florida Metroplex Project. The proposed amendments would provide more efficient, streamlined options for users, and improve the efficiency of the National Airspace System (NAS).

**DATES:** Comments must be received on or before November 12, 2019.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE, West Building

Ground Floor, Room W12-140, Washington, DC 20590; telephone: 1(800) 647-5527 or (202) 366-9826. You must identify FAA Docket No. FAA-2019-0687; Airspace Docket No. 19-ASO-17 at the beginning of your comments. You may also submit comments through the internet at <http://www.regulations.gov>.

FAA Order 7400.11D, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11D at NARA, email: [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace Policy Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**Authority for This Rulemaking**

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 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 the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would expand the availability of area navigation routes in the NAS, increase airspace capacity, and reduce complexity in high air traffic volume areas.

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory

decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA-2019-0687; Airspace Docket No. 19-ASO-17) and be submitted in triplicate to the Docket Management Facility (see **ADDRESSES** section for address and phone number). You may also submit comments through the internet at <http://www.regulations.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to FAA Docket No. FAA-2019-0687; Airspace Docket No. 19-ASO-17." The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified comment closing date will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the comment closing date. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRM's**

An electronic copy of this document may be downloaded through the internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at [http://www.faa.gov/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9:00 a.m. and 5:00 p.m., Monday through Friday, except federal holidays. An informal docket may also be examined during normal business hours at the office of the Eastern Service Center, Federal Aviation Administration, Room 210, 1701 Columbia Ave., College Park, GA 30337.

**Availability and Summary of Documents for Incorporation by Reference**

This document proposes to amend FAA Order 7400.11D, Airspace Designations and Reporting Points,

dated August 8, 2019, and effective September 15, 2019. FAA Order 7400.11D is publicly available as listed in the **ADDRESSES** section of this proposed rule. FAA Order 7400.11D lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

**Background**

The Florida Metroplex Project developed Performance Based Navigation (PBN) routes involving Jacksonville Air Route Traffic Control Center (ARTCC), Miami ARTCC, and San Juan Center Radar Approach Control (CERAP). The FAA issued a final rule for Docket No. FAA-2018-0437 in the **Federal Register** (83 FR 43750; August 28, 2018) establishing 16 new high altitude area navigation (RNAV) routes (Q-routes) and modifying 7 existing Q-routes in the southeastern United States. The routes became effective on November 8, 2018. Of those 23 routes, the FAA is proposing to modify 12 Q-routes as described below.

**The Proposal**

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to amend 12 existing Q-routes, in the southeastern United States in support of the Florida Metroplex Project. The amendments would include adding additional waypoints (WP) to various Q-routes. These added WPs would give air traffic controllers more predictability, and provide users with more options when filing flight plans. Amendments would be made to the descriptions of the following routes: Q-65, Q-77, Q-79, Q-81, Q-85, Q-87, Q-93, Q-99, Q-109, Q-110, Q-116, and Q-118.

The proposed Q-route amendments are as follows (full route descriptions are detailed in the proposed amendments to 14 CFR part 71 set forth below):

**Q-65:** Q-65 extends between the KPASA, FL, WP, and the Rosewood, OH, VORTAC. The FAA proposes to realign the southern end point of the route by approximately 50 nautical miles (NM) to the southwest from the KPASA, FL, WP, to the MGNTY, FL, WP (located near the St Petersburg, FL, (PIE) VORTAC. The KPASA WP would be removed from the route. The purpose of this amendment is to realign the southern end of Q-65 to a point over Florida's west coast thereby enhancing separation from other air traffic using central Florida routes. Q-65 between DOFFY, FL, and Rosewood, OH, would remain as currently charted.

**Q-77:** Q-77 extends between the OCTAL, FL, WP, and the WIGVO, GA,

WP. This proposal would update the latitude/longitude coordinates for the OCTAL, FL, the STYMY, FL, and the WAKKO, FL, WPs. The coordinates for the OCTAL, FL, WP would be changed from “lat. 26°09’01.91” N, long. 080°06’37.51” W,” to “lat. 26°09’01.92” N, long. 080°12’11.60” W” This would move OCTAL approximately 5 NM to the west of its current position. The STYMY, FL, WP, coordinates would be changed from “lat. 28°01’09.65” N, long. 081°08’41.27” W,” to “lat. 28°02’12.25” N, long. 081°09’05.47” W” This would move STYMY approximately 1 NM to the north of its current position. The WAKKO, FL, WP coordinates would be changed from “lat. 28°18’00.69” N, long. 081°24’53.49” W,” to “lat. 28°20’31.57” N, long. 081°18’32.14” W” This change would move WAKKO approximately 6 NM to the east of its current position. Updating the coordinates for these WPs would provide “tie-ins” for new procedures to Q-77. The FAA also proposes to remove the WASUL, FL, WP (located between the WAKKO, FL, and the MJAMS, FL, WPs) from Q-77. Removal of the WASUL WP, along with the updated positions of the STYMY and WAKKO WPs, would allow straightening of the route segments between the STYMY and MJAMS WPs.

**Q-79:** Q-79 extends between the MCLAW, FL, WP, and the Atlanta, GA, (ATL) VORTAC. This action would add two new points: The EVANZ, FL, and the IISLY, GA, WPs, between the existing DOFFY, FL, and the YUESS, GA, WPs.

**Q-81:** Q-81 extends between the TUNSL, FL, WP, and the HONID, GA, WP. The MGNTY, FL, WP would be added between the existing FARLU, FL, and the ENDEW, FL, WPs. The SNAPY, FL, the BULZI, FL, and the IPOKE, GA, WPs would be added between the existing NICKI, FL, and the HONID, GA, WPs.

**Q-85:** Q-85 extends between the LPERD, FL, WP, and the SMPRR, NC, WP. This change would add the BEEGE, GA, WP between the existing LPERD, FL, and the GIPPL, GA, WPs.

**Q-87:** Q-87 extends between the PEAKY, FL, WP, and the LCAPE, SC, WP. The OVENP, FL, WP would be added between the existing DUCEN, FL, and the FEMON, FL, WPs. Additionally, the SUSYQ, GA, WP would be added between the VIYAP, GA, Fix, and the TAALN, GA, WPs.

**Q-93:** Q-93 extends between the MCLAW, FL, WP, and the QUIWE, SC, WP. The SUSYQ, GA, WP would be added between the existing GIPPL, GA, and the ISUZO, GA, WPs. The GURGE, SC, WP would be added between the ISUZO, GA, and the FISHO, SC, WPs.

**Q-99:** Q-99 extends between the DOFFY, FL, WP, and the POLYY, NC, WP. This proposal would extend the southern end of the route from the current DOFFY, FL, WP approximately 75 NM southeast to the KPASA, FL, WP. Adding the KPASA WP would expand the availability of RNAV routing in the area. Q-99 between DOFFY, FL, and POLYY, NC, would remain as currently charted.

**Q-109:** Q-109 extends between the DOFFY, FL, WP, and the LAANA, NC, WP. This action would realign the southern end of the route from the current DOFFY, FL, WP, to the KNOST, OG, WP (which is located over the Gulf of Mexico) approximately 78 NM southwest of the DOFFY, WP. The DOFFY, WP would be removed from Q-109. This change would provide connection to the U.S. NAS for users from Mexico and Central America. In addition, the DEANER, FL, the BRUTS, FL, and the EVANZ, FL, WPs would be added to the route between the KNOST, OG, WP, and the CAMJO, FL, WP. After CAMJO, Q-109 would extend as currently charted to the LAANA, NC, WP.

**Q-110:** Q-110 extends between the BLANS, IL, WP, and the OCTAL, FL, WP.

The coordinates for the OCTAL, FL, WP would be updated as described above. In addition, an editorial change would be made to the order of the WPs listed in the Q-110 description and published in FAA Order 7400.11D. Currently, the route description lists the points from “BLANS, IL, to OCTAL, FL.” This change would simply reverse the order of the points listed in the Q-110 description in Order 7400.11 to “OCTAL, FL, to BLANS, IL.” This change would match airspace database documentation. Except for the change to the OCTAL, FL, WP coordinates, the amendment the order of points would not affect the alignment of Q-110.

**Q-116:** Q-116 extends between the Vulcan, AL, (VUZ) VORTAC, and the OCTAL, FL, WP. Q-116 would be amended by updating the coordinates for the OCTAL, FL, WP, as described above. In addition, the DEANR, FL, WP would be added between the existing MICES, FL, and the PATOY, FL, WPs.

**Q-118:** Q-118 extends between the Marion, IN, (MZZ) VOR/DME, and the PEAKY, FL, WP, FL. The BRIES, FL, WP would be removed from the route description as it is no longer required for air traffic control purposes.

**Note:** In the regulatory text, below, some route descriptions include waypoints located over international waters. In those route descriptions, in place of a two-letter state abbreviation, either “OA,” meaning

“Offshore Atlantic,” or “OG,” meaning “Offshore Gulf of Mexico,” is used.

RNAV routes are published in paragraph 2006 of FAA Order 7400.11D dated August 8, 2019, and effective September 15, 2019, which is incorporated by reference in 14 CFR 71.1. The RNAV routes listed in this document would be subsequently published in the Order.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

## Regulatory Notices and Analyses

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 Department of Transportation (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, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

## Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1F, “Environmental Impacts: Policies and Procedures” prior to any FAA final regulatory action.

## List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

## The Proposed Amendment

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

### PART 71—DESIGNATION OF CLASS A, B, C, D, AND 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(f), 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 FAA Order 7400.11D, Airspace Designations and Reporting

Points, dated August 8, 2019, and effective September 15, 2019, is amended as follows:

*Paragraph 2006 United States Area Navigation Routes*

\* \* \* \* \*

**Q-65 MGNTY, FL to Rosewood, OH (ROD) [Amended]**

MGNTY, FL	WP	(Lat. 28°01'32.99" N, long. 082°53'19.71" W)
DOFFY, FL	WP	(Lat. 29°15'22.73" N, long. 082°31'38.10" W)
FETAL, FL	WP	(Lat. 30°11'03.69" N, long. 082°30'24.76" W)
ENEME, GA	WP	(Lat. 30°42'12.09" N, long. 082°26'09.31" W)
JFOI, GA	WP	(Lat. 31°35'37.02" N, long. 082°31'18.38" W)
TRASY, GA	WP	(Lat. 31°55'25.92" N, long. 082°35'50.51" W)
CESKI, GA	WP	(Lat. 32°16'21.27" N, long. 082°40'38.96" W)
DAREE, GA	WP	(Lat. 34°37'35.72" N, long. 083°51'35.03" W)
LORNN, TN	WP	(Lat. 35°21'16.33" N, long. 084°14'19.35" W)
SOGEE, TN	WP	(Lat. 36°31'50.64" N, long. 084°11'35.39" W)
ENGR, KY	WP	(Lat. 37°29'02.34" N, long. 084°15'02.15" W)
OCASE, KY	WP	(Lat. 38°23'59.05" N, long. 084°11'05.32" W)
Rosewood, OH (ROD)	VORTAC	(Lat. 40°17'16.08" N, long. 084°02'35.15" W)

**Q-77 OCTAL, FL to WIGVO, GA [New]**

OCTAL, FL	WP	(Lat. 26°09'01.92" N, long. 080°12'11.60" W)
MATLK, FL	WP	(Lat. 27°49'36.54" N, long. 080°57'04.27" W)
STYMY, FL	WP	(Lat. 28°02'12.25" N, long. 081°09'05.47" W)
WAKKO, FL	WP	(Lat. 28°20'31.57" N, long. 081°18'32.14" W)
MJAMS, FL	WP	(Lat. 28°55'37.59" N, long. 081°36'33.30" W)
ETORE, FL	WP	(Lat. 29°41'49.00" N, long. 081°40'47.75" W)
SHRKS, FL	WP	(Lat. 30°37'23.23" N, long. 081°45'59.13" W)
TEUFL, GA	WP	(Lat. 31°52'00.46" N, long. 082°01'04.56" W)
WIGVO, GA	WP	(Lat. 32°27'24.00" N, long. 082°02'18.00" W)

**Q-79 MCLAW, FL to Atlanta, GA (ATL) [New]**

MCLAW, FL	WP	(Lat. 24°33'49.00" N, long. 081°01'00.00" W)
VAULT, FL	WP	(Lat. 24°45'54.75" N, long. 081°00'33.72" W)
FEMID, FL	WP	(Lat. 26°06'29.59" N, long. 081°27'23.07" W)
WULFF, FL	WP	(Lat. 27°04'03.14" N, long. 081°58'44.99" W)
MOLIE, FL	WP	(Lat. 28°01'55.53" N, long. 082°18'25.55" W)
DOFFY, FL	WP	(Lat. 29°15'22.73" N, long. 082°31'38.10" W)
EVANZ, FL	WP	(Lat. 29°54'12.11" N, long. 082°52'03.81" W)
IISLY, GA	WP	(Lat. 30°42'37.70" N, long. 083°17'57.72" W)
YUESS, GA	WP	(Lat. 31°41'00.00" N, long. 083°33'31.20" W)
Atlanta, GA (ATL)	VORTAC	(Lat. 33°37'44.68" N, long. 084°26'06.23" W)

**Q-81 TUNSL, FL to HONID, GA [New]**

TUNSL, FL	WP	(Lat. 24°54'02.43" N, long. 081°31'02.80" W)
KARTR, FL	FIX	(Lat. 25°29'45.76" N, long. 081°30'46.24" W)
FIPES, OG	WP	(Lat. 25°41'30.15" N, long. 081°37'13.79" W)
THMPR, FL	WP	(Lat. 26°46'00.21" N, long. 082°20'23.99" W)
LEEHI, FL	WP	(Lat. 27°07'21.91" N, long. 082°34'54.57" W)
FARLU, FL	WP	(Lat. 27°45'32.56" N, long. 082°50'43.77" W)
MGNTY, FL	WP	(Lat. 28°01'32.99" N, long. 082°53'19.71" W)
ENDEW, FL	WP	(Lat. 28°18'01.73" N, long. 082°55'56.70" W)
BITNY, OG	WP	(Lat. 28°46'11.98" N, long. 083°07'53.01" W)
NICKI, FL	WP	(Lat. 29°15'20.19" N, long. 083°20'31.80" W)
SNAPY, FL	WP	(Lat. 29°48'51.17" N, long. 083°42'23.61" W)
BULZI, FL	WP	(Lat. 30°22'24.93" N, long. 084°04'34.47" W)
IPOKE, GA	WP	(Lat. 30°51'48.89" N, long. 084°11'52.43" W)
HONID, GA	WP	(Lat. 31°38'50.31" N, long. 084°23'42.60" W)

**Q-85 LPERD, FL to SMPRR, NC [New]**

LPERD, FL	WP	(Lat. 30°36'09.18" N, long. 081°16'52.16" W)
BEEGE, GA	WP	(Lat. 31°10'59.98" N, long. 081°16'57.50" W)
GIPPL, GA	WP	(Lat. 31°22'53.96" N, long. 081°09'53.70" W)
ROYCO, GA	WP	(Lat. 31°35'10.38" N, long. 081°02'22.45" W)
IGARY, SC	WP	(Lat. 32°34'41.37" N, long. 080°22'36.01" W)
PELIE, SC	WP	(Lat. 33°21'23.88" N, long. 079°44'43.43" W)
BUMMA, SC	WP	(Lat. 34°01'58.09" N, long. 079°11'07.50" W)
KAATT, NC	WP	(Lat. 34°15'35.43" N, long. 078°59'42.38" W)
SMPRR, NC	WP	(Lat. 34°26'28.32" N, long. 078°50'31.80" W)

**Q-87 PEAKY, FL to LCAPE, SC [New]**

PEAKY, FL	WP	(Lat. 24°35'23.72" N, long. 081°08'53.91" W)
GOPEY, FL	WP	(Lat. 25°09'32.92" N, long. 081°05'17.11" W)
GRIDS, FL	WP	(Lat. 26°24'54.27" N, long. 080°57'11.40" W)
TIRCO, FL	WP	(Lat. 27°19'05.75" N, long. 080°51'16.67" W)
MATLK, FL	WP	(Lat. 27°49'36.54" N, long. 080°57'04.27" W)
ONEWY, FL	WP	(Lat. 28°21'53.66" N, long. 081°03'21.04" W)
ZERBO, FL	WP	(Lat. 28°54'56.68" N, long. 081°17'40.13" W)
DUCEN, FL	WP	(Lat. 29°16'33.83" N, long. 081°19'23.24" W)
OVENP, FL	WP	(Lat. 30°08'04.41" N, long. 081°22'26'25" W)
FEMON, FL	WP	(Lat. 30°27'31.57" N, long. 081°23'36.20" W)
VYIAP, GA	FIX	(Lat. 31°15'08.15" N, long. 081°26'08.18" W)
SUSYQ, GA	WP	(Lat. 31°40'54.28" N, long. 081°12'07.99" W)
TAALN, GA	WP	(Lat. 31°59'56.18" N, long. 081°01'41.91" W)
JROSS, SC	WP	(Lat. 32°42'40.00" N, long. 080°37'38.00" W)
RAYVO, SC	WP	(Lat. 33°38'44.12" N, long. 080°04'00.84" W)

HINTZ, SC	WP	(Lat. 34°10'11.02" N, long. 079°44'48.12" W)
REDFH, SC	WP	(Lat. 34°22'36.35" N, long. 079°37'08.34" W)
LCAPE, SC	WP	(Lat. 34°33'03.47" N, long. 079°30'39.47" W)

**Q-93 MCLAW, FL to QUIWE, SC [New]**

MCLAW, FL	WP	(Lat. 24°33'49.00" N, long. 081°01'00.00" W)
VAULT, FL	WP	(Lat. 24°45'54.75" N, long. 081°00'33.72" W)
LINEY, FL	WP	(Lat. 25°16'44.02" N, long. 080°53'15.43" W)
FOBIN, FL	WP	(Lat. 25°47'02.00" N, long. 080°46'00.89" W)
EBAYY, FL	WP	(Lat. 27°43'40.20" N, long. 080°30'03.59" W)
MALET, FL	FIX	(Lat. 28°41'29.90" N, long. 080°52'04.30" W)
DEBRL, FL	WP	(Lat. 29°17'48.73" N, long. 081°08'02.88" W)
KENLL, FL	WP	(Lat. 29°34'28.35" N, long. 081°07'25.26" W)
PRMUS, FL	WP	(Lat. 29°49'05.67" N, long. 081°07'20.74" W)
WOPNR, OA	WP	(Lat. 30°37'36.03" N, long. 081°04'26.44" W)
GIPPL, GA	WP	(Lat. 31°22'53.96" N, long. 081°09'53.70" W)
SUSYQ, GA	WP	(Lat. 31°40'54.28" N, long. 081°12'07.99" W)
ISUZO, GA	WP	(Lat. 31°57'47.85" N, long. 081°14'14.79" W)
GURGE, SC	WP	(Lat. 32°29'02.26" N, long. 081°12'41.48" W)
FISHO, SC	WP	(Lat. 33°16'46.25" N, long. 081°24'43.52" W)
QUIWE, SC	WP	(Lat. 33°57'05.56" N, long. 081°30'07.93" W)

**Q99 KPASA, FL to POLYY, NC [New]**

KPASA, FL	WP	(Lat. 28°10'34.00" N, long. 081°54'27.00" W)
DOFFY, FL	WP	(Lat. 29°15'22.73" N, long. 082°31'38.10" W)
CAMJO, FL	WP	(Lat. 30°30'32.00" N, long. 082°41'11.00" W)
HEPAR, GA	WP	(Lat. 31°05'13.00" N, long. 082°33'46.00" W)
TEEEM, GA	WP	(Lat. 32°08'41.20" N, long. 081°54'50.57" W)
BLAAN, SC	WP	(Lat. 33°51'09.38" N, long. 080°53'32.78" W)
BWAGS, SC	WP	(Lat. 34°00'03.77" N, long. 080°45'12.26" W)
EFFAY, SC	WP	(Lat. 34°15'30.67" N, long. 080°30'37.94" W)
WNGUD, SC	WP	(Lat. 34°41'53.16" N, long. 080°06'12.12" W)
POLYY, NC	WP	(Lat. 34°48'37.54" N, long. 079°59'55.81" W)

**Q-109 KNOT, OG to LAANA, NC [New]**

KNOT, OG	WP	(Lat. 28°00'02.55" N, long. 083°25'23.99" W)
DEANR, FL	WP	(Lat. 29°15'30.40" N, long. 083°03'30.24" W)
BRUTS, FL	WP	(Lat. 29°30'58.00" N, long. 082°58'57.00" W)
EVANZ, FL	WP	(Lat. 29°54'12.11" N, long. 082°52'03.81" W)
CAMJO, FL	WP	(Lat. 30°30'32.00" N, long. 082°41'11.00" W)
HEPAR, GA	WP	(Lat. 31°05'13.00" N, long. 082°33'46.00" W)
TEEEM, GA	WP	(Lat. 32°08'41.20" N, long. 081°54'50.57" W)
RIELE, SC	WP	(Lat. 32°37'27.14" N, long. 081°23'34.97" W)
PANDY, SC	WP	(Lat. 33°28'29.39" N, long. 080°26'55.21" W)
RAYVO, SC	WP	(Lat. 33°38'44.12" N, long. 080°04'00.84" W)
SESUE, GA	WP	(Lat. 33°52'02.58" N, long. 079°33'51.88" W)
BUMMA, SC	WP	(Lat. 34°01'58.09" N, long. 079°11'07.50" W)
YURCK, NC	WP	(Lat. 34°11'14.80" N, long. 078°52'40.62" W)
LAANA, NC	WP	(Lat. 34°19'41.35" N, long. 078°35'37.16" W)

**Q-110 OCTAL, FL to BLANS, IL [Amended]**

OCTAL, FL	WP	(Lat. 26°09'01.92" N, long. 080°12'11.60" W)
JAYMC, FL	WP	(Lat. 26°58'51.00" N, long. 081°22'08.00" W)
SHEEK, FL	WP	(Lat. 27°35'15.40" N, long. 081°46'27.82" W)
SMELZ, FL	WP	(Lat. 28°04'59.00" N, long. 082°06'34.00" W)
AMORY, FL	WP	(Lat. 29°13'17.02" N, long. 082°55'42.90" W)
JOKKY, FL	WP	(Lat. 30°11'31.47" N, long. 083°38'41.86" W)
DAWWN, GA	WP	(Lat. 31°28'49.96" N, long. 084°36'46.69" W)
JYROD, AL	WP	(Lat. 33°10'53.29" N, long. 085°51'54.85" W)
BFOLO, AL	WP	(Lat. 34°03'33.98" N, long. 086°31'30.49" W)
SKIDO, AL	WP	(Lat. 34°31'49.10" N, long. 086°53'11.16" W)
BETIE, TN	WP	(Lat. 36°07'29.88" N, long. 087°54'01.48" W)
BLANS, IL	WP	(Lat. 37°28'09.27" N, long. 088°44'00.68" W)

**Q-116 Vulcan, AL (VUZ) to OCTAL, FL [Amended]**

Vulcan, AL (VUZ)	VORTAC	(Lat. 33°40'12.48" N, long. 086°53'59.41" W)
DEEDA, GA	WP	(Lat. 31°34'13.55" N, long. 085°00'31.10" W)
JAWJA, FL	WP	(Lat. 30°10'25.55" N, long. 083°48'58.94" W)
MICES, FL	WP	(Lat. 29°51'37.65" N, long. 083°33'18.30" W)
DEANR, FL	WP	(Lat. 29°15'30.40" N, long. 083°03'30.24" W)
PATTOY, FL	WP	(Lat. 29°03'52.49" N, long. 082°54'00.09" W)
SMELZ, FL	WP	(Lat. 28°04'59.00" N, long. 082°06'34.00" W)
SHEEK, FL	WP	(Lat. 27°35'15.40" N, long. 081°46'27.82" W)
JAYMC, FL	WP	(Lat. 26°58'51.00" N, long. 081°22'08.00" W)
OCTAL, FL	WP	(Lat. 26°09'01.92" N, long. 080°12'11.60" W)

**Q-118 Marion, IN (MZZ) to PEAKY, FL [Amended]**

Marion, IN (MZZ)	VOR/DME	(Lat. 40°29'35.99" N, long. 085°40'45.30" W)
HEVAN, IN	WP	(Lat. 39°21'08.86" N, long. 085°07'46.70" W)
ROYYZ, IN	WP	(Lat. 39°56'28.93" N, long. 084°56'10.19" W)
VOSTK, KY	WP	(Lat. 38°28'15.86" N, long. 084°43'03.58" W)
HELUB, KY	WP	(Lat. 37°42'54.84" N, long. 084°44'28.31" W)
JEDER, KY	WP	(Lat. 37°19'30.54" N, long. 084°45'14.17" W)
GLAZR, TN	WP	(Lat. 36°25'20.78" N, long. 084°46'49.29" W)
KAILL, GA	WP	(Lat. 34°01'47.21" N, long. 084°31'24.18" W)
Atlanta, GA (ATL)	VORTAC	(Lat. 33°37'44.68" N, long. 084°26'06.23" W)
JOHNN, GA	FIX	(Lat. 31°31'22.94" N, long. 083°57'26.55" W)

JAMIZ, FL	WP	(Lat. 30°13'46.91" N, long. 083°19'27.78" W)
BRUTS, FL	WP	(Lat. 29°30'58.00" N, long. 082°58'57.00" W)
JINOS, FL	WP	(Lat. 28°28'46.00" N, long. 082°08'52.00" W)
KPASA, FL	WP	(Lat. 28°10'34.00" N, long. 081°54'27.00" W)
SHEEK, FL	WP	(Lat. 27°35'15.40" N, long. 081°46'27.82" W)
CHHRI, FL	FIX	(Lat. 27°03'00.70" N, long. 081°39'14.81" W)
FEMID, FL	WP	(Lat. 26°06'29.59" N, long. 081°27'23.07" W)
PEAKY, FL	WP	(Lat. 24°35'23.72" N, long. 081°08'53.91" W)

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Issued in Washington, DC, on September 18, 2019.

**Scott M. Rosenbloom,**

*Acting Manager, Airspace Policy Group.*

[FR Doc. 2019-20693 Filed 9-26-19; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF LABOR

### Office of Workers' Compensation Programs

#### 20 CFR Part 718

RIN 1240-AA12

#### Black Lung Benefits Act: Quality Standards for Medical Testing

**AGENCY:** Office of Workers' Compensation Programs, Labor.

**ACTION:** Request for information.

**SUMMARY:** The Black Lung Benefits Act provides benefits to miners who are totally disabled due to pneumoconiosis arising out of coal mine employment and to certain miners' survivors. Determining benefits entitlement necessarily entails evaluating the miner's physical condition, particularly his or her respiratory system. These evaluations usually involve medical tests that assess the miner's respiratory capacity. To promote accuracy when tests are conducted in connection with a claim, the program regulations set out quality standards for administering and interpreting two commonly used tests: pulmonary function tests and arterial blood gas studies. The Office of Workers' Compensation Programs (OWCP) is considering updating the quality standards, which were last amended in 2000, to better reflect current medical technology and practice. This request for information seeks the public's input on current standards for administering pulmonary function tests and arterial blood gas studies; criteria used to evaluate the results of these tests; whether OWCP should adopt quality standards for additional testing methods; and the economic impact of any changes to the quality standards.

**DATES:** The Department invites written comments on the request for information from interested parties.

Written comments must be received by January 27, 2020.

**ADDRESSES:** You may submit written comments by any of the following methods. To facilitate receipt and processing of comments, OWCP encourages interested parties to submit their comments electronically.

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions on the website for submitting comments.

- *Facsimile:* (202) 693-1395 (this is not a toll-free number). Only comments of ten or fewer pages, including a Fax cover sheet and attachments, if any, will be accepted by Fax.

- *Regular Mail/Hand Delivery/Courier:* Submit comments on paper to the Division of Coal Mine Workers' Compensation Programs, Office of Workers' Compensation Programs, U.S. Department of Labor, Room C-3520, 200 Constitution Avenue NW, Washington, DC 20210. The Department's receipt of U.S. mail may be significantly delayed due to security procedures. You must take this into consideration when preparing to meet the deadline for submitting comments.

**Instructions:** You must include the agency name and the Regulatory Information Number (RIN) for this rulemaking in your submission. **Caution:** All comments received will be posted without change to <http://www.regulations.gov>. Please do not include any personally identifiable or confidential business information you do not want publicly disclosed.

**Docket:** For access to the rulemaking docket and to read background documents or comments received, go to <http://www.regulations.gov>. Although some information (e.g., copyrighted material) will not be available through the website, the entire rulemaking record, including copyrighted material, will be available for inspection at OWCP. Please contact the individual named below if you would like to inspect the record.

**FOR FURTHER INFORMATION CONTACT:** Michael Chance, Director, Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, U.S. Department of Labor, 200 Constitution Avenue NW, Suite N-3520, Washington, DC 20210. Telephone: 1-800-347-2502. This is a

toll-free number. TTY/TDD callers may dial toll-free 1-800-877-8339 for further information.

#### SUPPLEMENTARY INFORMATION:

##### I. Background of This Rulemaking

The Black Lung Benefits Act (BLBA), 30 U.S.C. 901-944, provides for the payment of benefits to coal miners and certain of their dependent survivors for total disability or death due to coal workers' pneumoconiosis arising from coal mine employment. *See* 30 U.S.C. 901(a); *Usery v. Turner Elkhorn Mining Co.*, 428 U.S. 1, 5 (1976). Medical testing evidence is used to evaluate benefits entitlement in virtually every claim filed by miners and in many claims filed by survivors. For this reason, the BLBA gives the Secretary of Labor authority to develop, in consultation with the National Institute for Occupational Safety and Health (NIOSH), "criteria for all appropriate medical tests . . . which accurately reflect total disability in coal miners." 30 U.S.C. 902(f)(1)(D).

The Department of Labor first published "Criteria for the Development of Medical Evidence," commonly referred to as the "quality standards," on February 29, 1980. 45 FR 13679-85; 13694-712. Originally published at 20 CFR 718.102-718.103, 718.105 and appendices A-C (1981), these standards set out detailed requirements for administering chest radiographs, pulmonary function tests (PFTs), and arterial blood gas studies (ABGs). The Department based the requirements on then-current medical industry practices, standards, and equipment. *See, e.g.*, 45 FR 13697. The quality standards were intended to ensure that claims determinations were based on the best available medical evidence.

Simultaneously, the Department adopted criteria to establish total disability based on these tests. 45 FR 13687-90, 13699-13711, 20 CFR 718.204 and appendices B-C (1981). PFT and ABG results that met the criteria in part 718, appendices B or C (commonly referred to as "qualifying" results) were sufficient, absent "contrary probative evidence," to establish total respiratory disability. 45 FR 13688, 20 CFR 718.204(c) (1981). For PFTs, the criteria addressed the forced expiratory volume in 1 second (FEV<sub>1</sub>), the forced