

ARP and update the name of Pope AFB to match the FAA's NASR database information, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations at 40 CFR part 1500, and in accordance with FAA Order 1050.1F, Environmental Impacts: Policies and Procedures, paragraph 5–6.5a, which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with FAA Order 1050.1F, paragraph 5–2 regarding Extraordinary Circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. Accordingly, the FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

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 E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR 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 JO 7400.11H, Airspace Designations and Reporting Points, dated August 11, 2023, effective September 15, 2023, is amended as follows:

Paragraph 4000 Class C Airspace.

* * * * *

ASO NC C Fayetteville, NC [Amended]

Fayetteville Regional/Grannis Field, NC
(Lat. 34°59'28" N, long. 078°52'49" W)
Gray's Creek Airport

(Lat. 34°53'37" N, long. 078°50'37" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 5-mile radius of the Fayetteville Regional/Grannis Field excluding that airspace below 1,400 feet MSL within a 1.5-mile radius of Gray's Creek Airport; and that airspace within a 10-mile radius of the airport extending upward from 1,400 feet MSL to and including 4,200 feet MSL, excluding that airspace contained within Restricted Areas R–5311A, B and C when they are active.

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ASO NC C Fayetteville, NC [Amended]

Pope AAF, NC

(Lat. 35°10'15" N, long. 079°00'52" W)

That airspace extending upward from the surface to and including 4,200 feet MSL within a 5-mile radius of the Pope AAF, excluding that airspace below 1,400 feet MSL contained in the Simmons Army Air Field, NC, Class D airspace area, and excluding that airspace contained within Restricted Areas R–5311A, B and C when they are active; and that airspace within a 10-mile radius of Pope AAF extending upward from 2,000 feet MSL to and including 4,200 feet MSL, beginning at the northern boundaries of R–5311A, B and C clockwise to the 020° bearing from the airport; and that airspace extending upward from 1,400 feet MSL to and including 4,200 feet MSL within a 10-mile radius of the airport beginning at the 020° bearing from the airport clockwise to the northern boundaries of R–5311A, B and C, excluding that airspace contained in R–5311A, B and C when they are active and excluding that airspace contained in the Fayetteville Regional/Grannis Field Airport, NC, Class C airspace area.

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Issued in Washington, DC, on July 11, 2024.

Brian Eric Konie,

Acting Manager, Rules and Regulations Group.

[FR Doc. 2024–15558 Filed 7–15–24; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 121

[Docket No. FAA–2019–0360; Amdt. No. 121–392A]

RIN 2120–AL12

Removal of Check Pilot Medical Certificate Requirement; Correction

AGENCY: Federal Aviation Administration (FAA), U.S. Department of Transportation (DOT).

ACTION: Final rule; correction.

SUMMARY: On June 24, 2024, the Federal Aviation Administration (FAA) published the final rule entitled

Removal of Check Pilot Medical Certificate Requirement. In that final rule, the FAA made two errors in the amendatory instructions. This correction corrects those errors.

DATES: This correction is effective July 18, 2024.

FOR FURTHER INFORMATION CONTACT:

Joshua Jackson, Aviation Safety Inspector, Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW, Washington, DC 20591; telephone: 202–267–8166; email: joshua.jackson@faa.gov.

SUPPLEMENTARY INFORMATION:

As discussed in the notice of proposed rulemaking (NPRM),¹ the regulations establishing the requirements for flight instructors and check airmen in 14 CFR parts 121 and 135 are unclear regarding the medical certificate requirements when flight instructors or check airmen perform their duties in aircraft. The regulations indicate that flight instructors conducting flight training and check airmen administering checks in aircraft must hold a third-class medical certificate when not serving as a required flightcrew member. Elsewhere, however, the regulations also state that no medical certificate is required unless the flight instructor or check airman is serving as a required crewmember. Additionally, part 135 check pilots (aircraft) were held to different medical certification standards than part 121 check pilots and flight instructors and part 135 flight instructors.²

On June 18, 2024, the FAA published a final rule in the **Federal Register** to resolve the discrepancy in the pertinent regulations by clarifying that flight instructors, check pilots, and check flight engineers must hold the appropriate medical certificate only when serving as required flightcrew members in an aircraft.³ The final rule also includes nonsubstantive nomenclature changes and reorganizes certain sections of parts 121 and 135.

In publishing the final rule, the FAA made two inadvertent errors in the amendatory instructions of the

¹ *Removal of Check Pilot Medical Certificate Requirement* notice of proposed rulemaking, 84 FR 25499 (Jun. 3, 2019).

² Specifically, § 135.337(b)(5) states that a check airman (aircraft) must hold at least a third-class medical certificate unless serving as a required crewmember and the exception in § 135.337(e) that a check airman who does not hold the appropriate medical certificate may serve as a check airman, but not a required flightcrew member, applies only to check airmen (simulators). This differs from how the regulations treat part 121 check airmen and flight instructors and part 135 flight instructors.

³ *Removal of Check Pilot Medical Certificate Requirement* final rule, 89 FR 51415 (Jun. 18, 2024).

regulatory text. This rule corrects those errors.

Correction

In FR Doc. 2024–12621 appearing on page 51415 in the **Federal Register** of Tuesday, June 18, 2024, the following corrections are made:

§ 121.419 [Corrected]

■ 1. On page 51427, in the third column, in part 121, in amendment 16, the instruction “a. Revising paragraphs (c) and (f); and” is corrected to read “a. Revising paragraphs (c) introductory text and (f); and”.

Appendix F to Part 121 [Corrected]

■ 2. On page 51429, in the first column, in part 121, in amendment 33, the instruction “b. Revising paragraph II.(c)(2) in the table;” is corrected to read “b. Revising paragraph II.(c) in the table;”.

Issued under the authority of 49 U.S.C. 106(f) in Washington, DC.

Brandon Roberts,

Executive Director, Office of Rulemaking.

[FR Doc. 2024–15256 Filed 7–15–24; 8:45 am]

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DEPARTMENT OF LABOR

Office of Workers’ Compensation Programs

20 CFR Part 30

RIN 1240–AA19

Claims for Compensation Under the Energy Employees Occupational Illness Compensation Program Act

AGENCY: Office of Workers’ Compensation Programs, Department of Labor.

ACTION: Final rule.

SUMMARY: The Office of Workers’ Compensation Programs (OWCP) is publishing this final rule to update its criteria for establishing beryllium sensitivity. This change brings OWCP’s regulations into alignment with a statutory provision that was enacted as part of the National Defense Authorization Act for Fiscal Year 2024 on December 22, 2023. The new provision provides an additional way by which both previously ineligible and new claimants can establish beryllium sensitivity due to occupational exposure to beryllium.

DATES: This final rule is effective on July 16, 2024.

FOR FURTHER INFORMATION CONTACT: Rachel D. Pond, Director, Division of

Energy Employees Occupational Illness Compensation, Office of Workers’ Compensation Programs by mail at U.S. Department of Labor, Room C–3510, 200 Constitution Avenue NW, Washington, DC 20210; by email at *DEEOIC-public@dol.gov* (please put “RIN 1240–AA19” in the subject line); or by telephone at 202–693–0081 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: Part B of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), 42 U.S.C. 7384 *et seq.*, provides uniform lump-sum payments and medical benefits to covered employees or, where applicable, to their survivors of the Department of Energy (DOE), its predecessor agencies and certain of its vendors, contractors and subcontractors who were diagnosed with a radiogenic cancer, chronic beryllium disease, beryllium sensitivity or chronic silicosis, as a result of exposure to radiation, beryllium, or silica while employed at covered facilities. Part B of EEOICPA also provides smaller uniform lump-sum payments and medical benefits to individuals found eligible by the Department of Justice for an award under section 5 of the Radiation Exposure Compensation Act (RECA), 42 U.S.C. 2210 (note), or, where applicable, to their survivors. Part E of EEOICPA provides variable lump-sum payments (based on a worker’s permanent impairment and/or qualifying calendar years of established wage-loss) and medical benefits for covered DOE contractor employees and, where applicable, provides variable lump-sum payments to survivors of such employees (based on a worker’s death due to a covered illness and any qualifying calendar years of established wage-loss). Part E also provides these same payments and benefits to uranium miners, millers and ore transporters covered by section 5 of RECA and, where applicable, to survivors of such employees.

A claimant who successfully establishes a claim under Part B for beryllium sensitivity is eligible for medical monitoring (including all tests for chronic beryllium disease), treatment and therapy for this illness effective on the date of filing. Previously, a claimant could establish beryllium sensitivity under Part B by presenting one abnormal beryllium lymphocyte proliferation test (BeLPT) that was performed on blood or lung lavage cells. Section 5501(b) of Public Law 118–31, the National Defense Authorization Act for Fiscal Year 2024, amended section 7384(8)(A) of

EEOICPA to provide that beryllium sensitivity can now also be established by submitting three borderline BeLPTs performed on blood cells over a period of three years.

OWCP has already aligned its case adjudication procedures with this new statutory provision by issuing EEOICPA Bulletin No. 24–01 on January 30, 2024. This final rule will also bring OWCP’s regulations into conformance with both the above amendment to EEOICPA and its procedures. Specifically, OWCP is amending §§ 30.5(h) and (p)(1), 30.205(b)(1) and 30.207(b) of 20 CFR part 30 by adding new text to incorporate the recently enacted amendment to EEOICPA, that an alternative to establishing beryllium sensitivity can be by submitting three borderline beryllium LPTs performed on blood cells over a period of 3 years.

OWCP’s implementation of this action without opportunity for public comment is based on the good cause exception in 5 U.S.C. 553(b)(B), in that seeking public comment is impracticable, unnecessary, and contrary to the public interest. Pursuant to 5 U.S.C. 553(d)(3), an agency may “for good cause found” also dispense with the 30-day delay in the effective date of a rule. OWCP has determined that seeking public comment is both impracticable and unnecessary because it has no discretion to change an entitlement criterion enacted by Congress. Thus, this rule merely aligns the regulations with the self-effectuating changes provided by the National Defense Authorization Act for Fiscal Year 2024. Furthermore, OWCP finds that seeking public comment and delaying this rule’s effective date would be contrary to the public interest because it would cause confusion regarding the availability of benefits to newly eligible claimants seeking compensation for beryllium sensitivity under Part B of EEOICPA if the four sections listed above are not updated expeditiously to reflect their eligibility.

Executive Orders 12866: Regulatory Planning and Review; Executive Order 14094: Modernizing Regulatory Review; and Executive Order 13563: Improving Regulation and Regulatory Review

The Office of Management and Budget has determined that this rule is not a significant regulatory action under Executive Order 12866, and a Regulatory Impact Analysis is not required. No action is warranted for Executive Order 13563 as the rule is not significant and no Regulatory Impact Analysis is required.