

extension east of the airport to 2 miles each side of the 090° bearing from the airport extending from the 6.6-mile (previously 7-mile) radius of the airport to 10.5 miles east of the airport; adding an extension 9.5 miles north and 6 miles south of the 270° bearing from the Gaylord RGNL: RWY 09–LOC extending from the 6.6-mile radius to 10 miles west of the airport; and adding an extension within 2 miles each side of the 270° bearing from the airport extending from the 6.5-mile radius to 10.9 miles west of the airport.

This action is the result of an airspace review conducted as part of the decommissioning of the Gaylord VOR as part of the VOR MON Program and to support IFR operations at this airport.

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 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 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 7400.11J, Airspace Designations and Reporting Points, dated July 31, 2024, and effective September 15, 2024, is amended as follows:

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

* * * * *

AGL MI E5 Gaylord, MI [Amended]

Gaylord Regional Airport, MI
(Lat. 45°00'47" N, long. 84°42'12" W)
Gaylord RGNL: RWY 09–LOC
(Lat. 45°00'52" N, long. 84°41'15" W)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Gaylord Regional Airport; and within 2 miles each side of the 090° bearing from the airport extending from the 6.6-mile radius to 10.5 miles east of the airport; and within 9.5 miles north and 6 miles south of the 270° bearing from the Gaylord RGNL: RWY 09–LOC extending from the 6.6-mile radius to 10 miles west of the airport; and within 2 miles each side of the 270° bearing from the airport extending from the 6.6-mile radius of the airport to 10.9 miles west of the airport.

* * * * *

Issued in Fort Worth, Texas, on October 16, 2024.

Martin A. Skinner,

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

[FR Doc. 2024–24346 Filed 10–21–24; 8:45 am]

BILLING CODE 4910–13–P

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 4902

RIN 1212–AB59

Privacy Act Regulation; Exemption for Legal Case Management Records

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Proposed rule.

SUMMARY: The Pension Benefit Guaranty Corporation is proposing to amend its Privacy Act regulation to exempt a system of records that supports law enforcement investigations through legal case management.

DATES: Comments must be received on or before November 21, 2024 to be assured of consideration.

ADDRESSES: Comments may be submitted by any of the following methods:

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

• *Email:* reg.comments@pbgc.gov. Refer to RIN 1212–AB59 in the subject line.

• *Mail or Hand Delivery:* Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101.

Commenters are strongly encouraged to submit comments electronically.

Commenters who submit comments on paper by mail should allow sufficient time for mailed comments to be received before the close of the comment period. All submissions must include the agency’s name (Pension Benefit Guaranty Corporation or PBGC), the title for this rulemaking (Privacy Act Regulation; Exemption for Legal Case Management Records), and the Regulation Identifier Number for this rulemaking (RIN 1212–AB59).

Comments received will be posted without change to PBGC’s website, www.pbgc.gov, including any personal information provided. Do not submit comments that include any personally identifiable information or confidential business information.

Copies of comments may also be obtained by writing to Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 445 12th Street SW, Washington, DC 20024–2101, or calling 202–326–4040 during normal business hours. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

FOR FURTHER INFORMATION CONTACT:

Karen Levin (levin.karen@pbgc.gov), Attorney, Regulatory Affairs Division (reg.comments@pbgc.gov), Office of the General Counsel, at 202–229–3559, or Shawn Hartley (hartley.shawn@pbgc.gov), Chief Privacy Officer, Office of the General Counsel, at 202–229–6321. If you are deaf or hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

Executive Summary

This proposed rule would amend PBGC’s regulation on Disclosure and Amendment of Records Pertaining to Individuals under the Privacy Act (29 CFR part 4902) to exempt from disclosure information contained in a system of records for PBGC’s Office of Negotiations and Restructuring/Office of General Counsel Case Management System. The exemption is needed because records in this system include

investigatory material compiled for administrative, civil, and criminal law enforcement purposes.

Legal authority for this proposed rule is provided by section 4002(b)(3) of the Employee Retirement Income Security Act of 1974 (ERISA) and 5 U.S.C. 552a(k)(2).

Background

The Pension Benefit Guaranty Corporation (PBGC) administers two insurance programs for private-sector defined benefit pension plans under title IV of the Employee Retirement Income Security Act of 1974 (ERISA): a single-employer plan termination insurance program and a multiemployer plan insolvency insurance program. In addition, PBGC administers a special financial assistance program for certain financially distressed multiemployer plans.

As a Federal agency, PBGC is subject to the Privacy Act of 1974, 5 U.S.C. 552a (Privacy Act), in its collection, maintenance, use, and dissemination of any personally identifiable information that it maintains in a “system of records.” A system of records is defined under the Privacy Act as “a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.”¹

PBGC previously established a system of records, “PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System—PBGC.” This system of records was last published in the “Notice” section of the **Federal Register** on September 1, 2021, at 86 FR 49061.

This system collects and maintains personally identifiable information obtained by the Office of General Counsel in matters involving administrative, civil, or criminal law enforcement investigations. Records from this system are used on a need-to-know basis to manage various legal matters; to facilitate administrative, civil, or criminal law enforcement investigations and activities; to receive referrals for investigation from internal and external partners; to meet other Office of General Counsel program requirements; and to investigate/manage cases involving violations of administrative, civil, or criminal laws.

Exemption

Under section 552a(k) of the Privacy Act, PBGC may promulgate regulations exempting information contained in

certain systems of records from specified sections of the Privacy Act including the section mandating disclosure of information to an individual who has requested it. Among other systems, PBGC may exempt a system that is “investigatory material compiled for law enforcement purposes.”² Under this provision, PBGC has exempted, in §§ 4902.10, 4902.11, and 4902.12 of its Privacy Act regulation, records of the investigations conducted by its Personnel Security Department contained in “PBGC–12, Personnel Security Investigation Records,” records of the investigations conducted by the Office of Inspector General and contained in “PBGC–17, Office of Inspector General Investigative File System—PBGC,” and records of insider threat investigations conducted by PBGC contained in “PBGC–26, PBGC Insider Threat and Data Loss Prevention—PBGC.”

The PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System—PBGC system contains: (1) records derived from the Office of Inspector General, Personnel Security, or insider threat investigations, (2) summaries or reports containing information about administrative, civil, and criminal legal investigations, (3) information related to investigative or analytical efforts by PBGC legal, security, or law enforcement personnel, (4) reports about potential administrative, civil, or criminal law enforcement activities obtained through the management and operation of the Office of General Counsel, and (5) reports about potential civil or criminal legal investigations obtained from other Federal Government sources involving PBGC. The records contained in this system include investigative material of actual, potential, or alleged criminal, civil, or administrative violations and law enforcement actions. These records are within the material permitted to be exempted under section 552a(k)(2) of the Privacy Act.

This proposed rule would amend PBGC’s Privacy Act regulation to redesignate § 4902.13 (Filing rules; computation of time) as § 4902.14 and to add a new § 4902.13 as an exemption for PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System—PBGC, from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f). Exemption from these sections of the Privacy Act would mean that, with respect to records in the system, PBGC would not be required to: (1) disclose records to an individual

upon request, (2) keep an accounting of individuals who request records, (3) maintain only records as necessary to accomplish an agency purpose, or (4) publish notice of certain revisions of the system of records.

Compliance With Rulemaking Guidelines

The Office of Management and Budget (OMB) has determined that this rulemaking is not a “significant regulatory action” under Executive Order 12866. Accordingly, OMB has not reviewed the proposed rule under Executive Order 12866.

PBGC certifies under section 605(b) of the Regulatory Flexibility Act that the proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities. The rule would only affect the maintenance and disclosure of information about individuals by PBGC under the Privacy Act and therefore would have no economic impact on entities of any size. Accordingly, sections 603 and 604 of the Regulatory Flexibility Act do not apply. See 5 U.S.C. 603, 604.

List of Subjects in 29 CFR Part 4902

Privacy.

In consideration of the foregoing, PBGC proposes to amend 29 CFR part 4902 as follows:

PART 4902—DISCLOSURE AND AMENDMENT OF RECORDS PERTAINING TO INDIVIDUALS UNDER THE PRIVACY ACT

■ 1. The authority citation for part 4902 will continue to read as follows:

Authority: 5 U.S.C. 552a, 29 U.S.C. 1302(b)(3).

§ 4902.1 [Amended]

■ 2. In § 4902.1, amend paragraph (d) by removing “4902.12” and adding in its place “4902.13”.

§ 4902.13 [Redesignated as § 4902.14]

■ 3. Redesignate § 4902.13 as § 4902.14.
 ■ 4. Add new § 4902.13 to read as follows:

§ 4902.13 Specific exemptions: Legal Case Management.

(a) *Exemption.* Under the authority granted by 5 U.S.C. 552a(k)(2), PBGC hereby exempts the system of records entitled “PBGC–19, Office of Negotiations and Restructuring/Office of General Counsel Case Management System—PBGC” from the provisions of 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f).

(b) *Reasons for exemption.* The reasons for asserting this exemption are

¹ See 5 U.S.C. 552a(a)(5).

² See 5 U.S.C. 552a(k)(2).

because the disclosure and other requirements of the Privacy Act could substantially compromise the efficacy and integrity of PBGC's ability to investigate administrative, civil, or criminal legal matters. Disclosure could invade the privacy of individuals and disclose their identity when they were expressly promised confidentiality. Disclosure could interfere with the integrity of information which would otherwise be subject to legal privileges, see, e.g., 5 U.S.C. 552(b)(5), and which could interfere with other important law enforcement concerns, see, e.g., 5 U.S.C. 552(b)(7).

Issued in Washington, DC.

Ann Y. Orr,

Acting Director, Pension Benefit Guaranty Corporation.

[FR Doc. 2024-24210 Filed 10-21-24; 8:45 am]

BILLING CODE 7709-02-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 147

[Docket Number USCG-2024-0704]

RIN 1625-AA00

Safety Zone; Empire Wind 1 Wind Farm Project Area, Outer Continental Shelf, Lease OCS-A 0512, Offshore New York and New Jersey, Atlantic Ocean

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish 55 temporary safety zones around the construction of each facility during the development of the Empire Wind 1 Wind Farm project area within federal waters on the Outer Continental Shelf, specifically in the Bureau of Ocean Energy Management Renewable Energy Lease Area OCS-A 0512, approximately 12 nautical miles south of Long Island, NY. This action protects life, property, and the environment during construction of each facility from March 1, 2025, to February 29, 2028. When enforced, only attending vessels and vessels with authorization are permitted to enter or remain in the temporary safety zones.

DATES: Comments and related material must be received by the Coast Guard on or before November 21, 2024.

ADDRESSES: You may submit comments identified by docket number USCG-2024-0704 using the Federal Decision-Making Portal at <https://www.regulations.gov>. See the "Public

Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments. This notice of proposed rulemaking with its plain-language, 100-word-or-less proposed rule summary will be available in this same docket.

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email Mr. Craig Lapiejko, Waterways Management, at Coast Guard First District, telephone 617-603-8592, email craig.d.lapiejko@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

BOEM Bureau of Ocean Energy Management
 CFR Code of Federal Regulations
 DD Degrees Decimal
 DHS Department of Homeland Security
 EW1 Empire Wind 1
 FR Federal Register
 NJ New Jersey
 NPRM Notice of Proposed Rulemaking
 NY New York
 OCS Outer Continental Shelf
 OSS Offshore Substation
 NAD 83 North American Datum of 1983
 NM Nautical Mile
 § Section
 U.S.C. United States Code
 WTG Wind Turbine Generator

II. Background, Purpose, and Legal Basis

Empire Offshore Wind LLC, an offshore wind farm developer, notified the Coast Guard that they plan to begin construction of the Empire Wind 1 (EW1) facilities in the EW1 Wind Farm project area within federal waters on the Outer Continental Shelf (OCS). Specifically, construction will begin in a portion of the Bureau of Ocean Energy Management (BOEM) Renewable Energy Lease Area OCS-A 0512, approximately 12 nautical miles (NM) offshore south of Long Island, New York (NY), and 17 NM offshore east of Long Branch, New Jersey (NJ), possibly as early as March 2025.

The extremely complex offshore construction of these OCS facilities presents many unusually hazardous conditions including hydraulic pile driving hammer operations, heavy lift operations, overhead cutting operations, potential falling debris, increased vessel traffic, and stationary vessels and barges in close proximity to the facilities and each other.

Based on these circumstances, the First Coast Guard District Commander has determined that establishment of 55 temporary safety zones through rulemaking is warranted to ensure the safety of life, property, and the

environment within a 500-meter radius of each of the 55 facilities during their construction.

The Coast Guard is proposing this rule under the authorities provided in 14 U.S.C. 544, 43 U.S.C. 1333, and Department of Homeland Security (DHS) Delegation No. 00170.1, Revision No. 01.3. As an implementing regulation of this authority, 33 CFR part 147 permits the establishment of safety zones for non-mineral energy resource permanent or temporary structures located on the OCS for the purpose of protecting life and property on the facilities, appurtenances and attending vessels, and on the adjacent waters within the safety zone (see 33 CFR 147.10). Accordingly, a safety zone established under 33 CFR part 147 may also include provisions to restrict, prevent, or control certain activities, including access by vessels or persons to maintain safety of life, property, and the environment.

III. Discussion of Proposed Rule

The District Commander is proposing to establish 55 temporary 500-meter safety zones around the construction of 54 wind turbine generators (WTGs) and one offshore substation (OSS) on the OCS from March 1, 2025, through 11:59 p.m. on February 29, 2028.

The construction of these facilities is expected to repeatedly include the installation of the foundations followed by the installation of the upper structures for all 55 facilities. Major construction activity could take place for a period lasting approximately 96 hours or more at several locations, sometimes simultaneously, in the lease area for these 55 facilities. The Coast Guard will make notice of each enforcement period via the Local Notice to Mariners and issue a Broadcast Notice to Mariners via marine channel 16 (VHF-FM) as soon as practicable in response to an emergency or hazardous condition. The Coast Guard is publishing this rulemaking to be effective, and enforceable, through February 29, 2028, to encompass any construction delays due to weather or other unforeseen circumstances. If, as currently scheduled, the project is completed before February 29, 2028, enforcement of the safety zones would be suspended, and notice given via Local Notice to Mariners.

Additional information about the construction process of the EW1 can be found at <https://www.boem.gov/renewable-energy/state-activities/empire-wind>.

The 55 temporary 500-meter safety zones around the construction of 54 WTGs and one OSS are in the EW1