

The Rule

This action amends 14 Code of Federal Regulations (CFR) part 73 by removing Restricted area R-2530 Sierra Army Depot, CA. The United States Army no longer has a use for the restricted area, which was originally established for neutralization of ammunition through a process known as burning. The process was considered a hazard to aircraft since an uncontrolled explosion may have occurred at any time during the burning operation. The FAA has determined that a valid requirement for the airspace no longer exists and the restricted area is being returned to the NAS.

Since this action reduces restricted airspace, the solicitation of comments would only delay the return of airspace to public use without offering any meaningful right or benefit to any segment of the public; therefore, notice and public procedure under 5 U.S.C. 553(b) are unnecessary.

Regulatory Notices and Analyses

The FAA has determined that this 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 only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

The FAA has determined that this action of revoking of R-2530 Sierra Army Depot, CA, qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, Environmental Impacts: Policies and Procedures, paragraph 5-6.5.c, “Actions to return all or part of special use airspace (SUA) to the National Airspace System (NAS), such as revocation of airspace, a decrease in dimensions, or a reduction in times of use (e.g., from continuous to intermittent, or use by a Notice to Airmen (NOTAM)).” This action returns restricted airspace to the NAS. Therefore, this airspace action is

not expected to result in any significant environmental impacts. In accordance with FAAO 1050.1F, paragraph 5-2 regarding Extraordinary Circumstances, this action has been reviewed for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis, and it is determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

PART 73—SPECIAL USE AIRSPACE

- 1. The authority citation for part 73 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.

§ 73.25 [Amended]

- 2. Section 73.25 is amended as follows:

* * * * *

R-2530 Sierra Army Depot, CA [Removed]

Issued in Washington, DC, on June 20, 2018.

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Manager, Airspace Policy Group.

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DEPARTMENT OF LABOR

Wage and Hour Division

29 CFR Part 825

The Family and Medical Leave Act of 1993

CFR Correction

- In Title 29 of the Code of Federal Regulations, Parts 500 to 899, revised as of July 1, 2017, on page 821, in § 825.120, paragraph (a)(4) is amended as follows:

—Remove the third sentence of the paragraph;

—Add a sentence following the first sentence of the paragraph; and

—Add a sentence following the last sentence of the paragraph.

The additions read as follows:

§ 825.120 Leave for pregnancy or birth.

(a) * * *

(4) * * * Circumstances may require that FMLA leave begin before the actual date of birth of a child. * * * For example, a pregnant employee may be unable to report to work because of severe morning sickness.

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1614

Federal Sector Equal Employment Opportunity

CFR Correction

In Title 29 of the Code of Federal Regulations, Parts 900 to 1899, revised as of July 1, 2017, on page 302, in § 1614.304, paragraph (b)(4) is reinstated to read as follows:

§ 1614.304 Contents of petition.

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(b) * * *

(4) A copy of the decision issued by the MSPB; and

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

Occupational Safety and Health Standards

CFR Correction

§ 1910.1043 [Amended]

- In Title 29 of the Code of Federal Regulations, Part 1910 (§ 1910.1000 to end of part 1910), revised as of July 1, 2017, on page 297, paragraphs § 1910.1043(i)(1)(i)(A) through (F) are removed.

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