

That airspace extending upward from the surface within a 4.1-mile radius of Hagerstown Regional Airport-Richard A. Henson Field. This Class E airspace area is effective during the specific dates and times when the Class D airspace area, as published in the Chart Supplement, is not in effect.

*Paragraph 6004 Class E Airspace Designated as an Extension to a Class D Surface Area.*

\* \* \* \* \*

#### **AEA MD E4 Hagerstown, MD [Amended]**

Hagerstown Regional Airport-Richard A. Henson Field, MD

(Lat. 39°42'31" N., long. 77°43'35" W.)

Hagerstown VOR

(Lat. 39°41'52" N., long. 77°51'21" W.)

Hagerstown Regional Airport-Richard A.

Henson Field ILS Runway 27 Localizer

(Lat. 39°42'22" N., long. 77°44'41" W.)

That airspace extending upward from the surface within 2.7 miles each side of the Hagerstown VOR 237° radial and 057° radial extending from 7.4 miles southwest of the VOR to 1.8 miles northeast of the VOR, and within 2.7 miles each side of the Hagerstown VOR 082° radial extending from the 4.1-mile radius of Hagerstown Regional Airport-Richard A Henson Field to the VOR, and within 4 miles each side of the Hagerstown Regional Airport-Richard A. Henson Field ILS Runway 27 localizer course extending from the localizer to 11.8 miles east of the localizer, excluding that portion within Prohibited Area P-40.

*Paragraph 6005 Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.*

\* \* \* \* \*

#### **AEA MD E5 Hagerstown, MD [Amended]**

Hagerstown Regional Airport-Richard A. Henson Field, MD

(Lat. 39°42'31" N., long. 77°43'35" W.)

Hagerstown VOR

(Lat. 39°41'52" N., long. 77°51'21" W.)

St. Thomas VORTAC

(Lat. 39°56'00" N., long. 77°57'03" W.)

Hagerstown Regional Airport-Richard A.

Henson Field ILS Runway 27 Localizer

(Lat. 39°42'22" N., long. 77°44'41" W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Hagerstown Regional Airport-Richard A. Henson Field, and within 3.1 miles each side of the Hagerstown VOR 237° radial and 057° radial extending from 9.6 miles southwest of the VOR to 2.7 miles northeast of the VOR, and within 4.4 miles each side of the Hagerstown Regional Airport-Richard A. Henson Field ILS Runway 27 localizer course extending from the localizer to 12.6 miles east of the localizer, and within 4.4 miles each side of the St. Thomas VORTAC 141° radial extending from the 6.6-mile radius to the St. Thomas VORTAC, excluding that portion within Prohibited Area P-40.

Issued in College Park, Georgia, on September 7, 2016.

**Joey L. Medders,**

*Acting Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

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## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**[Docket No. FAA-2016-6134; Airspace Docket No. 16-ASO-8]**

#### **Amendment of Class E Airspace; Glasgow, KY**

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class E Airspace at Glasgow, KY as the Beaver Creek Non-Directional Beacon (NDB) has been decommissioned, requiring airspace reconfiguration at Glasgow Municipal Airport. This action enhances the safety and management of Instrument Flight Rules (IFR) operations at the airport. This action also updates the geographic coordinates of the airport.

**DATES:** Effective 0901 UTC, November 10, 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 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11A, Airspace Designations and Reporting Points, and subsequent amendments can be viewed on line 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 7400.11A at NARA, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal-regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html).

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

**FOR FURTHER INFORMATION CONTACT:** John Fornito, Operations Support Group,

Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-6364.

#### **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 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 amends Class E airspace at Glasgow Municipal Airport, Glasgow, KY.

#### **History**

On June 21, 2016, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) (81 FR 40217) Docket No. FAA-2016-6134, to amend Class E airspace extending upward from 700 feet above the surface at Glasgow Municipal Airport, Glasgow, KY, as the Beaver Creek Non-Directional Beacon (NDB) has been decommissioned, requiring airspace reconfiguration at the airport. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005 of FAA Order 7400.11A dated August 3, 2016, and effective September 15, 2016, which is incorporated by reference in 14 CFR part 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

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

This document amends FAA Order 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, and effective September 15, 2016. FAA Order 7400.11A is publicly available as listed in the **ADDRESSES** section of this document. FAA Order 7400.11A lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

## The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class E airspace extending upward from 700 feet above the surface to within a 7.4-mile radius of Glasgow Municipal Airport, Glasgow, KY, and removes the segment extending 7 miles west of the NDB. Airspace reconfiguration is necessary due to the decommissioning of the Beaver Creek NDB, and for continued safety and management of IFR operations at the airport. The geographic coordinates of the airport are adjusted to coincide with the FAA's aeronautical database.

## 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 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 qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

## Lists of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

## Adoption of 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 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 7400.11A, Airspace Designations and Reporting Points, dated August 3, 2016, effective September 15, 2016, is amended as follows:

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

\* \* \* \* \*

### ASO KY E5 Glasgow, KY [Amended]

Glasgow Municipal Airport, KY  
(Lat. 37°01'54" N., long. 85°57'13" W.)

That airspace extending upward from 700 feet above the surface within a 7.4-mile radius of Glasgow Municipal Airport.

Issued in College Park, Georgia, on September 7, 2016.

**Joey L. Medders,**

*Acting Manager, Operations Support Group,  
Eastern Service Center, Air Traffic  
Organization.*

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## SOCIAL SECURITY ADMINISTRATION

### 20 CFR Parts 404 and 416

[Docket No. SSA–2016–0015]

RIN 0960–AH92

### Evidence From Excluded Medical Sources of Evidence

**AGENCY:** Social Security Administration.

**ACTION:** Final rules.

**SUMMARY:** In accordance with section 812 of the Bipartisan Budget Act of 2015 (BBA section 812), these rules explain how we will address evidence furnished by medical sources that meet one of BBA section 812's exclusionary categories (excluded medical sources of evidence) as described below. Under these new rules, we will not consider evidence furnished by an excluded medical source of evidence unless we find good cause to do so. We identify five circumstances in which we may find good cause. In these rules, we also require excluded medical sources of evidence to notify us of their excluded status under section 223(d)(5)(C)(i) of

the Social Security Act (Act), as amended, in writing each time they furnish evidence to us that relates to a claim for initial or continuing benefits under titles II or XVI of the Act. These rules will allow us to fulfill obligations that we have under BBA section 812.

**DATES:** These final rules will be effective on November 2, 2016.

**FOR FURTHER INFORMATION CONTACT:** Dan O'Brien, Office of Disability Policy, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235–6401, (410) 597–1632. For information on eligibility or filing for benefits, call our national toll-free number, 1–800–772–1213, or TTY 1–800–325–0778, or visit our Internet site, Social Security Online, at [www.socialsecurity.gov](http://www.socialsecurity.gov).

**SUPPLEMENTARY INFORMATION:** On June 10, 2016, we published a notice of proposed rulemaking (NPRM) in which we proposed to implement BBA section 812 by adding new sections to our rules that would explain when we would not consider evidence from an excluded medical source of evidence under section 223(d)(5)(C)(i) of the Act, as amended.<sup>1</sup> We also identified five circumstances in which we proposed to find good cause to consider evidence that would otherwise be excluded. In addition, we proposed to require that excluded medical sources of evidence notify us of their excluded status under section 223(d)(5)(C)(i) of the Act, as amended, in writing, each time they furnish evidence to us in relation to a claim for initial or continuing benefits under titles II or XVI of the Act. We are adopting these proposed rules as final rules.

Congress enacted the BBA on November 2, 2015.<sup>2</sup> BBA section 812 amended section 223(d)(5) of the Act, 42 U.S.C. 423(d)(5), by adding a new paragraph "C." Under this provision, when we make a disability determination or decision or when we conduct a continuing disability review (CDR) under titles II or XVI of the Act, we cannot consider evidence furnished by certain medical sources unless we have good cause.<sup>3</sup> Under these new rules, we may find good cause to consider evidence furnished by an excluded medical source of evidence in the following five situations:

<sup>1</sup> Public Law 114–74, sec. 812, 129 Stat. 584, 602; 81 FR 37557.

<sup>2</sup> Public Law 114–74, 129 Stat. 584.

<sup>3</sup> Public Law 114–74, sec. 812, 129 Stat. 584, 602. The exclusion of evidence under BBA section 812 does not constitute an exclusion of a medical source from Social Security programs under section 1136 of the Act, 42 U.S.C. 1320b–6.