

review under paragraph L60(a) of Appendix A, Table 1 of DHS Instruction Manual 023-01-001-01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

#### *G. Protest Activities*

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places, or vessels.

#### **List of Subjects in 33 CFR Part 165**

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

#### **PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS**

- 1. The authority citation for part 165 continues to read as follows:

**Authority:** 46 U.S.C. 70034, 70051; 33 CFR 1.05-1, 6.04-1, 6.04-6, and 160.5; Department of Homeland Security Delegation No. 0170.1.

- 2. Add § 165.T09-0035 to read as follows:

##### **§ 165.T09-0035 Safety Zone; Power Plant Demolition; Grand River, Grand Haven, MI.**

(a) *Location.* All navigable waters of the Grand River within 1400 feet of the blast area on the eastern bank of the river at coordinates 43.0705000° N, 086.2346667°.

(b) *Enforcement period.* The regulated area described in paragraph (a) is effective from 9:30 a.m. through 10:30 a.m. on February 5 and February 19, 2021.

(c) *Regulations.* (1) In accordance with the general regulations in section § 165.23, entry into, transiting, or anchoring within this safety zone is prohibited unless authorized by the Captain of the Port Lake Michigan (COTP) or a designated representative.

(2) This safety zone is closed to all vessel traffic, except as may be permitted by the COTP or a designated representative.

(3) The “designated representative” of the COTP is any Coast Guard

commissioned, warrant, or petty officer who has been designated by the COTP to act on his or her behalf.

(4) Persons and vessel operators desiring to enter or operate within the safety zone must contact the COTP or an on-scene representative to obtain permission to do so. The COTP or an on-scene representative may be contacted via VHF Channel 16. Vessel operators given permission to enter or operate in the safety zone must comply with all directions given to them by the COTP or an on-scene representative.

Dated: February 1, 2021.

**D.P. Montoro,**

*Captain, U.S. Coast Guard, Captain of the Port Lake Michigan.*

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#### **DEPARTMENT OF VETERANS AFFAIRS**

#### **38 CFR Part 4**

**RIN 2900-AP88**

#### **Schedule for Rating Disabilities: Musculoskeletal System and Muscle Injuries; Correction**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule; correction.

**SUMMARY:** The Department of Veterans Affairs (VA) is making correcting amendments to the final rule published on November 30, 2020. The final rule amends the Department of Veterans Affairs (VA) Schedule for Rating Disabilities (“VASRD” or “rating schedule”) by revising the portion of the rating schedule that addresses the musculoskeletal system.

**DATES:** Effective February 7, 2021.

**FOR FURTHER INFORMATION CONTACT:** Gary Reynolds, M.D., Regulations Staff (211C), Compensation Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 461-9700. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** VA is correcting its final rule, “RIN 2900-AP88; Schedule for Rating Disabilities: Musculoskeletal System and Muscle Injuries”, that was published on November 30, 2020, in the **Federal Register** at 85 FR 76453. The error is with the diagnostic code used to evaluate plantar fasciitis in schedule for ratings of the foot under the Schedule of Ratings for the Musculoskeletal System.

A new diagnostic code for plantar fasciitis was assigned in the final rule under diagnostic code 5285; however, this code was previously used to evaluate “vertebra, fracture of, residuals” and later “vertebral fracture or dislocation” in the General Rating Formula for Diseases and Injuries of the Spine in the Schedule for Rating for the spine until September 26, 2003 when it was moved under diagnostic code 5235, “vertebral fracture or dislocation.” See 68 FR 51454 and 67 FR 56509. Though vertebral fracture or dislocation is now evaluated using diagnostic code 5235, VA’s corporate database still uses historical diagnostic code 5285 to compensate veterans for residuals of fractures of the vertebra who have not yet been converted to the current diagnostic code 5235. In order to avoid any issues with the use of the new diagnostic code for plantar fasciitis under 5285 and the historical diagnostic code 5285 previously used to evaluate residuals of spinal fractures, VA assigns a new diagnostic code for plantar fasciitis under diagnostic code 5269. As such, we are also redesignating the entire entry for plantar fasciitis from diagnostic codes 5285 to 5269, though we are maintaining its location in § 4.71a in the table entitled “The Foot” between diagnostic codes 5284 and 5296.

#### **Corrections**

In FR Doc. 2020-25450 appearing on page 76453 in the **Federal Register** of Monday, November 30, 2020, the following corrections are made:

##### **§ 4.71a [Corrected]**

■ 1. On page 76460, in the third column, in § 4.71a, the text of amendatory instruction 2.e. “Adding the diagnostic code 5244 to the table entitled “The Spine” and the diagnostic code 5285 to the table entitled “The Foot”” is corrected to read “Adding the diagnostic code 5244 in numerical order to the table entitled “The Spine” and the diagnostic code 5269 in numerical order to the table entitled “The Foot””.

##### **§ 4.71a [Corrected]**

■ 2. On page 76464, in § 4.71a, the entry for diagnostic code 5269 is added and the entry for diagnostic code 5285 is removed to read as follows:

##### **§ 4.71a Schedule of ratings—musculoskeletal system.**

\* \* \* \* \*

## THE FOOT

	Rating
5269 Plantar fasciitis:	
No relief from both non-surgical and surgical treatment, bilateral .....	30
No relief from both non-surgical and surgical treatment, unilateral .....	20
Otherwise, unilateral or bilateral .....	10
<b>Note (1):</b> With actual loss of use of the foot, rate 40 percent.	
<b>Note (2):</b> If a veteran has been recommended for surgical intervention, but is not a surgical candidate, evaluate under the 20 percent or 30 percent criteria, whichever is applicable.	
* * * * *	

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**Appendix A to Part 4 [Corrected]**

■ 3. On page 76464, in the second column, in appendix A to part 4, the text of amendatory instruction 4.c. “In § 4.71a, add in numerical order diagnostic codes 5009, 5010, 5011, 5013, 5014, 5015, 5018, 5020, 5022,

5023, 5120, 5160, 5170, 5201, 5202, 5235, 5236, 5237, 5238, 5239, 5240, 5241, 5242, 5244, 5262, 5271, and 5285” is corrected to read “In § 4.71a, add in numerical order diagnostic codes 5009, 5010, 5011, 5013, 5014, 5015, 5018, 5020, 5022, 5023, 5120, 5160, 5170, 5201, 5202, 5235, 5236, 5237, 5238, 5239, 5240, 5241, 5242, 5244, 5262, 5269, and 5271”.

**Appendix A to Part 4 [Corrected]**

■ 4. On page 76465, in appendix A to part 4, the entry 5269 is added in numerical order and the entry 5285 is removed to read as follows:

**Appendix A to Part 4—Table of Amendments and Effective Dates Since 1946**

Sec.	Diagnostic code No.
* * * * *	
	5269 Added February 7, 2021.
* * * * *	

**Appendix B to Part 4 [Corrected]**

■ 5. On page 76466, in the second column, the text of amendatory instruction 5.b. “Add diagnostic codes 5244, 5285, 5330, and 5331” is

corrected to read “Add diagnostic codes 5244, 5269, 5330, and 5331”.

**Appendix B to Part 4 [Corrected]**

■ 6. On page 76467, in appendix B to part 4, remove the entry for 5285 and

add the entry 5269 in its place to read as follows:

**Appendix B to Part 4—Numerical Index of Disabilities**

Diagnostic code No.
* * * * *

## The Foot

* * * * *
5269 ..... Plantar fasciitis.
* * * * *

**Appendix C to Part 4 [Corrected]**

■ 7. On page 76468, in appendix C to part 4, the entry for “Plantar fasciitis” is corrected to read as follows:

**Appendix C to Part 4—Alphabetical Index of Disabilities**

	Diagnostic code No.
* * * * *	
Plantar fasciitis .....	5269
* * * * *	

**Jeffrey M. Martin,**

*Assistant Director, Office of Regulation Policy  
& Management, Office of the Secretary,  
Department of Veterans Affairs.*

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