Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AM09

Prevailing Rate Systems; Nonappropriated Fund Wage and Survey Areas

AGENCY: U.S. Office of Personnel

Management.

ACTION: Proposed rule.

SUMMARY: The U.S. Office of Personnel Management is issuing a proposed rule to correct several minor formatting, spelling, and typographical errors in Appendix D to Subpart B of Part 532-Nonappropriated Fund (NAF) Wage and Survey Areas. This document would also correct editorial or printing errors, inconsistencies, and omissions made in previously published rules. The purpose of this rule is not to make policy changes for Federal Wage System (FWS) NAF employees but rather to ensure Appendix D accurately reflects the correct wage area definitions for NAF employees as recommended by the Federal Prevailing Rate Advisory Committee (FPRAC). FWS NAF employees would not be affected by the corrections in this proposed rule because the lead agency for FWS NAF surveys has followed FPRAC recommended wage area definitions when conducting wage surveys and publishing wage schedules. Appendix D would be reprinted in its entirety.

DATES: We must receive comments on or before May 6, 2010.

ADDRESSES: Send or deliver comments to Jerome D. Mikowicz, Deputy Associate Director for Pay and Leave, Employee Services, U.S. Office of Personnel Management, Room 7H31, 1900 E Street, NW., Washington, DC 20415–8200; e-mail pay-performance-policy@opm.gov; or Fax: (202) 606–4264.

FOR FURTHER INFORMATION CONTACT: Madeline Gonzalez, (202) 606–2838; e-

mail pay-performance-policy@opm.gov; or FAX: (202) 606–4264.

SUPPLEMENTARY INFORMATION: The U.S. Office of Personnel Management (OPM) is issuing a proposed rule to make several minor corrections to Appendix D to Subpart B of Part 532-Nonappropriated Fund (NAF) Wage and Survey Areas. The revisions contained in this rule concern formatting, spelling, and typographical errors. This document would also correct editorial or printing errors, inconsistencies, and omissions made in previously published rules. The purpose of this rule is not to make policy changes for Federal Wage System (FWS) NAF employees but rather to ensure Appendix D accurately reflects the correct wage area definitions for NAF employees as recommended by the Federal Prevailing Rate Advisory Committee (FPRAC). FPRAC is the statutory labor-management committee responsible for advising OPM on the administration of the FWS. FWS NAF employees would not be affected by the corrections in this final rule because the lead agency for FWS NAF surveys has followed FPRAC recommended wage area definitions when conducting wage surveys and publishing wage schedules. Appendix D is being reprinted in its

The NAF wage areas where we would correct editorial or printing errors, inconsistencies, and omissions are listed below.

Yuma, AZ

We would delete Yuma County, AZ, as an area of application county in the Pima, AZ, NAF wage area and add the Yuma NAF wage area as a separate wage area. In an interim rule published in 1991, OPM abolished the Imperial, CA, NAF wage area and added Imperial County, CA, as an area of application county to the Yuma NAF wage area (56 FR 63865). Due to a formatting error, the name of the Yuma NAF wage area was incorrectly printed as if it was an area of application county in the Pima, AZ, NAF wage area instead of the name of its own wage area.

Los Angeles, CA

We would delete Del Norte, Humboldt, and Mendocino Counties, CA, which incorrectly appear as area of application counties in the Los Angeles NAF wage area. These counties were part of the Marin-Sonoma, CA, NAF wage area and should have been deleted when OPM abolished the Marin-Sonoma NAF wage area in an interim rule published in 1995 (60 FR 55174).

Dade, FL

The name of Dade County officially changed to Miami-Dade County in 1997. This proposed rule would update the name of the Dade NAF wage area and of Dade County to reflect the official name.

Burlington, NJ

We would add Cape May and Salem Counties, NJ, as area of application counties in the Burlington NAF wage area. OPM added these counties to the Burlington NAF wage area when we abolished the Philadelphia, PA, NAF wage area in an interim rule published in 1995 (60 FR 57145).

Ocean, NJ

We would delete the Ocean NAF wage area as a separate wage area. OPM abolished the Ocean NAF wage area in an interim rule published in 1995 (60 FR 55423). Ocean County is correctly defined as an area of application county in the Burlington NAF wage area.

Craven, NC

We would delete Onslow County, NC, as an area of application county in the Craven NAF wage area. Onslow County was defined as an area of application county in the Craven NAF wage area until OPM established it as a separate wage area in 1985. This error was never fixed and Onslow County continues to appear as an area of application county in the Craven NAF wage area.

McLennan, TX

We would add the McLennan NAF wage area as a separate wage area. When Appendix D was initially published in the **Federal Register** in 1990, the name of the McLennan NAF wage area was incorrectly printed as if it was an area of application county in the Lubbock, TX, NAF wage area (55 FR 46140). Later in 1990, OPM deleted McLennan County as an area of application county in the Lubbock NAF wage area, but the name of the McLennan NAF wage area was not added (55 FR 52267). Since the name of the McLennan NAF wage area was not added, it appeared as if McLennan County was part of the Lubbock NAF wage area. In an interim rule published in 1997, OPM abolished

the Lubbock NAF wage area (62 FR 28978), and due to the formatting error, the McLennan NAF wage area was also deleted.

Kitsap, WA

We would add Jefferson County, WA, as an area of application county in the Kitsap NAF wage area. OPM added this county to the Kitsap NAF wage area in an interim rule published in 2000 (65 FR 64337).

Regulatory Flexibility Act

I certify that these regulations would not have a significant economic impact on a substantial number of small entities because they would affect only Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

U.S. Office of Personnel Management.

John Berry,

Director.

Accordingly, the U.S. Office of Personnel Management is proposing to amend 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; 532.707 also issued under 5 U.S.C. 552.

2. Revise appendix D to subpart B to read as follows:

Appendix D to Subpart B of Part 532— Nonappropriated Fund Wage and Survey Areas

This appendix lists the wage area definitions for NAF employees. With a few exceptions, each area is defined in terms of county units or independent cities. Each wage area definition consists of:

- (1) Wage area title. Wage areas usually carry the title of the county or counties surveyed.
- (2) Survey area definition. Lists each county or independent city in the survey
- (3) Area of application definition. Lists each county or independent city which, in addition to the survey area, is in the area of application.

DEFINITIONS OF WAGE AREAS AND WAGE AREA SURVEY AREAS

ALABAMA Calhoun

Survey Area

Alabama: Calhoun Area of Application. Survey area plus:

Alabama:

Iefferson

Madison Survey Area

Alabama:

Madison

Area of Application. Survey area plus:

Tennessee: Coffee

> Davidson Hamilton Rutherford

Montgomery

Survey Area

Alabama: Montgomery

Area of Application. Survey area plus:

Alabama:

Dale Dallas Macon

ALASKA Anchorage

Survey Area

Alaska: (borough) Anchorage

Area of Application. Survey area plus:

Alaska: (boroughs and census areas)

Fairbanks North Star

Juneau

Kenai Peninsula Ketchikan Gateway

Kodiak Island

Sitka

Southeast Fairbanks

Valdez-Cordova Yukon-Koyukuk

ARIZONA

Maricopa

Survey Area

Arizona:

Maricopa

Area of Application. Survey area plus:

Arizona: Coconino

Yavapai

Pima

Survey Area

Arizona:

Pima

Area of Application. Survey area plus:

Arizona:

Cochise

Yuma

Survey Area

Arizona:

Yuma

Area of Application. Survey area plus:

California: Imperial

ARKANSAS

Pulaski

Survey Area

Arkansas:

Pulaski

Area of Application. Survey area plus: Arkansas:

Jefferson

Sebastian

Washington

CALIFORNIA

Kern

Survey Area

California:

Kern

Area of Application. Survey area plus:

California:

Fresno

Kings

Los Angeles

Survey Area

California:

Los Angeles

Area of Application. Survey area.

Monterey

Survey Area

California:

Monterey

Area of Application. Survey area plus:

California:

Santa Clara

Orange

Survey Area

California: Orange

Area of Application. Survey area.

Riverside

Survey Area

California:

Riverside

Area of Application. Survey area.

Sacramento

Survey Area

California:

Sacramento

Area of Application. Survey area plus:

California:

Yuba Oregon:

Jackson

Klamath

San Bernardino

Survey Area

California:

San Bernardino

Area of Application. Survey area.

San Diego

Survey Area

California:

San Diego

Area of Application. Survey area.

San Joaquin

Survey Area

California:

San Ioaquin

Area of Application. Survey area.

Santa Barbara

Survey Area

California:

Santa Barbara

Area of Application. Survey area plus:

California:

San Luis Obispo

Bay

Area of Application. Survey area. Clayton-Cobb-Fulton Solano **Brevard** Survey Area Survey Area Georgia: Survey Area California: Clayton Florida: Solano Cobb Brevard Area of Application. Survey area plus: Fulton Area of Application. Survey area. California: Area of Application. Survey area plus: **Duval** Alameda Georgia: Contra Costa Survey Area Bartow Marin Florida: Clarke Napa Duval De Kalb San Francisco Area of Application. Survey area plus: **Columbus** Sonoma Survey Area Ventura Alachua Georgia: Survey Area Clay Columbus Consolidated Government Columbia California: Area of Application. Survey area plus: Georgia: Ventura Camden Area of Application. Survey area. Chattahoochee Escambia **COLORADO** Dougherty Survey Area Arapahoe-Denver Survey Area Florida: Survey Area Escambia Georgia: Colorado: Area of Application. Survey area plus: Area of Application. Survey area. Arapahoe Florida: Denver Santa Rosa Houston Area of Application. Survey area plus: Hillsborough Survey Area Colorado: Survey Area Georgia: Mesa Houston Florida: Hillsborough Area of Application. Survey area plus: El Paso Area of Application. Survey area plus: Georgia: Survey Area Laurens Florida: Colorado: Pinellas Lowndes El Paso Polk Survey Area Area of Application. Survey area plus: Miami-Dade Georgia: Colorado: Survey Area Lowndes Bent Florida: Area of Application. Survey area. Otero Miami-Dade Pueblo Richmond Area of Application. Survey area plus: CONNECTICUT Survey Area Florida: Georgia: **New London** Palm Beach Richmond Survey Area Monroe Area of Application. Survey area plus: Connecticut: Survey Area South Carolina: New London Florida: Aiken Area of Application. Survey area plus: **GUAM** Connecticut: Area of Application. Survey area. Guam New Haven Okaloosa Survey Area DELAWARE Survey Area Guam Kent Florida: Area of Application. Survey area. Survey Area Okaloosa HAWAII Delaware: Area of Application. Survey area plus: Honolulu Kent Florida: Survey Area Walton Area of Application. Survey area plus: Hawaii: Orange Delaware: Sussex Survey Area Area of Application. Survey area plus: Maryland: Florida: Hawaii (counties): Kent Orange Hawaii DISTRICT OF COLUMBIA Area of Application. Survey area. Kauai GEORGIA Washington, DC Maui Chatham Survey Area Pacific Islands: Midway Islands Survey Area District of Columbia: Johnston Atoll Washington, DC Georgia: American Samoa Chatham Area of Application. Survey area. **IDAHO** Area of Application. Survey area plus: **FLORIDA** Ada-Elmore Georgia: Bay Survey Area Glynn Survey Area Liberty Idaho: Florida: South Carolina: Ada

Beaufort

Elmore

Area of Application. Survey area. Jefferson Calvert Virginia: Martin **ILLINOIS** Kentucky: King George Lake Fayette Frederick Survey Area Madison Survey Area Illinois: Warren Maryland: Lake LOUISIANA Frederick Area of Application. Survey area plus: **Bossier-Caddo** Area of Application. Survey area plus: Illinois: Survey Area Cook West Virginia: Louisiana: Rock Island Berkeley Bossier Vermilion Harford Caddo Iowa: Survey Area Area of Application. Survey area plus: Johnson Maryland: Texas: Michigan: Harford Dickinson Bowie **Orleans** Area of Application. Survey area plus: Marquette Wisconsin: Survey Area Maryland: Dane Cecil Louisiana: Milwaukee Orleans Montgomery-Prince George's St. Clair Area of Application. Survey area plus: Survey Area Survey Area Louisiana: Maryland: Illinois: Plaquemines Montgomery St. Clair Prince George's **Rapides** Area of Application. Survey area plus: Survey Area Area of Application. Survey area. Illinois: MASSACHUSETTS Louisiana: Madison Rapides Hampden Williamson Area of Application. Survey area plus: Missouri: (cities) Survey Area Louisiana: St. Louis Massachusetts: Missouri: (counties) Vernon Hampden **Iefferson** MAINE Area of Application. Survey area plus: Pulaski Cumberland Connecticut: **KANSAS** Survey Area Hartford Leavenworth/Jackson-Johnson Massachusetts: Maine: Survey Area Cumberland Hampshire Kansas: Middlesex Area of Application. Survey area plus: Leavenworth Maine: Survey Area Missouri: Aroostook Massachusetts: Jackson Hancock Middlesex Johnson Kennebec Area of Application. Survey area plus: Area of Application. Survey area plus: Knox Massachusetts: Penobscot Kansas: Norfolk Shawnee Sagadahoc Plymouth Missouri: Washington Suffolk Boone York New Hampshire: Camden Survey Area Hillsborough Cass Maine: MICHIGAN Sedgwick York Macomb Survey Area Area of Application. Survey area plus: Survey Area Kansas: New Hampshire: Michigan: Rockingham Area of Application. Survey area plus: Macomb Vermont: Kansas: Windsor Area of Application. Survey area plus: Geary MARYLAND Michigan: Saline Alpena Anne Arundel KENTUCKY Calhoun Survey Area Crawford **Christian-Montgomery** Marvland: **Grand Traverse** Survey Area Anne Arundel Huron Kentucky: Area of Application. Survey area plus: Iosco Christian Maryland: (cities) Leelanau Tennessee: Baltimore Ottawa Montgomery Maryland: (counties) Saginaw Area of Application. Survey area. Baltimore Washtenaw Charles-St. Mary's Wayne Hardin-Jefferson Ohio: Survey Area Survey Area Ottawa Kentucky: Maryland: MINNESOTA Hardin Charles Jefferson St. Mary's Hennepin Area of Application. Survey area plus: Area of Application. Survey area plus: Survey Area Indiana:

Maryland:

Minnesota:

	V I	*
Hennepin	NEVADA	Otero
Area of Application. Survey area plus:	Churchill-Washoe	NEW YORK
Minnesota:	Survey Area	Jefferson
Morrison	Nevada:	Survey Area
Murray	Churchill	New York:
Ramsey	Washoe	Jefferson
Stearns	Area of Application. Survey area plus:	Area of Application. Survey area plus:
St. Louis	California:	New York:
Wisconsin: Iuneau	Lassen	Albany
Monroe	Mono	Oneida
Polk	Nevada:	Onondaga
MISSISSIPPI	Mineral	Ontario
Harrison	Clark	Schenectady
Survey Area	Survey Area	Steuben
Mississippi:	Nevada: Clark	Kings-Queens
Harrison		Survey Area
Area of Application. Survey area plus:	Area of Application. Survey area.	New York:
Alabama:	NEW JERSEY	Kings Queens
Mobile	Burlington	Area of Application. Survey area plus:
Mississippi:	Survey Area	2 11
Forest	New Jersey:	New Jersey: Essex
Jackson	Burlington	Hudson
Lauderdale	Area of Application. Survey area plus:	New York:
Survey Area	Delaware:	Bronx
Mississippi:	New Castle New Jersey:	Nassau
Lauderdale	Atlantic	New York
Area of Application. Survey area plus:	Cape May	Richmond Suffolk
Mississippi:	Ocean	Niagara
Hinds	Salem	Survey Area
Rankin	Monmouth	<u> </u>
Warren Lowndes	Survey Area	New York: Niagara
	New Jersey:	Area of Application. Survey area plus:
Survey Area	Monmouth	New York:
Mississippi: Lowndes	Area of Application. Survey area.	Erie
Area of Application. Survey area plus:	Morris	Genesee
Alabama:	Survey Area	Pennsylvania:
Tuscaloosa	New Jersey:	Erie
MONTANA	Morris	Orange
Cascade	Area of Application. Survey area plus:	Survey Area
Survey Area	New Jersey:	New York:
Montana:	Somerset	Orange
Cascade	Pennsylvania: Monroe	Area of Application. Survey area plus:
Area of Application. Survey area plus:	NEW MEXICO	New York:
Montana:		Dutchess
Fergus	Bernalillo	Westchester
Flathead	Survey Area	NORTH CAROLINA
Hill	New Mexico:	Craven
Lewis and Clark	Bernalillo	Survey Area
Valley Yellowstone	Area of Application. Survey area plus:	North Carolina:
	New Mexico: McKinley	Craven
NEBRASKA Daniel La Communication		Area of Application. Survey area plus:
Douglas-Sarpy	Curry	North Carolina:
Survey Area	Survey Area	Carteret Dare
Nebraska:	New Mexico: Curry	Cumberland
Douglas Sarpy	Area of Application. Survey area plus:	Survey Area
Area of Application. Survey area plus:	Texas:	North Carolina:
Iowa:	Lubbock	Cumberland
Marion	Potter	
Polk	Dona Ana	Area of Application. Survey area plus:
Woodbury	Survey Area	North Carolina: Durham
Nebraska:	New Mexico:	Rowan
Hall	Dona Ana	Onslow
Lancaster	Area of Application. Survey area plus:	Survey Area
Saunders South Dakota:	New Mexico:	North Carolina:
Minnehaha	Chaves	Onslow
	Sharoo	3101011

Area of Application. Survey area plus: PENNSYLVANIA Washington North Carolina: Alleghenv SOUTH CAROLINA New Hanover Survey Area Charleston Wayne Pennsylvania: Survey Area Allegheny Survey Area South Carolina: Area of Application. Survey area plus: Charleston North Carolina: Wayne Area of Application. Survey area plus: Cuyahoga Area of Application. Survey area plus: South Carolina: Trumball Berkeley North Carolina: Pennsylvania: Horry Halifax Butler Richland NORTH DAKOTA Westmoreland Survey Area West Virginia: **Grand Forks** South Carolina: Harrison Survey Area Richland Cumberland North Dakota: Area of Application. Survey area plus: Survey Area Grand Forks North Carolina: Pennsylvania: Area of Application. Survey area plus: Buncombe Cumberland North Dakota: South Carolina: Area of Application. Survey area plus: Cass Sumpter Pennsylvania: Cavalier Tennessee: Pembina Blair Washington Franklin Steele SOUTH DAKOTA Montgomery Ward Pennington Survey Area Survey Area Survey Area Pennsylvania: North Dakota: South Dakota: Montgomery Ward Pennington Area of Application. Survey area plus: Area of Application. Survey area plus: Area of Application. Survey area plus: Pennsylvania: North Dakota: Montana: Bucks Divide Custer Chester South Dakota: OHIO Luzerne Fall River Greene-Montgomery Philadelphia Meade Survey Area York Wyoming: Ohio: Sheridan Survey Area Greene Pennsylvania: **TENNESSEE** Montgomery York Shelby Area of Application. Survey area plus: Area of Application. Survey area plus: Survey Area Indiana: Pennsylvania: Tennessee: Allen Lebanon Shelby Grant PUERTO RICO Area of Application. Survey area plus: Marion Guaynabo-San Juan Arkansas: Miami Survey Area Mississippi Ohio: Missouri: Clinton Puerto Rico: Butler Franklin Guaynabo **TEXAS** Hamilton San Juan Licking Bell Area of Application. Survey area plus: Ross Puerto Rico: (municipalities) Survey Area West Virginia: Aguadilla Texas: Raleigh Bayamon Bell Wayne Ceiba Area of Application. Survey area plus: **OKLAHOMA** Isabela Texas: Comanche Ponce Burnet Salinas Survey Area Corvell Toa Baia Oklahoma: Falls Vieques Comanche Bexar U.S. Virgin Islands: Area of Application. Survey area plus: St. Croix Survey Area Oklahoma: St. Thomas Texas: Cotton RHODE ISLAND Jackson Newport Area of Application. Survey area plus: Oklahoma Survey Area Texas: Survey Area Comal Rhode Island: Kerr Oklahoma: Newport Travis Oklahoma Area of Application. Survey area plus: Val Verde Area of Application. Survey area plus: Massachusetts: **Dallas** Oklahoma: Barnstable Survey Area Garfield Nantucket

Rhode Island:

Providence

Texas:

Dallas

Muskogee

Pittsburg

Area of Application. Survey area plus: Alexandria Clatsop Virginia: (counties) Coos Douglas Arlington Fannin Fairfax Multnomah Galveston Tillamook Harris Area of Application. Survey area. Washington: El Paso **Chesterfield-Richmond** Clark Survey Area Survey Area Grays Harbor Texas: Virginia: (cities) **Snohomish** Richmond El Paso Survey Area Virginia: (counties) Area of Application. Survey area. Washington: Chesterfield McLennan Snohomish Area of Application. Survey area plus: Survey Area Area of Application. Survey area plus: Virginia: (cities) Texas: Bedford Washington: McLennan Island Charlottesville Area of Application. Survey area. Salem King Nueces Virginia: (counties) Yakima Caroline Survey Area Spokane Nottoway Texas: Survey Area Prince George Nueces Washington: West Virginia: Area of Application. Survey area plus: Spokane Pendleton Texas: Area of Application. Survey area plus: **Hampton-Newport News** Bee Washington: Survey Area Calhoun Adams Kleberg Virginia: (cities) Walla Walla San Patricio Hampton WYOMING Newport News Webb Laramie Area of Application. Survey area plus: **Tarrant** Survey Area Virginia: (cities) Survey Area Williamsburg Wyoming: Texas: Virginia: (counties) Laramie Tarrant Area of Application. Survey area. Area of Application. Survey area plus: Norfolk-Portsmouth-Virginia Beach [FR Doc. 2010-7764 Filed 4-5-10; 8:45 am] Texas: Survey Area Cooke BILLING CODE 6325-39-P Virginia: (cities) Palo Pinto Norfolk **Taylor** Portsmouth Survey Area **DEPARTMENT OF TRANSPORTATION** Virginia Beach Texas: Area of Application. Survey area plus: Taylor **Federal Aviation Administration** North Carolina: Area of Application. Survey area. Pasquotank 14 CFR Part 71 Tom Green Virginia: (cities) Survey Area Chesapeake [Docket No. FAA-2010-0083 Airspace Suffolk Docket No. 10-AAL-51 Texas: Virginia: (counties) Tom Green Accomack Proposed Revocation of Class D and E Area of Application. Survey area plus: Northampton Airspace; Big Delta, AK Texas: Prince William Howard **AGENCY:** Federal Aviation Survey Area Wichita Administration (FAA), DOT. Virginia: Survey Area **ACTION:** Notice of proposed rulemaking Prince William Texas: (NPRM). Area of Application. Survey area plus: Wichita Virginia: Area of Application. Survey area. **SUMMARY:** This action proposes to Fauquier revoke Class D and E airspace at Big UTAH WASHINGTON Delta, AK. This airspace duplicates the Davis-Salt Lake-Weber Kitsap controlled airspace for Delta Junction, Survey Area Alaska, which serves Allen Army Survey Area Utah: Airfield. The duplication makes this Washington: Davis Kitsap action necessary to eliminate possible Salt Lake Weber

confusion, and enhance safety and Area of Application. Survey area plus: management of Instrument Flight Rules Washington: Clallam (IFR) operations. DATES: Comments must be received on Jefferson Pierce

Survey Area

Area of Application. Survey area plus:

Washington:

Pierce

Oregon:

or before May 21, 2010. ADDRESSES: Send comments on the

proposal to the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground

VIRGINIA

Area of Application. Survey area plus:

Virginia: (cities)

Box Elder Tooele

Utah:

Uintah

Alexandria-Arlington-Fairfax

Survey Area