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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AM49

Prevailing Rate Systems; Abolishment of Monmouth, NJ, as a Nonappropriated Fund Federal Wage System Wage Area

AGENCY: U.S. Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The U.S. Office of Personnel Management is issuing an interim rule to abolish the Monmouth, New Jersey, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Monmouth County, NJ, to the Burlington, NJ, NAF wage area. These changes are necessary because the closure of Fort Monmouth will leave the Monmouth wage area without an activity having the capability to conduct a local wage survey.

DATES: *Effective date:* This regulation is effective on August 25, 2011. We must receive comments on or before September 26, 2011. *Applicability date:* FWS employees remaining in the Monmouth wage area will be transferred to the Burlington wage area schedule on the first day of the first applicable pay period beginning on or after October 15, 2011.

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; email pay-leave-policy@opm.gov; or FAX: (202) 606-4264.

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

email pay-leave-policy@opm.gov; or FAX: (202) 606-4264.

SUPPLEMENTARY INFORMATION: The Monmouth, New Jersey, nonappropriated fund (NAF) Federal Wage System (FWS) wage area is presently composed of one survey county, Monmouth County, NJ. Under section 532.219 of title 5, Code of Federal Regulations, the U.S. Office of Personnel Management (OPM) may establish an NAF wage area when there are a minimum of 26 NAF wage employees in the survey area, the local activity has the capability to host annual local wage surveys, and the survey area has at least 1,800 private enterprise employees in establishments within survey specifications. The Department of Defense (DOD) notified OPM that the imminent closure of Fort Monmouth will leave the Monmouth NAF wage area without an activity having the capability to conduct a local wage survey. After the closure of Fort Monmouth, only 12 employees at Naval Weapons Station Earle (NWS Earle) will remain in the wage area. DOD recommended that OPM abolish the Monmouth NAF FWS wage area and redefine Monmouth County to the Burlington, NJ, NAF wage area.

Since Monmouth County will have continuing NAF employment and does not meet the regulatory criteria under 5 CFR 532.219 to be a separate survey area, it must be an area of application. In defining counties as area of application counties, OPM considers the following criteria:

- Proximity of largest facilities activity in each county;
- Transportation facilities and commuting patterns; and
- Similarities of the counties in: overall population; private employment in major industry categories; and kinds and sizes of private industrial establishments.

In selecting a wage area to which Monmouth County should be redefined, proximity favors the Burlington NAF wage area. Distance was measured from NWS Earle because after the closure of Fort Monmouth, it will be the only installation remaining in Monmouth County with NAF FWS employees. The transportation facilities and commuting patterns criteria do not favor one wage area more than another. Monmouth County resembles the Burlington survey area in both the overall population and

employment criteria and in the kinds and sizes of private industrial establishments criterion. In addition, Monmouth County is adjacent to the Burlington survey area. Based on the application of the regulatory criteria, OPM has determined that Monmouth County should be redefined as an area of application to the Burlington NAF wage area.

The proposed Burlington NAF wage area will consist of one survey county, Burlington County, NJ, and six areas of application counties: New Castle County, DE, and Atlantic, Cape May, Monmouth, Ocean, and Salem Counties, NJ. FWS employees remaining in the Monmouth wage area will be transferred to the Burlington wage area schedule on the first day of the first applicable pay period beginning on or after October 15, 2011. The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, has reviewed and recommended these changes by consensus.

Waiver of Notice of Proposed Rulemaking and Delay in Effective Date

Pursuant to 5 U.S.C. 553(b)(3)(B) and (d)(3), I find that good cause exists to waive the general notice of proposed rulemaking. Also pursuant to 5 U.S.C. 553(d)(3), I find that good cause exists for making this rule effective in less than 30 days. This notice is being waived and the regulation is being made effective in less than 30 days because the imminent closure of Fort Monmouth will leave the Monmouth wage area without an activity having the capability to conduct a local wage survey and the remaining NAF FWS employees in Monmouth County must be transferred to a continuing wage area as soon as possible in order to prevent a gap in coverage.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will 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 amending 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.

Appendix B to Subpart B of Part 532—Nationwide Schedule of Nonappropriated Fund Regular Wage Surveys

■ 2. Appendix B to subpart B is amended by removing, under the State of New Jersey, “Monmouth.”

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

■ 3. Appendix D to subpart B is amended for the State of New Jersey by removing the wage area listing for Monmouth, New Jersey, and revising the wage area listing for Burlington, New Jersey, to read as follows:

| | | | | |
|-------------|---|---|---|---|
| * | * | * | * | * |
| | NEW JERSEY | | | |
| | Burlington | | | |
| | <i>Survey Area</i> | | | |
| New Jersey: | | | | |
| Burlington | | | | |
| | <i>Area of application. Survey area plus:</i> | | | |
| Delaware: | | | | |
| New Castle | | | | |
| New Jersey: | | | | |
| Atlantic | | | | |
| Cape May | | | | |
| Monmouth | | | | |
| Ocean | | | | |
| Salem | | | | |
| | * | * | * | * |

[FR Doc. 2011-21776 Filed 8-24-11; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2011-0907; Directorate Identifier 2011-NM-146-AD; Amendment 39-16790; AD 2011-18-08]

RIN 2120-AA64

Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

There has been one reported case of an aft equipment bay fire occurring due to arcing of chafed integrated drive generator (IDG) power cables. Additionally, the hydraulic line support brackets located at the fuselage station (FS) 672 have been found broken in service on several aeroplanes. A broken hydraulic line support bracket at FS 672 could result in inadequate clearance between the IDG power cables and hydraulic lines, potentially resulting in chafing of the IDG power cables. Chafed IDG power cables can generate high energy arcing, which can result in an uncontrolled fire in the aft equipment bay.

* * * * *

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective September 9, 2011.

We must receive comments on this AD by October 11, 2011.

ADDRESSES: You may send comments by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* (202) 493-2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between

9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Assata Dessaline, Aerospace Engineer, Avionics and Flight Test Branch, ANE-172, FAA, New York Aircraft Certification Office, 1600 Stewart Avenue, Suite 410, Westbury, New York 11590; telephone (516) 228-7301; fax (516) 794-5531.

SUPPLEMENTARY INFORMATION:

Discussion

Transport Canada Civil Aviation (TCCA), which is the aviation authority for Canada, has issued Canadian Airworthiness Directive CF-2011-18, dated July 7, 2011 (referred to after this as “the MCAI”), to correct an unsafe condition for the specified products. The MCAI states:

There has been one reported case of an aft equipment bay fire occurring due to arcing of chafed integrated drive generator (IDG) power cables. Additionally, the hydraulic line support brackets located at the fuselage station (FS) 672 have been found broken in service on several aeroplanes. A broken hydraulic line support bracket at FS 672 could result in inadequate clearance between the IDG power cables and hydraulic lines, potentially resulting in chafing of the IDG power cables. Chafed IDG power cables can generate high energy arcing, which can result in an uncontrolled fire in the aft equipment bay.

This [TCCA] directive mandates the detailed visual inspection [for chafing and damage] and, if required, rectification of the IDG power cables and hydraulic line support bracket.

You may obtain further information by examining the MCAI in the AD docket.

FAA’s Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this