

# Proposed Rules

Federal Register

Vol. 77, No. 246

Friday, December 21, 2012

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-AM75

#### Prevailing Rate Systems; Redefinition of the Minneapolis-St. Paul, MN, and Southwestern Wisconsin Appropriated Fund Federal Wage System Wage Areas

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Proposed rule with request for comments.

**SUMMARY:** The U.S. Office of Personnel Management is issuing a proposed rule that would redefine the geographic boundaries of the Minneapolis-St. Paul, MN, and Southwestern Wisconsin appropriated fund Federal Wage System wage areas. The proposed rule would redefine Wabasha County, MN, from the Southwestern Wisconsin wage area to the Minneapolis-St. Paul wage area. This change is based on a recent consensus recommendation of the Federal Prevailing Rate Advisory Committee to best match Wabasha County to a nearby FWS survey area.

**DATES:** We must receive comments on or before January 22, 2013.

**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](mailto: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](mailto:pay-leave-policy@opm.gov); or Fax: (202) 606-4264.

**SUPPLEMENTARY INFORMATION:** The U.S. Office of Personnel Management (OPM) is issuing a proposed rule that would redefine the geographic boundaries of the Minneapolis-St. Paul, MN, and Southwestern Wisconsin appropriated fund Federal Wage System wage areas.

The proposed rule would redefine Wabasha County, MN, from the Southwestern Wisconsin wage area to the Minneapolis-St. Paul wage area.

OPM considers the following regulatory criteria under 5 CFR 532.211 when defining FWS wage area boundaries:

- (i) Distance, transportation facilities, and geographic features;
- (ii) Commuting patterns; and
- (iii) Similarities in overall population, employment, and the kinds and sizes of private industrial establishments.

Dodge, Olmsted, and Wabasha Counties, MN, comprise the Rochester, MN Metropolitan Statistical Area (MSA). The Rochester MSA is split between the Minneapolis-St. Paul, MN, and Southwestern Wisconsin wage areas. Dodge and Olmsted Counties are part of the area of application of the Minneapolis-St. Paul wage area and Wabasha County is part of the area of application of the Southwestern Wisconsin wage area.

Based on an analysis of the regulatory criteria for Olmsted County, the core county in the Rochester MSA, the entire Rochester MSA would be defined to the Minneapolis-St. Paul wage area. When measuring to cities, the distance criterion does not favor one wage area more than another. Since the percentage difference between the city of Rochester and the closest cities in Minneapolis-St. Paul and Southwestern Wisconsin survey areas is less than 10 percent, distance to the closest cities is not a definitive determining factor. However, when measuring to host installations, the distance criterion favors the Minneapolis-St. Paul wage area more than the Southwestern Wisconsin wage area. The commuting patterns criterion does not favor one wage area more than another. The difference between the resident workforce commuting to work in the Minneapolis-St. Paul and Southwestern Wisconsin survey areas is insignificant; however, marginally more people commute into the Minneapolis-St. Paul survey area (1.07 percent) than into the Southwestern Wisconsin survey area (0.05 percent). The overall population and employment and the kinds and sizes of private industrial establishments criterion does not favor one wage area more than another.

Based on this analysis, we believe Olmsted County is appropriately defined to the Minneapolis-St. Paul

wage area. OPM regulations at 5 CFR 532.211 permit splitting MSAs only in very unusual circumstances. There appear to be no unusual circumstances that would permit splitting the Rochester MSA. To comply with OPM regulations not to split MSAs, Wabasha County would be redefined to the Minneapolis-St. Paul wage area. The remaining county in the Rochester MSA, Dodge County, is already defined to the Minneapolis-St. Paul wage area. There are currently no FWS employees working in Wabasha County.

The Federal Prevailing Rate Advisory Committee (FPRAC), the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, recommended this change by consensus. This change would be effective on the first day of the first applicable pay period beginning on or after 30 days following publication of the final regulations. FPRAC recommended no other changes in the geographic definitions of the Minneapolis-St. Paul and Southwestern Wisconsin wage areas.

#### 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.

#### Appendix C to Subpart B of Part 532—Appropriated Fund Wage and Survey Areas

2. Appendix C to subpart B is amended by revising the wage area listings for the Minneapolis-St. Paul,

MN, and Southwestern Wisconsin wage areas to read as follows:

\* \* \* \* \*

**MINNESOTA**

\* \* \* \* \*

**Minneapolis-St. Paul**  
*Survey Area*

Minnesota:  
Anoka  
Carver  
Chisago  
Dakota  
Hennepin  
Ramsey  
Scott  
Washington  
Wright

Wisconsin:  
St. Croix  
*Area of Application. Survey Area Plus:*

Minnesota:  
Benton  
Big Stone  
Blue Earth  
Brown  
Chippewa  
Cottonwood  
Dodge  
Douglas  
Faribault  
Freeborn  
Goodhue  
Grant  
Isanti  
Kanabec  
Kandiyohi  
Lac Qui Parle  
Le Sueur  
McLeod  
Martin  
Meeker  
Mille Lacs  
Morrison  
Mower  
Nicollet  
Olmsted  
Pope  
Redwood  
Renville  
Rice  
Sherburne  
Sibley  
Stearns  
Steele  
Stevens  
Swift  
Todd  
Traverse  
Wabasha  
Wadena  
Waseca  
Watonwan  
Yellow Medicine

Wisconsin:  
Pierce  
Polk

\* \* \* \* \*

**WISCONSIN**  
**Southwestern Wisconsin**  
*Survey Area*

Wisconsin:

Chippewa  
Eau Claire  
Monroe  
Trempealeau  
*Area of Application. Survey Area Plus:*

Minnesota:  
Fillmore  
Houston  
Winona

Wisconsin:  
Barron  
Buffalo  
Clark  
Crawford  
Dunn  
Florence  
Forest  
Jackson  
Juneau  
Langlade  
Lincoln  
Marathon  
Marinette  
Menominee  
Oneida  
Pepin  
Portage  
Price  
Richland  
Rusk  
Shawano  
Taylor  
Vernon  
Vilas  
Waupaca  
Wood

\* \* \* \* \*

[FR Doc. 2012-30805 Filed 12-20-12; 8:45 am]  
**BILLING CODE 6325-39-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2012-1330; Directorate Identifier 2012-CE-006-AD]**

**RIN 2120-AA64**

**Airworthiness Directives; Cessna Aircraft Company Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.  
**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for certain Cessna Aircraft Company (Cessna) (previously COLUMBIA or LANCAIR) Models LC40-550FG, LC41-550FG, and LC42-550FG airplanes. This proposed AD was prompted by reports that during maximum braking, if the brakes lock up and a skid occurs, a severe oscillatory yawing motion or “wheel walk” may develop, which could result in further significant structural damage to the

airplane. This proposed AD would require insertions into the pilot’s operating handbook (POH) and the airplane maintenance manuals (AMM) regarding proper use of the brakes and inspection of the aft fuselage. We are proposing this AD to correct the unsafe condition on these products.

**DATES:** We must receive comments on this proposed AD by February 4, 2013.

**ADDRESSES:** You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, 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:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Cessna Aircraft Company, Customer Service, P.O. Box 7706, Wichita, Kansas 67277; telephone: (316) 517-5800; fax (316) 517-7271; Internet:

[www.cessnasupport.com](http://www.cessnasupport.com). You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

**Examining the AD Docket**

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

**FOR FURTHER INFORMATION CONTACT:** Gary Park, Aerospace Engineer, Wichita Aircraft Certification Office (ACO), FAA, 1801 Airport Road, Wichita, KS 67209; phone: (316) 946-4123; fax: (316) 946-4107; email: [gary.park@faa.gov](mailto:gary.park@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

We invite you to send any written relevant data, views, or arguments about this proposal. Send your comments to