

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206-A104

#### Prevailing Rate Systems; Abolishment of the Orlando, FL, Appropriated Fund Wage Area

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management is issuing a final rule to abolish the Orlando, Florida, appropriated fund Federal Wage System wage area. This change is being made because of the closure of the Orlando wage area's host installation, the Orlando Naval Training Station. This closure left the lead agency for the Orlando wage area, the Department of Defense, without an installation in the wage area capable of hosting annual local wage surveys.

**DATES:** This final regulation is effective on May 13, 1999.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Hopkins at (202) 606-2848, FAX: (202) 606-0824, or email to [jdhopkin@opm.gov](mailto:jdhopkin@opm.gov).

**SUPPLEMENTARY INFORMATION:** On October 3, 1997, the Office of Personnel Management (OPM) published an interim rule (62 FR 51759) to remove the requirement that a full-scale wage survey be conducted in the Orlando, Florida, appropriated fund Federal Wage System (FWS) wage area. The Orlando wage area consisted of Orange, Osceola, Seminole, and Volusia Counties in Florida. 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 by consensus that we

abolish the Orlando wage area. A full-scale wage survey was scheduled to begin in the wage area in September 1997. However, at that time, the Orlando wage area's host installation, the Orlando Naval Training Station, was preparing to close. The Department of Defense (DOD), the lead agency for the Orlando wage area, was left without an installation in the wage area capable of hosting annual local wage surveys. Without a host installation, DOD was unable to conduct the scheduled 1997 full-scale wage survey.

The interim rule provided a 30-day public comment period, during which OPM did not receive any comments. Based on FPRAC's previous consensus recommendation, the interim rule is being adopted as a final rule with no changes.

#### 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.

Accordingly, under the authority of 5 U.S.C. 5343, the interim rule (62 FR 51759) amending 5 CFR part 532 published on October 3, 1997, is being adopted as final with no changes.

Office of Personnel Management.

**Janice R. Lachance,**

*Director.*

[FR Doc. 99-9159 Filed 4-12-99; 8:45 am]

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## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206-A113

#### Prevailing Rate Systems; Redefinition of the Orlando, FL, Appropriated Fund Wage Area

**AGENCY:** Office of Personnel Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management is issuing a final rule to

redefine Orange, Osceola, Seminole, and Volusia Counties, Florida, from the Orlando, FL, appropriated fund Federal Wage System (FWS) wage area to the Jacksonville, FL, FWS wage area. This change is being made because the closure of the Orlando wage area's host installation, the Orlando Naval Training Station, left the Department of Defense without an installation in the Orlando wage area capable of hosting local wage surveys.

**DATES:** This final rule is effective on May 13, 1999.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Hopkins, (202) 606-2848, FAX: (202) 606-0824, or email to [jdhopkin@opm.gov](mailto:jdhopkin@opm.gov).

**SUPPLEMENTARY INFORMATION:** On February 9, 1998, the Office of Personnel Management (OPM) published an interim rule (63 FR 6471) to redefine the Orlando, Florida, Federal Wage System (FWS) wage area. 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 by consensus that we redefine Orange, Osceola, Seminole, and Volusia Counties, FL, from the Orlando wage area to the Jacksonville, FL, FWS wage area. In September 1997, a full-scale wage survey was scheduled to begin in the Orlando wage area; however, the Orlando wage area's host installation, the Orlando Naval Training Station, was preparing to close. The lead agency for the Orlando wage area, the Department of Defense (DOD), was left without an activity in the wage area capable of hosting local wage surveys. Because DOD was unable to conduct the survey, OPM abolished the Orlando wage area (62 FR 51759) and removed the requirement that a local wage survey be conducted in the Orlando wage area.

Employees being paid rates from the Orlando wage schedule were converted to the Jacksonville wage schedule on the first day of the first applicable pay period beginning on or after March 11, 1998. OPM did not receive any comments on the interim rule during its 30-day public comment period. Based on the previous consensus recommendation of FPRAC, the interim rule is being adopted as a final rule without any changes.

**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.

Accordingly, under the authority of 5 U.S.C. 5343, the interim rule (63 FR 6471) amending 5 CFR part 532 published on February 9, 1998, is being adopted as final with no changes.

Office of Personnel Management.

**Janice R. Lachance,**

*Director.*

[FR Doc. 99-9158 Filed 4-12-99; 8:45 am]

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**DEPARTMENT OF AGRICULTURE****Farm Service Agency****7 CFR Part 760**

RIN 0560-AF66

**Dairy Indemnity Payment Program**

**AGENCY:** Farm Service Agency, USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the authority citation for the Dairy Indemnity Payment Program (DIPP) regulations to cover the expenditure of additional funds that were recently appropriated. The DIPP indemnifies dairy farmers for milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because of the presence of certain specified forms of contamination.

**EFFECTIVE DATE:** April 13, 1999.

**FOR FURTHER INFORMATION CONTACT:** Raellen Erickson, Agricultural Program Specialist, Price Support Division, FSA, USDA, STOP 0512, 1400 Independence Avenue, SW, Washington, DC 20250-0512; telephone (202) 720-7320; e-mail address is raellen\_erickson@wdc.fsa.usda.gov.

**SUPPLEMENTARY INFORMATION:**

**Executive Order 12866**

This rule has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

**Federal Assistance Program**

The title and number of the Federal Assistance Program, as found in the Catalog of Federal Domestic Assistance, to which this rule applies are Dairy Indemnity Payments, Number 10.053.

**Regulatory Flexibility Act**

It has been determined that the Regulatory Flexibility Act is not applicable to this final rule because the Farm Service Agency is not required by 5 U.S.C. 533 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of these determinations.

**Environmental Evaluation**

It has been determined by an environmental evaluation that this action will have no significant impact on the quality of the human environment. Therefore, neither an environmental assessment nor an Environmental Impact Statement is needed.

**Executive Order 12372**

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

**Executive Order 12988**

This rule has been reviewed pursuant to Executive Order 12988. To the extent State and local laws are in conflict with these regulatory provisions, it is the intent of CCC that the terms of the regulations prevail. The provisions of this rule are not retroactive. Prior to any judicial action in a court of competent jurisdiction, administrative review under 7 CFR part 780 must be exhausted.

**Paperwork Reduction Act**

The amendment to 7 CFR part 760 set forth in this final rule does not contain additional information collections that require clearance by the Office of Management and Budget under the provisions of 44 U.S.C. chapter 35. Existing information collections were approved by OMB and assigned OMB Control Number 0560-0116.

**Background**

The DIPP was originally authorized by section 331 of the Economic Opportunity Act of 1964, Pub. L. 88-452. The statutory authority for the program has been amended and extended several times. Funds were appropriated for DIPP by the Agriculture, Rural Development, Food

and Drug Administration, and Related Agencies Act, 1998 ("the 1998 Act"), Pub. L. 105-86, 111 Stat. 2079, which authorizes the program until the \$550,000 in funds appropriated under that act are expended. More recently, funds were appropriated for this program by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 ("the 1999 Act"), Pub. L. 105-277, 112 Stat. 2681, which authorizes the program to be carried out until the \$450,000 in funds appropriated under the 1999 Act are expended. Not all the funds appropriated under the 1998 Act have been expended and the remaining funds are still available in addition to the funds appropriated under the 1999 Act.

The objective of DIPP is to indemnify dairy farmers for milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because such milk or dairy products contain certain harmful chemical residues. In addition, the DIPP also indemnifies dairy farmers who have been directed to remove milk from commercial markets due to residues of certain other chemicals or toxic substances, or contamination by nuclear radiation or fallout.

The regulations governing the program are set forth at 7 CFR part 760. This final rule makes no changes in the substantive provisions of the regulations. Because the only purpose of this final rule is to revise the authority citation to include the reference to the 1999 Act, it has been determined that no further public rulemaking is required. In addition, section 1133 of the 1999 Act provides statutory authority to issue final regulations without a notice and comment period. Therefore, this final rule shall become effective upon the date of publication in the **Federal Register**.

**List of Subjects in 7 CFR Part 760**

Dairy products, Indemnity payments, Pesticides and pests.

Accordingly, 7 CFR part 760 is amended as follows:

**PART 760—INDEMNITY PAYMENT PROGRAMS****Subpart—Dairy Indemnity Payment Program**

The authority citation for Subpart—Dairy Indemnity Payment Program is revised to read as follows:

**Authority:** Dairy Indemnity Program, Pub. L. 105-86, 111 Stat. 2079 and Pub. L. 105-277, 112 Stat. 2681.