

Proposed Rules

Federal Register

Vol. 63, No. 120

Tuesday, June 23, 1998

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-A130

Prevailing Rate Systems; Redefinition of Philadelphia, PA, and New York, NY, Appropriated Fund Wage Areas

AGENCY: Office of Personnel Management.

ACTION: Proposed rule with request for comments.

SUMMARY: The Office of Personnel Management is issuing a proposed rule that would redefine Ocean County, NJ, excluding the portion occupied by the Fort Dix Military Reservation, from the area of application of the Philadelphia, PA, appropriated fund Federal Wage System (FWS) wage area to the area of application of the New York, NY, wage area. This redefinition will more accurately reflect the transportation facilities and commuting patterns criteria of Ocean County, NJ (excluding Fort Dix Military Reservation).

DATES: Comments must be received by July 23, 1998.

ADDRESSES: Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Administration, Workforce Compensation and Performance Service, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415, or FAX: (202) 606-0824.

FOR FURTHER INFORMATION CONTACT: Mark A. Allen at (202) 606-2848, or e-mail: maallen@opm.gov.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management (OPM) is engaged in an ongoing project to review the geographic definitions of selected Federal Wage System (FWS) appropriated fund wage areas. The Federal Prevailing Rate Advisory Committee (FPRAC), the statutory national-level labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, has recommended by majority vote that OPM redefine Ocean

County, NJ, excluding the portion occupied by the Fort Dix Military Reservation, from the area of application of the Philadelphia, PA, appropriated fund FWS wage area to the area of application of the New York, NY, wage area.

Section 532.211 of title 5, Code of Federal Regulations, lists the following criteria that OPM considers 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.

Ocean County is located in central New Jersey and is bordered by Burlington County to the West and Monmouth County to the North. The members of FPRAC studied the appropriate wage area definition of Ocean County exhaustively. Based on their analysis of the regulatory criteria, the management members of FPRAC found no compelling reason to change the wage area designation of Ocean County. The labor members of the Committee argued that the transportation facilities and commuting patterns criteria favor placing Ocean County in the New York wage area. After failing to reach consensus, the Committee voted to accept the labor recommendation. The management members of FPRAC filed a minority report in opposition to the FPRAC majority recommendation.

After careful consideration, OPM finds that it is appropriate to accept the FPRAC recommendation in this case. The distance, geographic features, and overall population, employment, and the kinds and sizes of private industrial establishments criteria do not clearly favor defining Ocean County to one wage area more than another. However, we find that the transportation facilities and commuting patterns criteria clearly favor defining Ocean County to the New York wage area rather than to the Philadelphia wage area.

The largest employer of FWS workers in Ocean County is Lakehurst Naval Air Station, although several other smaller employment sites would be affected by the redefinition of Ocean County to the New York wage area. Employees with official duty stations in the Fort Dix Military Reservation portion of Ocean County would remain in the

Philadelphia wage area. Employees with official duty stations at Lakehurst Naval Air Station and other facilities in Ocean County would be redefined from the Philadelphia wage area to the New York wage area on the first day of the first applicable pay period beginning on or after 30 days after the issuance of a final regulation implementing this proposed change.

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.

Office of Personnel Management.

Janice R. Lachance,  
Director.

Accordingly, OPM proposes 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. Appendix C to subpart B is amended by revising the wage area listings for the New York, New York, and Philadelphia, Pennsylvania, wage areas to read as follows:

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

\* \* \* \* \*

New York

\* \* \* \* \*

New York

Survey Area

New York:

- Bronx
- Kings
- Nassau
- New York
- Queens
- Suffolk
- Westchester

New Jersey:

- Bergen
- Essex

Hudson  
Middlesex  
Morris  
Passaic  
Somerset  
Union

*Area of Application. Survey Area Plus*

New York:  
Putnam  
Richmond  
Rockland  
New Jersey:  
Monmouth  
Ocean (excluding the Fort Dix Military  
Reservation)  
Sussex

\* \* \* \*

**Pennsylvania**

\* \* \* \*

**Philadelphia**

*Survey Area*  
Pennsylvania:  
Bucks  
Chester  
Delaware  
Montgomery  
Philadelphia  
New Jersey:  
Burlington  
Camden  
Gloucester

*Area of Application. Survey Area Plus*

Pennsylvania:  
Lehigh  
Northampton  
New Jersey:  
Atlantic  
Cape May  
Cumberland  
Hunterdon  
Mercer  
Ocean (Fort Dix Military Reservation only)  
Warren

\* \* \* \*

[FR Doc. 98-16668 Filed 6-22-98; 8:45 am]

BILLING CODE 6325-01-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 98-SW-01-AD]

**Airworthiness Directives; Eurocopter France Model AS 332C, L, L1 and L2 Helicopters**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to Eurocopter France Model AS 332C, L, L1, and L2 helicopters. This proposal would require replacing certain circuit

breakers. This proposal is prompted by the manufacturer discovering, upon testing a circuit breaker installed in a helicopter, the loss of electrical continuity between the terminals of the installed circuit breaker. The actions specified by the proposed AD are intended to prevent loss of electrical power caused by improper installation of certain circuit breakers causing deterioration in the operation of the circuit breakers, loss of instrumentation, and subsequent loss of control of the helicopter.

**DATES:** Comments must be received on or before July 23, 1998.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-01-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from American Eurocopter Corporation, 2701 Forum Drive, Grand Prairie, Texas 75053-4005, telephone (972) 641-3460, fax (972) 641-3527. This information may be examined at the FAA, Office of the Regional Counsel, Southwest Region, 2601 Meacham Blvd., Room 663, Fort Worth, Texas.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert McCallister, Aerospace Engineer, FAA, Rotorcraft Directorate, Rotorcraft Standards Staff, 2601 Meacham Blvd., Fort Worth, Texas 76137, telephone (817) 222-5121, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report

summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 98-SW-01-AD." The postcard will be date stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 98-SW-01-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137.

**Discussion**

The Direction Generale De L'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on Eurocopter France Model AS 332C, L, L1, and L2 helicopters. The DGAC advises of the loss of continuity on certain single-pole circuit breakers.

Eurocopter France has issued Service Bulletin No. 01.00-49, dated June 30, 1997, (SB) for Models AS 332C, L, L1, and L2 to inspect Crouzet single-pole circuit breakers, Part Number (P/N) 84 400 028 through 84 400 037, and to replace all circuit breakers that have any loss of electrical continuity. The DGAC classified this SB as mandatory and issued DGAC AD's 97-202-062(AB) and 97-201-007(AB), both dated August 27, 1997, to ensure the continued airworthiness of these helicopters in France.

These helicopter models are manufactured in France and are type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other Eurocopter France Model AS 332C, L, L1, and L2 helicopters of the same type design