

# Proposed Rules

Federal Register

Vol. 80, No. 229

Monday, November 30, 2015

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.

## DEPARTMENT OF EDUCATION

### 2 CFR Part 3474

[Docket ID ED-2015-OS-0105]

RIN 1894-AA07

### Open Licensing Requirement for Direct Grant Programs

**AGENCY:** Office of the Secretary, Department of Education.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** On November 3, 2015, we published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in order to require that all Department grantees awarded direct competitive grant funds openly license to the public all copyrightable intellectual property created with Department grant funds. That NPRM established a 30-day comment period beginning on November 3, 2015, and closing on December 3, 2015. We are extending the public comment period for 15 days, until December 18, 2015.

**DATES:** The comment period for the notice of proposed rulemaking that published on November 3, 2015 (80 FR 67672), is extended. We must receive your comments on or before December 18, 2015.

**ADDRESSES:** Submit your comments through the Federal eRulemaking Portal or via U.S. mail, commercial delivery, or hand delivery. We will not accept comments submitted by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies, please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

• *Federal eRulemaking Portal:* Go to [www.regulations.gov](http://www.regulations.gov) to submit your comments electronically. Information on using [Regulations.gov](http://Regulations.gov), including instructions for accessing agency documents, submitting comments, and

viewing the docket, is available on the site under “Are you new to the site?”

• *U.S. Mail, Commercial Delivery, or Hand Delivery:* If you mail or deliver your comments about the proposed regulations, address them to Sharon Leu, U.S. Department of Education, 400 Maryland Avenue SW., room 6W252, Washington, DC 20202-5900.

*Privacy Note:* The Department’s policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov). Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

**FOR FURTHER INFORMATION CONTACT:** Sharon Leu, U.S. Department of Education, 400 Maryland Avenue SW., room 6W252, Washington, DC 20202-5900. Telephone: 202-453-5646 or email: [tech@ed.gov](mailto:tech@ed.gov).

If you use a telecommunications device for the deaf or a text telephone, call the Federal Relay Service, toll free, at 1-800-877-8339.

#### SUPPLEMENTARY INFORMATION:

*Background:* On November 3, 2015, we published an NPRM in the **Federal Register** (80 FR 67672), to amend the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in order to require that all Department grantees awarded direct competitive grant funds openly license to the public all copyrightable intellectual property created with Department grant funds. The NPRM established a 30-day comment period, closing on December 3, 2015. To ensure that all interested parties are provided ample time and opportunity to submit comments, we are extending the public comment period for an additional 15 days. Written comments must be submitted to us no later than December 18, 2015.

*Accessible Format:* Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotope, or compact disc) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

*Electronic Access to This Document:* The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register**

and the Code of Federal Regulations is available via the Federal Digital System at: [www.gpo.gov/fdsys](http://www.gpo.gov/fdsys). At this site you can view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at this site.

You may also access documents of the Department published in the **Federal Register** by using the article search feature at: [www.federalregister.gov](http://www.federalregister.gov). Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: November 23, 2015.

**Arne Duncan,**

*Secretary of Education.*

[FR Doc. 2015-30279 Filed 11-24-15; 11:15 am]

**BILLING CODE 4000-01-P**

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206-AN26

### Prevailing Rate Systems; Abolishment of the Newburgh, NY, Appropriated Fund Federal Wage System Wage Area

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

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

**SUMMARY:** The U.S. Office of Personnel Management (OPM) is issuing a proposed rule that would abolish the Newburgh, New York, appropriated fund Federal Wage System (FWS) wage area and redefine Orange County, NY, to the New York, NY, survey area; Dutchess County, NY, to the New York area of application; Delaware and Ulster Counties, NY, to the Albany-Schenectady-Troy, NY, area of application; and Sullivan County, NY, to the Scranton-Wilkes-Barre, Pennsylvania, area of application. These changes are based on a recent consensus recommendation of the Federal Prevailing Rate Advisory Committee (FPRAC) to best match the counties proposed for redefinition to nearby FWS survey areas.

**DATES:** We must receive comments on or before December 30, 2015.

**ADDRESSES:** You may submit comments, identified by “RIN 3206–AN26,” using any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Mail:* Brenda L. Roberts, 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).

**FOR FURTHER INFORMATION CONTACT:** Madeline Gonzalez, by telephone at (202) 606–2838 or by email at [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov).

**SUPPLEMENTARY INFORMATION:** OPM is issuing a proposed rule that would abolish the Newburgh, NY, appropriated fund FWS wage area and redefine the geographic boundaries of the New York, NY; Albany-Schenectady-Troy, NY; and Scranton-Wilkes-Barre, PA, appropriated fund FWS wage areas. The proposed rule would redefine Orange County, NY, to the New York survey area; Dutchess County, NY, to the New York area of application; Delaware and Ulster Counties, NY, to the Albany-Schenectady-Troy area of application; and Sullivan County, NY, to the Scranton-Wilkes-Barre area of application.

The Newburgh wage area is presently composed of three survey counties (Dutchess, Orange, and Ulster Counties) and two area of application counties (Delaware and Sullivan Counties).

Under section 5343 of title 5, United States Code, OPM is responsible for defining wage areas following the regulatory criteria under section 532.211 of title 5, Code of Federal Regulations. Under the regulatory criteria, OPM considers the following factors 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.

The Office of Management and Budget defines Metropolitan Statistical Areas (MSAs) and maintains and updates the definitions of MSA boundaries following each decennial census. OMB’s 2013 definitions of MSAs added Dutchess and Orange Counties to the New York-Newark-Jersey City, NY–NJ–PA MSA. The New York-Newark-Jersey City is now split between the Newburgh and New York wage areas. OPM regulations at 5 CFR 532.211 do not permit splitting MSAs for the purpose of defining a wage area, except in very unusual circumstances.

#### **Dutchess and Orange Counties, NY**

Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset, Sussex, and Union Counties, NJ; Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, and Westchester Counties, NY; and Pike County, PA, comprise the New York-Newark-Jersey City, NY–NJ–PA MSA. The New York-Newark-Jersey City MSA contains parts of the Newburgh and New York FWS wage areas. Bergen, Essex, Hudson, Middlesex, Morris, Passaic, Somerset, and Union Counties, NJ, and Bronx, Kings, Nassau, New York, Queens, Suffolk, and Westchester Counties, NY, are part of the New York survey area. Hunterdon, Monmouth, Ocean (excluding the Fort Dix Military Reservation), and Sussex Counties, NJ; Putnam, Richmond, and Rockland Counties, NY; and Pike County, PA, are part of the New York area of application. Dutchess and Orange Counties, NY, are part of the Newburgh survey area.

There now appear to be no unusual circumstances for Dutchess and Orange Counties to be split from the majority of the counties of the New York-Newark-Jersey City MSA. Therefore, OPM proposes to redefine Dutchess and Orange Counties to the New York wage area. Because Orange County has a large FWS workforce of 800 employees, it would be redefined to the New York survey area. With only 39 FWS employees, Dutchess County would be redefined to the New York area of application.

#### **Delaware, Sullivan, and Ulster Counties, NY**

With the redefinition of Dutchess and Orange Counties to the New York wage area, the Newburgh wage area would no longer be a viable wage area and would be abolished. Its remaining constituent counties would be redefined to a neighboring wage area.

In selecting a wage area to which Delaware County should be redefined, the distance criterion favors the Albany-Schenectady-Troy wage area. The commuting patterns criterion slightly favors the New York wage area. 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 these findings, OPM is proposing to redefine Delaware County as an area of application county to the Albany-Schenectady-Troy wage area.

In selecting a wage area to which Sullivan County would be redefined, the distance criterion favors the

Scranton-Wilkes-Barre wage area. The commuting patterns criterion favors the New York wage area. 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 these findings, OPM is proposing to redefine Sullivan County as an area of application to the Scranton-Wilkes-Barre area of application.

In selecting a wage area to which Ulster County would be redefined, the distance criterion favors the Albany-Schenectady-Troy wage area. The commuting patterns criterion favors the New York wage area. 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 these findings, OPM is proposing to redefine Ulster County as an area of application county to the Albany-Schenectady-Troy wage area.

The Federal Prevailing Rate Advisory Committee (FPRAC), the statutory national labor-management committee responsible for advising OPM on matters affecting the pay of FWS employees, recommended these changes by consensus. These changes 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.

#### **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.

**Beth F. Cobert,**

*Acting Director.*

Accordingly, OPM 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— [Amended]**

- 2. Appendix A to subpart B of part 532 is amended for the State of New York by removing the entry for Newburg.

■ 3. Appendix C to subpart B is amended by removing the wage area listing for Newburgh, NY, and revising the wage area listing for the Albany-Schenectady-Troy, NY; New York, NY; and Scranton-Wilkes-Barre, PA, wage areas to read as follows:

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

\* \* \* \* \*

**NEW YORK**

**Albany-Schenectady-Troy**

*Survey Area*

New York:  
Albany  
Montgomery  
Rensselaer  
Saratoga  
Schenectady

*Area of Application. Survey area plus:*

New York:  
Columbia  
Delaware  
Fulton  
Greene  
Schoharie  
Ulster  
Warren  
Washington

\* \* \* \* \*

**New York**

*Survey Area*

New Jersey:  
Bergen  
Essex  
Hudson  
Middlesex  
Morris  
Passaic  
Somerset  
Union  
New York:  
Bronx  
Kings  
Nassau  
New York  
Orange  
Queens  
Suffolk  
Westchester

*Area of Application. Survey area plus:*

New Jersey:  
Hunterdon  
Monmouth  
Ocean (Excluding the Fort Dix Military Reservation)  
Sussex  
New York:  
Dutchess  
Putnam  
Richmond  
Rockland  
Pennsylvania:  
Pike

\* \* \* \* \*

**PENNSYLVANIA**

\* \* \* \* \*

**Scranton-Wilkes-Barre**

*Survey Area*

Pennsylvania:  
Lackawanna  
Luzerne  
Monroe

*Area of Application. Survey area plus:*

New York:  
Sullivan  
Pennsylvania:  
Bradford  
Columbia  
Lycoming (Excluding Allenwood Federal Prison Camp)  
Montour  
Sullivan  
Susquehanna  
Wayne  
Wyoming

\* \* \* \* \*

[FR Doc. 2015-30310 Filed 11-27-15; 8:45 am]

**BILLING CODE 6325-39-P**

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Parts 50 and 52**

[NRC-2011-0189 and NRC-2014-0240]

RIN 3150-AJ49

**Mitigation of Beyond-Design-Basis Events; Correction**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule; correction.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is correcting a proposed rule that it published in the **Federal Register** (FR) on November 13, 2015, proposing to amend its regulations that establish regulatory requirements for nuclear power reactor applicants and licensees to mitigate beyond-design-basis events. This action is necessary to correct an NRC docket ID number that was listed incorrectly.

**DATES:** The correction is effective November 30, 2015.

**ADDRESSES:** Please refer to Docket ID NRC-2014-0240 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for Docket ID NRC-2014-0240. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- NRC's Agencywide Documents Access and Management System (ADAMS): You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:**

Timothy Reed, Office of Nuclear Reactor Regulation, telephone: 301-415-1462, email: [Timothy.Reed@nrc.gov](mailto:Timothy.Reed@nrc.gov); or Eric Bowman, Office of Nuclear Reactor Regulation, telephone: 301-415-2963, email: [Eric.Bowman@nrc.gov](mailto:Eric.Bowman@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**SUPPLEMENTARY INFORMATION:** In the FR on November 13, 2015, in FR Doc. 2015-28589, on page 70640, in the first column, the third paragraph, the ninth line, correct "NRC-2012-0059" to read "NRC-2014-0240."

Dated at Rockville, Maryland, this 24th day of November 2015.

For the Nuclear Regulatory Commission.

**Leslie Terry,**

*Acting Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 2015-30258 Filed 11-27-15; 8:45 am]

**BILLING CODE 7590-01-P**