

Proposed Rules

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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-AI95

Prevailing Rate Systems; Redefinition of the Southern and Western Colorado 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 Eagle, Garfield, Lake, Pitkin, Rio Blanco, and Routt Counties, Colorado, from the Southern and Western Colorado appropriated fund Federal Wage System (FWS) wage area to the area of application of the Denver wage area, and redefine Mesa County, CO, from the Southern and Western Colorado FWS wage area to the area of application of the Utah FWS wage area. In addition, we propose to change the name of the Southern and Western Colorado FWS wage area to Southern Colorado.

The redefinition of Eagle, Garfield, Lake, Mesa, Pitkin, Rio Blanco, and Routt Counties, CO, would more accurately reflect the regulatory criteria used to define FWS wage areas. The change in the wage area name to the Southern Colorado FWS wage area would more accurately describe the geographic coverage of the redefined wage area.

DATES: Comments must be received by January 26, 2000.

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 20415-8200, or FAX: (202) 606-4264.

FOR FURTHER INFORMATION CONTACT: Jennifer Hopkins by phone at (202) 606-

2848, by FAX at (202) 606-0824, or by email at jdhopkin@opm.gov.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management (OPM) is engaged in an ongoing project to review the geographic definitions of selected appropriated fund Federal Wage System (FWS) wage areas. The Federal Prevailing Rate Advisory Committee (FPRAC), the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, has recommended by consensus that we redefine Eagle, Garfield, Lake, Pitkin, Rio Blanco, and Routt Counties, Colorado, from the Southern and Western Colorado appropriated fund FWS wage area to the area of application of the Denver FWS wage area, and redefine Mesa County, CO, from the Southern and Western Colorado FWS wage area to the area of application of the Utah FWS wage area. After careful consideration of FPRAC's recommendations, and based on the regulatory criteria for defining FWS wage areas, we have found that it is appropriate to redefine these counties. In addition, FPRAC recommended that the name of the Southern and Western Colorado wage area be changed to Southern Colorado. Although FPRAC carefully considered the possibility of recommending other changes in the Southern and Western Colorado FWS wage area, the Committee did not find that additional changes would be appropriate at this time.

Section 532.211 of title 5, Code of Federal Regulations, lists the following criteria for consideration when OPM defines 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 Southern and Western Colorado wage area continues to meet all regulatory requirements to remain a separate wage area. There are currently about 1,800 FWS workers in the wage area. The wage area's host activity, the United States Air Force Academy, still has the capacity to host annual local wage surveys. In addition, local wage surveys in the Southern and Western Colorado survey area find more than sufficient local private industry wage data to satisfy the regulatory criteria for

FWS wage survey adequacy under 5 CFR 532.239.

Based on an analysis of the regulatory criteria for defining FWS wage areas, FPRAC found sufficient rationale to recommend that OPM redefine Eagle, Garfield, Lake, Pitkin, Rio Blanco, and Routt Counties to the Denver wage area. The distance criterion for these counties favored the Denver wage area more than the Southern and Western Colorado wage area. The transportation facilities and geographic features criteria for these counties strongly favored the Denver wage area because the most favorable route by road from these counties goes through the present Denver wage area before reaching the Southern and Western Colorado survey area. All other criteria studied did not favor one wage area more than another.

For Mesa County, CO, the distance to the closest city criterion favored the Utah wage area, while the distance to the closest host installation criterion favored the Denver wage area. The transportation facilities and geographic features criteria favored the Utah wage area. The kinds and sizes of industry and population criteria also favored the Utah wage area. All other criteria studied had indeterminate findings. An additional factor taken into consideration for Mesa County was that the Colorado National Monument, located in Mesa County, is administratively in the same National Park Service region as most of the National Parks in Utah. Arches National Park is defined to the Utah wage area and is located just across the State line from the Colorado National Monument. Based on the regulatory criteria analysis and because of the organizational relationships and geographic proximity of National Park Service facilities in the region, FPRAC recommended that we place the Colorado National Monument in the same wage area as the Arches National Park.

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, the Office of Personnel Management 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 A to subpart B of part 532 is amended for the State of Colorado by removing the wage area listing for “Southern & Western Colorado” and adding alphabetically in its place a listing for “Southern Colorado”.

3. Appendix C to subpart B is amended by revising the wage area listings for Denver, Colorado, and Utah, and by removing the wage area listing for Southern & Western Colorado and adding in its place a listing of Southern Colorado to read as follows:

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

* * * * *

Colorado

Denver

Survey Area

Colorado:
Adams
Arapahoe
Boulder
Denver
Douglas
Gilpin
Jefferson

Area of Application. Survey area plus:

Colorado:
Clear Creek
Eagle
Elbert
Garfield
Grand
Jackson
Lake
Larimer
Logan
Morgan
Park
Phillips
Pitkin
Rio Blanco
Routt
Sedgwick
Summit
Washington
Weld
Yuma

Southern Colorado

Survey Area

Colorado:

El Paso
Pueblo
Teller

Area of Application. Survey area plus:

Colorado:
Alamosa
Archuleta
Baca
Bent
Chaffee
Cheyenne
Conejos
Costilla
Crowley
Custer
Delta
Dolores
Fremont
Gunnison
Hinsdale
Huerfano
Kiowa
Kit Carson
Las Animas
Lincoln
Mineral
Montrose
Otero
Ouray
Pitkin
Prowers
Rio Grande
Saguache
San Juan
San Miguel

* * * * *

Utah

Survey Area

Utah:
Box Elder
Davis
Salt Lake
Tooele
Utah
Weber

Area of Application. Survey area plus:

Utah:
Beaver
Cache
Carbon
Daggett
Duchesne
Emery
Garfield
Grand
Iron
Juab
Millard
Morgan
Piute
Rich
San Juan (Only includes the Canyonlands National Park portion.)
Sanpete
Sevier
Summit
Uintah
Wasatch
Washington
Wayne
Colorado:
Mesa

Moffat

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Parts 360 and 361

[Docket No. 99–064–1]

Noxious Weeds; Update of Weed and Seed Lists

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule and notice of public hearing.

SUMMARY: We are proposing to amend the noxious weeds regulations by adding *Homeria* spp. (Cape tulips) to the list of terrestrial weeds. Listed noxious weeds may be moved into or through the United States or interstate only under a written permit and under conditions that would not involve a danger of dissemination of the weeds. This action appears to be necessary to prevent the artificial spread of noxious weeds into noninfested areas of the United States.

DATES: Consideration will be given only to comments received on or before February 25, 2000. We will also consider comments made at a public hearing to be held on February 1, 2000.

ADDRESSES: Please send your comment and three copies to: Docket No. 99–064–1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road, Unit 118, Riverdale, MD 20737–1238.

Please state that your comment refers to Docket No. 99–064–1.

The public hearing will be held at the USDA Center at Riverside, room 3B01, 4700 River Road, Riverdale, MD. Picture identification is required to gain access to the building. Parking is available next to the building for a \$3 fee (please have quarters or \$1 bills available). The nearest Metro station is the College Park station on the Green Line, which is within walking distance.

You may read any comments that we receive on this docket in our reading room. The reading room is located in room 1141 of the USDA South Building, 14th Street and Independence Avenue, SW., Washington DC. Normal reading room hours are 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. To be sure someone is there to help you, please call (202) 690–2817 before coming.