

# Rules and Regulations

Federal Register

Vol. 65, No. 133

Tuesday, July 11, 2000

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.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206-AJ00

### Prevailing Rate Systems; Abolishment of the Franklin, PA, Nonappropriated Fund Wage Area

**AGENCY:** Office of Personnel  
Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management is issuing a final rule that will abolish the Franklin, Pennsylvania, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Franklin and Blair Counties, PA, to the Cumberland, PA, NAF FWS wage area. This change is necessary because the Franklin wage area's host installation, Letterkenny Army Depot, has downsized its operation. This leaves the Department of Defense without an installation in the survey area capable of hosting annual local wage surveys in the wage area.

**DATES:** *Effective date:* This regulation is effective on July 11, 2000.

**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](mailto:jdhopkin@opm.gov).

**SUPPLEMENTARY INFORMATION:** On February 29, 2000, the Office of Personnel Management (OPM) published an interim rule (65 FR 10673) to abolish the Franklin, Pennsylvania, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Franklin and Blair Counties, PA. The Franklin wage area consists of one survey county, Franklin County, and one area of application county, Blair County, PA. Under section 5343 of title 5, United States Code, OPM is responsible for defining FWS wage areas. For this purpose, we follow the

regulatory criteria in section 532.219(b) of title 5, Code of Federal Regulations.

OPM may establish NAF wage areas when a minimum of 26 NAF wage employees have duty stations in the survey area, a local activity has the capability to host annual local wage surveys, and a minimum of 1,800 private enterprise employees are within the survey area in establishments within survey specifications. Although Franklin County, PA, has approximately 26 NAF FWS employees, the wage area's host activity, Letterkenny Army Depot, has downsized its operation. This leaves the Department of Defense without an activity in the survey area with the capability to conduct annual local wage surveys in the wage area. Therefore, Blair and Franklin Counties, PA, will become part of the Cumberland, PA, NAF wage area. The Cumberland wage area will consist of one survey county, Cumberland County, PA, and two areas of application counties, Blair and Franklin Counties, PA.

The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, has reviewed and concurred by consensus with this change. FWS employees in Franklin and Blair Counties, PA, transferred to the Cumberland, PA, NAF wage area schedule on the first day of the first applicable pay period beginning on or after March 16, 2000. The interim rule had a 30-day public comment period, during which OPM did not receive any comments.

### Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it 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 (65 FR 10673) amending 5 CFR part 532 published on February 29, 2000, is adopted as final with no changes.

U.S. Office of Personnel Management.

**Janice R. Lachance,**

*Director.*

[FR Doc. 00-17459 Filed 7-10-00; 8:45 am]

**BILLING CODE 6325-01-P**

## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 532

RIN 3206-AJ01

### Prevailing Rate Systems; Abolishment of the Lebanon, PA, Nonappropriated Fund Wage Area

**AGENCY:** Office of Personnel  
Management.

**ACTION:** Final rule.

**SUMMARY:** The Office of Personnel Management is issuing a final rule that will abolish the Lebanon, Pennsylvania, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and redefine Lebanon County, PA, to the York, PA, NAF FWS wage area. This change is necessary because the Lebanon wage area's host installation, Fort Indiantown Gap, has downsized its operation. This leaves the Department of Defense without an installation in the survey area capable of hosting annual local wage surveys in the wage area. The rule will also remove Columbia County, PA, as part of an NAF wage area because NAF employees no longer have duty stations in the county.

**DATES:** *Effective date:* This regulation is effective on July 11, 2000.

**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](mailto:jdhopkin@opm.gov).

**SUPPLEMENTARY INFORMATION:** On February 29, 2000, the Office of Personnel Management (OPM) published an interim rule (65 FR 10674) to abolish the Lebanon, Pennsylvania, nonappropriated fund (NAF) Federal Wage System (FWS) wage area, redefine Lebanon County, PA, and remove Columbia County, PA, as part of an NAF wage area. The Lebanon wage area consists of one survey county, Lebanon County, and one area of application county, Columbia County. Under section 5343 of title 5, United States Code, OPM is responsible for defining FWS wage areas. For this purpose, we follow the regulatory criteria in section

532.219(b) of title 5, Code of Federal Regulations.

OPM may establish NAF wage areas when a minimum of 26 NAF wage employees work in the survey area, a local activity has the capability to host annual local wage surveys, and a minimum of 1,800 private enterprise employees are within the survey area in establishments within survey specifications. Lebanon County, PA, has approximately 22 NAF FWS employees, and the wage area's host activity, Fort Indiantown Gap, has downsized its operation. This leaves the Department of Defense without an activity in the survey area with the capability to conduct annual local wage surveys in the wage area. Columbia County, PA, is not a part of an NAF wage area because NAF employees no longer have duty stations in the county. Therefore, the York, PA, NAF wage area will consist of one survey county, York County, PA, and one area of application county, Lebanon County, PA.

The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, has reviewed and concurred by consensus with this change. FWS employees in Lebanon County, PA, transferred to the York, PA, NAF wage area schedule on the first day of the first applicable pay period beginning on or after March 2, 2000. The interim rule had a 30-day public comment period, during which OPM did not receive any comments.

#### Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it 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 (65 FR 10674) amending 5 CFR part 532 published on February 29, 2000, is adopted as final with no changes.

*U.S. Office of Personnel Management.*

**Janice R. Lachance,**  
*Director.*

[FR Doc. 00-17458 Filed 7-10-00; 8:45 am]

BILLING CODE 6325-01-P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 929

[Docket No. FV00-929-2 FR]

#### **Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Establishment of Marketable Quantity and Allotment Percentage and Other Modifications Under the Cranberry Marketing Order**

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Final rule.

**SUMMARY:** This rule establishes the quantity of cranberries that handlers may purchase from, or handle for, growers during the 2000-2001 crop year, which begins on September 1, 2000, and ends on August 31, 2001. The order regulates the handling of cranberries grown in 10 States and is administered locally by the Cranberry Marketing Committee (Committee). This rule establishes a marketable quantity of 5.468 million barrels, allows for some adjustment of this figure based on final calculations of sales histories, and establishes an allotment percentage of 85 percent. This action is designed to stabilize marketing conditions and improve grower returns. Fresh and organically-grown cranberries are exempt from the volume limitations to facilitate marketing of these products. This rule also revises the method in which growers' sales histories are computed and suspends certain dates in the order which are impractical.

**EFFECTIVE DATE:** This final rule becomes effective July 12, 2000.

#### **FOR FURTHER INFORMATION CONTACT:**

Patricia A. Petrella or Kenneth G. Johnson, DC Marketing Field Office, Fruit and Vegetable Programs, AMS, USDA, Suite 2A04, Unit 155, 4700 River Road, Riverdale, Maryland 20737, telephone: (301) 734-5243; Fax: (301) 734-5275; or Anne M. Dec, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, room 2525-S, P.O. Box 96456, Washington, DC 20090-6456; telephone: (202) 720-2491, Fax: (202) 720-5698.

Small businesses may request information on complying with this regulation by contacting Jay Guerber, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456;

telephone: (202) 720-2491, Fax: (202) 720-5698, or E-mail: Jay.Guerber@usda.gov.

**SUPPLEMENTARY INFORMATION:** This final rule is issued under Marketing Order No. 929 [7 CFR Part 929], as amended, regulating the handling of cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended [7 U.S.C. 601-674], hereinafter referred to as the "Act."

#### **Question and Answer Overview**

##### *When Will This Final Rule Be Effective?*

The final rule is effective on July 12, 2000, and the volume regulation will apply to the 2000-2001 crop year which begins on September 1, 2000, and ends on August 31, 2001.

##### *Who Will Be Affected by This Action?*

Cranberry growers and handlers/processors located in the 10-State production area will be affected by this action. The 10-State production area covers cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York.

##### *Why Is Volume Control Being Implemented This Year?*

The Committee recommended volume control this year in order to address the serious oversupply situation being experienced by the industry. For the 1999 crop year, industry reports show that continued low grower prices will accompany record high production and inventories. Many cranberry growers are experiencing difficulties dealing with these extreme market conditions.

The Committee determined the best method of volume control would be the producer allotment program which provides for an annual marketable quantity and allotment percentage.

The use of volume control is not the only avenue that could be used to address the oversupply situation being experienced by the industry. The industry is also looking into methods of increasing demand by developing new markets, both domestic and foreign, by developing new products and by increasing promotional efforts.

##### *What Is Marketable Quantity and Allotment Percentage?*

Marketable quantity is defined as the number of pounds of cranberries needed