

Rules and Regulations

Federal Register

Vol. 74, No. 91

Wednesday, May 13, 2009

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-AL79

Prevailing Rate Systems; Redefinition of the Fresno and Stockton, CA, Appropriated Fund Federal Wage System Wage Areas

AGENCY: U.S. Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The U.S. Office of Personnel Management is issuing a final rule to redefine the geographic boundaries of the Fresno and Stockton, CA, appropriated fund Federal Wage System (FWS) wage areas. The final rule redefines Mariposa and Merced Counties and the Yosemite National Park portion of Madera and Tuolumne Counties, CA, to the Stockton wage area. These changes are based on recent consensus recommendations of the Federal Prevailing Rate Advisory Committee to best match the counties proposed for redefinition to a nearby FWS survey area.

DATES: *Effective date:* This regulation is effective on May 13, 2009.

Applicability date: The affected employees in Mariposa and Merced Counties and the Yosemite National Park portion of Madera and Tuolumne Counties will be placed on the wage schedule for the Stockton wage area on the first day of the first applicable pay period beginning on or after June 12, 2009.

FOR FURTHER INFORMATION CONTACT: Madeline Gonzalez, (202) 606-2838; email pay-performance-policy@opm.gov; or FAX: (202) 606-4264.

SUPPLEMENTARY INFORMATION: On February 4, 2009, the U.S. Office of Personnel Management (OPM) issued a

proposed rule (74 FR 6003) to redefine the geographic boundaries of the Fresno and Stockton, CA, appropriated fund Federal Wage System (FWS) wage areas for blue-collar Federal employees. The proposed rule would redefine Mariposa and Merced Counties and the Yosemite National Park portion of Madera and Tuolumne Counties, CA, to the Stockton FWS wage area. The 30-day comment period ended on March 6, 2009. Public comments supported these changes but numerous white-collar General Schedule (GS) employees also recommended that Fresno, Stanislaus, and Tulare Counties, CA, be moved from the Rest of U.S. (RUS) GS locality pay area to the San Jose-San Francisco-Oakland, CA GS locality pay area.

The recommendation on GS locality pay areas is beyond the scope of this rule. The proposed rule addressed only blue-collar FWS wage area boundaries, not white-collar GS locality pay area boundaries. Therefore, this final regulation does not make changes to GS locality pay areas.

Mariposa and Merced Counties and the Yosemite National Park portion of Madera and Tuolumne Counties are currently defined to the Fresno FWS area of application and coincide with the RUS GS locality pay area. Analysis of OPM's regulatory criteria for defining FWS wage area boundaries shows that Mariposa and Merced Counties and the Yosemite National Park portion of Madera and Tuolumne Counties are more appropriately defined as part of the Stockton FWS area of application. This final regulation will, therefore, redefine Mariposa and Merced Counties and the Yosemite National Park portion of Madera and Tuolumne Counties to the Stockton FWS area of application. Because this final regulation makes no changes to GS locality pay areas, Mariposa and Merced Counties and the Yosemite National Park portion of Madera and Tuolumne Counties will continue to coincide with the RUS GS locality pay area.

Fresno and Tulare Counties are part of the Fresno FWS wage area and Stanislaus County is part of the Stockton FWS wage area. This regulation makes no changes to the FWS definition of these counties. Fresno, Stanislaus, and Tulare Counties will also continue to coincide with the RUS GS locality pay area.

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.

U.S. Office of Personnel Management.

John Berry,
Director.

■ Accordingly, the U.S. Office of Personnel Management is amending 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. In appendix C to subpart B, the wage area listing for the State of California is amended by revising the listings for Fresno and Stockton, to read as follows:

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

* * * * *

California Fresno Survey Area

California:
Fresno
Kings
Tulare

Area of Application. Survey area plus:

California:

Kern (Does not include China Lake Naval Weapons Center, Edwards Air Force Base, and portions occupied by Federal activities in Boron (City).)
Madera (Does not include Devils Postpile National Monument and Yosemite National Park portions.)

* * * * *

Stockton Survey Area

California:
San Joaquin

Area of Application. Survey area plus:

California:

Calaveras
Madera (Only includes Yosemite National Park portion.)
Mariposa
Merced
Stanislaus
Tuolumne

* * * * *

[FR Doc. E9-11193 Filed 5-12-09; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0433; Directorate Identifier 2009-NM-003-AD; Amendment 39-15902; AD 2009-10-07]

RIN 2120-AA64

Airworthiness Directives; Airbus Model A380-841, -842, and -861 Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for the products listed above. This AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

During the flight test campaign of the A380-861 model (Engine Alliance powered), some cracks were found on the Movable Flap Track Fairing number 6 (MFTF#6).

These cracks were located at the pivot attachment support-ring and at the U-frame in the attachment area to aft-kinematic. In addition, delamination has been observed within the monolithic Carbon Fibre Reinforced Plastic (CFRP) structure around the pivot support-ring.

This condition, if not corrected, could lead to in-flight loss of the MFTF#6, potentially resulting in injuries to persons on the ground.

* * * * *

This AD requires actions that are intended to address the unsafe condition described in the MCAI.

DATES: This AD becomes effective May 28, 2009.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in the AD as of May 28, 2009.

We must receive comments on this AD by June 12, 2009.

ADDRESSES: You may send comments by any of the following methods:

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

- **Fax:** (202) 493-2251.

- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Hand Delivery:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-40, 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

Todd Thompson, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, FAA, 1601 Lind Avenue, SW., Renton, Washington 98057-3356; telephone (425) 227-1175; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Community, has issued EASA Airworthiness Directive 2008-0216, dated December 9, 2008 (referred to after this as "the MCAI"), to correct an unsafe condition for the specified products. The MCAI states:

During the flight test campaign of the A380-861 model (Engine Alliance powered), some cracks were found on the Movable Flap Track Fairing number 6 (MFTF#6).

These cracks were located at the pivot attachment support-ring and at the U-frame in the attachment area to aft-kinematic. In addition, delamination has been observed within the monolithic Carbon Fibre Reinforced Plastic (CFRP) structure around the pivot support-ring.

This condition, if not corrected, could lead to in-flight loss of the MFTF#6, potentially resulting in injuries to persons on the ground.

To prevent the risk of a MFTF#6 detachment, this Airworthiness Directive (AD) requires an inspection program in order

to detect cracks [and delamination] before they become critical and in case of findings to replace the MFTF#6 [with a new or serviceable part].

You may obtain further information by examining the MCAI in the AD docket.

Relevant Service Information

Airbus has issued Service Bulletin A380-57-8014, including Appendix 01, dated November 21, 2008. The actions described in this service information are intended to correct the unsafe condition identified in the MCAI.

FAA's Determination and Requirements of This AD

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with the State of Design Authority, we have been notified of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

There are no products of this type currently registered in the United States. However, this rule is necessary to ensure that the described unsafe condition is addressed if any of these products are placed on the U.S. Register in the future.

Differences Between the AD and the MCAI or Service Information

We have reviewed the MCAI and related service information and, in general, agree with their substance. But we might have found it necessary to use different words from those in the MCAI to ensure the AD is clear for U.S. operators and is enforceable. In making these changes, we do not intend to differ substantively from the information provided in the MCAI and related service information.

We might also have required different actions in this AD from those in the MCAI in order to follow FAA policies. Any such differences are highlighted in a Note within the AD.

FAA's Determination of the Effective Date

Since there are currently no domestic operators of this product, notice and opportunity for public comment before issuing this AD are unnecessary.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and