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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.

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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-A190

Prevailing Rate Systems; Abolishment of the Dubuque, IA Appropriated Fund Wage Area

AGENCY: Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The Office of Personnel Management is issuing an interim rule that will remove the requirement that a full-scale wage survey be conducted in the Dubuque, Iowa, Federal Wage System (FWS) wage area. It will also abolish the Dubuque, IA, FWS wage area and redefine the counties of Clinton, Dubuque, and Jackson, IA, and Carroll, Jo Daviess, and Whiteside, Illinois, to the area of application of the Davenport-Rock Island-Moline, IA, FWS wage area. The interim rule is necessary because of the pending closure of the Dubuque wage area's host installation, the Savannah Army Depot, which is no longer capable of hosting annual wage surveys.

DATES: *Effective date:* This interim rule is effective on October 31, 1999.

Applicability date: Employees in the Dubuque wage area will be transferred to the Davenport wage area on the first day of the first applicable pay period beginning on or after December 19, 1999. Comments must be received by December 6, 1999.

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: Because of the pending closure of the Savannah Army Depot, the Department of Defense (DOD) has requested that the Office of Personnel Management (OPM) abolish the requirement to conduct a full-scale wage survey in the Dubuque wage area. DOD has also requested that OPM abolish the Dubuque wage area and redefine its counties to the Davenport, IA, FWS wage area. The Dubuque wage area is presently composed of six survey counties: Clinton, Dubuque, and Jackson, IA, and Carroll, Jo Daviess, and Whiteside, IL.

The Dubuque wage area's host installation, the Savannah Army Depot, is preparing to close in March 2000. This closure will leave the lead agency, DOD, without an installation in the survey area capable of hosting annual local wage surveys. A full-scale wage survey is scheduled to begin in the Dubuque wage area in October 1999. Since the host installation is preparing to close and is downsizing its operations, it no longer has the capacity to host the annual local full-scale wage survey.

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

- (i) Distance, transportation facilities, and geographical features;
- (ii) Commuting patterns; and
- (iii) Similarities in overall population, employment, and the kinds and sizes of private industrial establishments.

Based on an analysis of these regulatory criteria, OPM is defining the Dubuque wage area to the area of application of the Davenport wage area. The closest major Federal installation to the Savannah Army Depot is the Rock Island Arsenal in the Davenport survey area, which is approximately 113 km (70 miles) away. Transportation facilities, geographic features, and commuting patterns do not favor one wage area more than another. A review of overall population, employment, and kinds and sizes of private industrial establishment shows that the Dubuque

wage area has a population and workforce that most closely resemble the population and workforce of the Davenport survey area. The Dubuque survey area is similar to the Davenport survey area in terms of the distribution of employment in surveyable industries, with a high proportion of employment in the manufacturing sector.

The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed these recommendations and by consensus recommended approval of these changes.

Waiver of Notice of Proposed Rulemaking

Pursuant to section 553(b)(3)(B) of title 5, United States Code, I find good cause exists for waiving the general notice of proposed rulemaking. Also, pursuant to 5 U.S.C. 553(d)(3) I find that good cause exists for making this rule effective in less than 30 days. The notice is being waived and the regulation is being made effective in less than 30 days because the Dubuque wage survey would otherwise be ordered in October 1999 and preparations for the wage survey must begin immediately.

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.

Janice R. Lachance

Director.

Accordingly, the 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.

Appendix A to Subpart B—[Amended]

2. Appendix A to subpart B of part 532 is amended for the State of Iowa by removing the entry for Dubuque.

3. Appendix C to subpart B is amended by removing the wage area listing for Dubuque, Iowa, and revising the Davenport-Rock Island-Moline, IA, listing to read as follows:

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

* * * * *

Iowa

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Davenport-Rock Island-Moline

Survey Area

- Iowa:
 - Scott
- Illinois:
 - Henry
 - Rock Island

Area of Application. Survey Area Plus

- Iowa:
 - Clinton
 - Des Moines
 - Dubuque
 - Jackson
 - Lee
 - Louisa
 - Muscatine
- Illinois:
 - Adams
 - Brown
 - Bureau
 - Carroll
 - Cass
 - Fulton
 - Hancock
 - Henderson
 - Jo Daviess
 - Knox
 - McDonough
 - Marshall
 - Mason
 - Mercer
 - Peoria
 - Putnam
 - Schuyler
 - Stark
 - Tazewell
 - Warren
 - Whiteside
 - Woodford

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 99-080-1]

Citrus Canker Regulations

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the citrus canker regulations to allow citrus fruit produced outside the quarantined areas to be moved into a quarantined area for packing and then moved from that quarantined area to any destination in the United States, including commercial citrus-producing areas. The citrus fruit produced outside the quarantined areas would have to be moved and handled according to specific conditions designed to prevent the artificial spread of citrus canker, including conditions to prevent its commingling with, and possible contamination by, citrus fruit produced within a quarantined area. We are taking this action to relieve unnecessary restrictions on regulated fruit originating outside a quarantined area but packed within a quarantined area.

DATES: This interim rule was effective October 29, 1999. We invite you to comment on this docket. We will consider all comments that we receive by January 3, 2000.

ADDRESSES: Please send your comment and three copies to: Docket No. 99-080-1, 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. 99-080-1.

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.

APHIS documents published in the **Federal Register**, and related information, including the names of organizations and individuals who have commented on APHIS rules, are available on the Internet at <http://www.aphis.usda.gov/ppd/rad/webrepor.html>.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen Poe, Operations Officer, Program Support Staff, PPQ, APHIS, 4700 River Road, Unit 134, Riverdale, MD 20737-1236; (301) 734-8247.

SUPPLEMENTARY INFORMATION:

Background

Citrus canker is a plant disease that affects plants and plant parts, including fresh fruit, of citrus and citrus relatives (Family Rutaceae). Citrus canker can cause defoliation and other serious damage to the leaves and twigs of susceptible plants. It can also cause lesions on the fruit of infected plants, which renders the fruit unmarketable, and cause infected fruit to drop from the trees before reaching maturity. The aggressive A (Asiatic) strain of citrus canker can infect susceptible plants rapidly and lead to extensive economic losses in commercial citrus-producing areas.

The regulations to prevent the interstate spread of citrus canker are contained in 7 CFR 301.75-1 through 301.75-14 (referred to below as the regulations). The regulations restrict the interstate movement of regulated articles from and through areas quarantined because of citrus canker and provide conditions under which regulated fruit may be moved into, through, and from quarantined areas for packing. The regulations currently list parts of Broward, Collier, Dade, and Manatee Counties, FL, as quarantined areas for citrus canker.

Among the entities that are affected by the restrictions of the regulations are producers of regulated fruit and packing plants that handle regulated fruit. With regard to the packing and movement of regulated fruit, the regulations have provided for the three sets of circumstances that may face producers and packers when areas within a State are quarantined for citrus canker:

- The regulated fruit is both produced and packed in a quarantined area (§ 301.75-7(a));
- The regulated fruit is produced in a quarantined area and packed outside the quarantined areas (§ 301.75-4(d)(2)(ii)); and
- The regulated fruit is produced outside the quarantined areas and packed in a quarantined area (§ 301.75-7(b)).

In each of these three situations, the regulations provide specific conditions that must be met in order for the fruit to qualify for interstate movement after packing, and in each case the regulated fruit may not be moved into commercial citrus-producing areas of the United States after packing.