

# Rules and Regulations

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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-AL71

### Prevailing Rate Systems; Redefinition of the Buffalo, NY, and Pittsburgh, PA, 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 Buffalo, NY, and Pittsburgh, PA, appropriated fund Federal Wage System (FWS) wage areas. The final rule redefines McKean and Warren Counties, PA, and the Allegheny National Forest portions of Elk and Forest Counties, PA, from the Pittsburgh wage area to the Buffalo wage area. These changes are based on a consensus recommendation of the Federal Prevailing Rate Advisory Committee (FPRAC) to best match the above counties to a nearby FWS survey area. FPRAC recommended no other changes in the geographic definitions of the Buffalo and Pittsburgh wage areas.

**DATES:** *Effective Date:* This regulation is effective on January 14, 2009.

*Applicability date:* The affected employees in Elk, Forest, McKean, and Warren Counties will be placed on the wage schedule for the Buffalo wage area on the first day of the first applicable pay period beginning on or after February 13, 2009.

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

**SUPPLEMENTARY INFORMATION:** On October 7, 2008, the U.S. Office of Personnel Management (OPM) issued a

proposed rule (73 FR 58506) to redefine the Buffalo, NY, and Pittsburgh, PA, appropriated fund Federal Wage System wage areas. This proposed rule would redefine McKean and Warren Counties, PA, and the Allegheny National Forest portions of Elk and Forest Counties, PA, from the Pittsburgh wage area to the Buffalo wage area. The proposed rule had a 30-day comment period, during which OPM received no comments.

### 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.

**Michael W. Hager,**  
*Acting 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 New York is amended by revising the listing for Buffalo; and for the State of Pennsylvania, by revising the listing for Pittsburgh, to read as follows:

### APPENDIX C TO SUBPART B OF PART 532—APPROPRIATED FUND WAGE AND SURVEY AREAS

\* \* \* \* \*

#### NEW YORK

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#### Buffalo

Survey Area

New York:

Erie  
Niagara

Area of Application. Survey area plus:

New York:  
Cattaraugus  
Chautauqua

Pennsylvania:

Elk (Only includes the Allegheny National Forest portion)  
Forest (Only includes the Allegheny National Forest portion)

McKean  
Warren

\* \* \* \* \*

#### PENNSYLVANIA

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#### Pittsburgh

Survey Area

Pennsylvania:

Allegheny  
Beaver  
Butler  
Washington  
Westmoreland

Area of Application. Survey area plus:

Pennsylvania:

Armstrong  
Bedford  
Blair  
Cambria  
Cameron  
Centre  
Clarion  
Clearfield  
Clinton  
Crawford  
Elk (Does not include the Allegheny National Forest portion)  
Erie  
Fayette  
Forest (Does not include the Allegheny National Forest portion)  
Greene  
Huntingdon  
Indiana  
Jefferson  
Lawrence  
Mercer  
Potter  
Somerset  
Venango

Ohio:

Belmont  
Carroll  
Harrison  
Jefferson  
Tuscarawas

West Virginia:

Brooke  
Hancock  
Marshall  
Ohio

\* \* \* \* \*

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