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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-AL77

Prevailing Rate Systems; Redefinition of Certain 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 (OPM) is issuing a final rule to redefine the geographic boundaries of several appropriated fund Federal Wage System wage areas for pay-setting purposes. Based on recent reviews of Metropolitan Statistical Area boundaries in a number of wage areas, OPM is redefining the following wage areas: Birmingham, AL; Denver, CO; Wilmington, DE; Washington, DC; Atlanta, GA; Columbus, GA; Macon, GA; Chicago, IL; Bloomington-Bedford-Washington, IN; Indianapolis, IN; Louisville, KY; Baltimore, MD; Hagerstown-Martinsburg-Chambersburg, MD; St. Louis, MO; Southern Missouri; Omaha, NE; New York, NY; Philadelphia, PA; Scranton-Wilkes-Barre, PA; Eastern South Dakota; Richmond, VA; and Milwaukee, WI.

DATES: *Effective date:* This regulation is effective on May 4, 2009. *Applicability date:* Agencies will place affected employees on their new wage schedule on the first day of the first applicable pay period beginning on or after June 3, 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 January 14, 2009, the U.S. Office of Personnel Management (OPM) issued a proposed rule (74 FR 1948) to redefine

the geographic boundaries of several appropriated fund Federal Wage System (FWS) wage areas. This proposed rule would redefine the following counties:

- Chilton County, AL, to the Birmingham, AL, area of application;
- Broomfield County, CO, to the Denver, CO, survey area;
- Clarke, Spotsylvania, and Warren Counties, VA; Fredericksburg City, VA; and Jefferson County, WV, to the Washington, DC, area of application;
- Jasper, Lamar, and Meriwether Counties, GA, to the Atlanta, GA, area of application;
- Kenosha County, WI, to the Chicago, IL, area of application;
- Brown County, IN, to the Indianapolis, IN, area of application;
- Union County, SD, to the Omaha, NE, area of application;
- Washington County, IN, to the Louisville, KY, area of application;
- Queen Anne's County, MD, to the Baltimore, MD, area of application;
- Moniteau County, MO, to the St. Louis, MO, area of application;
- Hunterdon County, NJ, and Pike County, PA, to the New York, NY, area of application; and
- Carbon County, PA, to the Philadelphia, PA, area of application.

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.

John Berry,
Director, U.S. Office of Personnel Management.

■ 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. Appendix C to subpart B is amended by revising the wage area listings for Birmingham, AL; Denver, CO; Wilmington, DE; Washington, DC; Atlanta, GA; Columbus, GA; Macon, GA; Chicago, IL; Bloomington-Bedford-Washington, IN; Indianapolis, IN; Louisville, KY; Baltimore, MD; Hagerstown-Martinsburg-Chambersburg, MD; St. Louis, MO; Southern Missouri; Omaha, NE; New York, NY; Philadelphia, PA; Scranton-Wilkes-Barre, PA; Eastern South Dakota; Richmond, VA; and Milwaukee, WI, to read as follows:

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

* * * * *

ALABAMA

* * * * *

Birmingham Survey Area

Alabama:
Jefferson
St. Clair
Shelby
Tuscaloosa
Walker

Area of Application. Survey area plus:

Alabama:
Bibb
Blount
Chilton
Cullman
Fayette
Greene
Hale
Lamar
Marengo
Perry
Pickens

* * * * *

COLORADO

Denver

Survey Area

Colorado:
Adams
Arapahoe
Boulder
Broomfield
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

* * * * *
DELAWARE
Wilmington
Survey Area

Delaware:
 Kent
 New Castle

Maryland:
 Cecil

New Jersey:
 Salem

Area of Application. Survey area plus:

Delaware:
 Sussex

Maryland:
 Caroline
 Dorchester
 Kent
 Somerset
 Talbot
 Wicomico
 Worcester (Does not include the
 Assateague Island portion.)

* * * * *
DISTRICT OF COLUMBIA
Washington, DC
Survey Area

District of Columbia:
 Washington, DC

Maryland:
 Charles
 Frederick
 Montgomery
 Prince George's

Virginia (cities):
 Alexandria
 Fairfax
 Falls Church
 Manassas
 Manassas Park

Virginia (counties):
 Arlington
 Fairfax
 Loudoun
 Prince William

Area of Application. Survey area plus:

Maryland:
 Calvert
 St. Mary's

Virginia (city):

Fredericksburg
 Virginia (counties):
 Clarke
 Fauquier
 King George
 Spotsylvania
 Stafford
 Warren

West Virginia:
 Jefferson

* * * * *
GEORGIA
Atlanta
Survey Area

Georgia:
 Butts
 Cherokee
 Clayton
 Cobb
 De Kalb
 Douglas
 Fayette
 Forsyth
 Fulton
 Gwinnett
 Henry
 Newton
 Paulding
 Rockdale
 Walton

Area of Application. Survey area plus:

Georgia:
 Banks
 Barrow
 Bartow
 Carroll
 Chattooga
 Clarke
 Coweta
 Dawson
 Fannin
 Floyd
 Franklin
 Gilmer
 Gordon
 Greene
 Habersham
 Hall
 Haralson
 Heard
 Jackson
 Jasper
 Lamar
 Lumpkin
 Madison
 Meriwether
 Morgan
 Murray
 Oconee
 Oglethorpe
 Pickens
 Pike
 Polk
 Rabun
 Spalding
 Stephens
 Towns
 Union
 White

Whitfield
 * * * * *
Columbus
Survey Area

Georgia (counties):
 Chattahoochee

Georgia (consolidated government):
 Columbus

Alabama:
 Autauga
 Elmore
 Lee
 Macon
 Montgomery
 Russel

Area of Application. Survey area plus:

Georgia:
 Harris
 Marion
 Quitman
 Schley
 Stewart
 Talbot
 Taylor
 Webster

Alabama:
 Bullock
 Butler
 Chambers
 Coosa
 Crenshaw
 Dallas
 Lowndes
 Pike
 Tallapoosa
 Wilcox

Macon
Survey Area

Georgia:
 Bibb
 Houston
 Jones
 Laurens
 Twiggs
 Wilkinson

Area of Application. Survey area plus:

Georgia:
 Baldwin
 Bleckley
 Crawford
 Crisp
 Dodge
 Dooly
 Hancock
 Johnson
 Macon
 Monroe
 Montgomery
 Peach
 Pulaski
 Putnam
 Telfair
 Treutlen
 Upson
 Washington
 Wheeler
 Wilcox

* * * * *
ILLINOIS

<p>* * * * *</p> <p>Chicago <i>Survey Area</i></p> <p>Illinois: Cook Du Page Kane Lake McHenry Will <i>Area of Application. Survey area plus:</i></p> <p>Illinois: Boone De Kalb Grundy Iroquois Kankakee Kendall La Salle Lee Livingston Ogle Stephenson Winnebago</p> <p>Indiana: Benton Jasper Lake La Porte Newton Porter Pulaski Starke</p> <p>Wisconsin: Kenosha</p>	<p>Livingston McLean Ohio Union Webster</p> <p>Indianapolis <i>Survey Area</i></p> <p>Indiana: Boone Hamilton Hancock Hendricks Johnson Marion Morgan Shelby <i>Area of Application. Survey area plus:</i></p> <p>Indiana: Bartholomew Brown Clay Clinton Decatur Delaware Fayette Fountain Henry Madison Montgomery Parke Putnam Rush Sullivan Tippecanoe Tipton Vermillion Vigo Warren</p>	<p>Jennings Scott Washington</p> <p>* * * * *</p> <p>MARYLAND</p> <p>* * * *</p> <p>Baltimore <i>Survey Area</i></p> <p>Maryland: Baltimore City Anne Arundel Baltimore Carroll Harford Howard <i>Area of Application. Survey area plus:</i></p> <p>Maryland: Queen Anne's Hagerstown-Martinsburg-Chambersburg <i>Survey Area</i></p> <p>Maryland: Washington</p> <p>Pennsylvania: Franklin</p> <p>West Virginia: Berkeley <i>Area of Application. Survey area plus:</i></p> <p>Maryland: Allegany Garrett</p> <p>Pennsylvania: Fulton</p> <p>Virginia (cities): Harrisonburg Winchester</p> <p>Virginia (counties): Culpeper Frederick Greene Madison Page Rappahannock Rockingham Shenandoah</p> <p>West Virginia: Hampshire Hardy Mineral Morgan</p> <p>* * * * *</p>
<p>INDIANA Bloomington-Bedford-Washington <i>Survey Area</i></p> <p>Indiana: Davies Greene Knox Lawrence Martin Monroe Orange <i>Area of Application. Survey area plus:</i></p> <p>Indiana: Crawford Dubois Gibson Jackson Owen Perry Pike Posey Spencer Vanderburgh Warrick</p> <p>Illinois: Edwards Gallatin Hardin Lawrence Richland Wabash White</p> <p>Kentucky: Crittenden Davies Hancock Henderson</p>	<p>* * * * *</p> <p>KENTUCKY</p> <p>* * * *</p> <p>Louisville <i>Survey Area</i></p> <p>Kentucky: Bullitt Hardin Jefferson Oldham</p> <p>Indiana: Clark Floyd Jefferson <i>Area of Application. Survey area plus:</i></p> <p>Kentucky: Breckinridge Grayson Hart Henry Larue Meade Nelson Shelby Spencer Trimble</p> <p>Indiana: Harrison</p>	<p>* * * * *</p> <p>MISSOURI</p> <p>* * * *</p> <p>St. Louis <i>Survey Area</i></p> <p>Missouri: St. Louis City Franklin Jefferson St. Charles St. Louis</p> <p>Illinois: Clinton Madison Monroe</p>

St. Clair
Area of Application. Survey area plus:
 Missouri:
 Audrain
 Boone
 Callaway
 Clark
 Cole
 Crawford
 Gasconade
 Knox
 Lewis
 Lincoln
 Marion
 Moniteau
 Monroe
 Montgomery
 Osage
 Pike
 Ralls
 Randolph
 St. Francois
 Ste. Genevieve
 Scotland
 Shelby
 Warren
 Washington
 Illinois:
 Alexander
 Bond
 Calhoun
 Clay
 Effingham
 Fayette
 Franklin
 Greene
 Hamilton
 Jackson
 Jefferson
 Jersey
 Johnson
 Macoupin
 Marion
 Massac
 Montgomery
 Morgan
 Perry
 Pike
 Pope
 Pulaski
 Randolph
 Saline
 Scott
 Union
 Washington
 Wayne
 Williamson

Southern Missouri
Survey Area

Missouri:
 Christian
 Greene
 Laclède
 Phelps
 Pulaski
 Webster
Area of Application. Survey area plus:
 Missouri:
 Barry
 Barton
 Benton
 Bollinger
 Butler
 Camden

Cape Girardeau
 Carter
 Cedar
 Dade
 Dallas
 Dent
 Douglas
 Hickory
 Howell
 Iron
 Jasper
 Lawrence
 McDonald
 Madison
 Maries
 Miller
 Mississippi
 Morgan
 New Madrid
 Newton
 Oregon
 Ozark
 Perry
 Polk
 Reynolds
 Ripley
 St. Clair
 Scott
 Shannon
 Stoddard
 Stone
 Taney
 Texas
 Vernon
 Wayne
 Wright
 Kansas:
 Cherokee
 Crawford

* * * * *

NEBRASKA
Omaha
Survey Area

Nebraska:
 Douglas
 Lancaster
 Sarpy
 Iowa:
 Pottawattamie
Area of Application. Survey area plus:
 Nebraska:
 Adams
 Antelope
 Arthur
 Blaine
 Boone
 Boyd
 Brown
 Buffalo
 Burt
 Butler
 Cass
 Cedar
 Chase
 Cherry
 Clay
 Colfax
 Cuming
 Custer
 Dakota
 Dawson
 Dixon

Dodge
 Dundy
 Fillmore
 Franklin
 Frontier
 Furnas
 Gage
 Garfield
 Gosper
 Grant
 Greeley
 Hall
 Hamilton
 Harlan
 Hayes
 Hitchcock
 Holt
 Hooker
 Howard
 Jefferson
 Johnson
 Kearney
 Keith
 Keya Paha
 Knox
 Lincoln
 Logan
 Loup
 McPherson
 Madison
 Merrick
 Nance
 Nemaha
 Nuckolls
 Otoe
 Pawnee
 Perkins
 Phelps
 Pierce
 Platte
 Polk
 Red Willow
 Richardson
 Rock
 Saline
 Saunders
 Seward
 Sherman
 Stanton
 Thayer
 Thomas
 Thurston
 Valley
 Washington
 Wayne
 Webster
 Wheeler
 York

Iowa:
 Adams
 Audubon
 Buena Vista
 Cass
 Cherokee
 Clay
 Crawford
 Fremont
 Harrison
 Ida
 Mills
 Monona
 Montgomery
 O'Brien
 Page
 Palo Alto
 Plymouth

Pocahontas
 Sac
 Shelby
 Sioux
 Taylor
 Woodbury
 South Dakota:
 Union

* * * * *
NEW YORK

* * * * *
New York
Survey Area

New York:
 Bronx
 Kings
 Nassau
 New York
 Queens
 Suffolk
 Westchester

New Jersey:
 Bergen
 Essex
 Hudson
 Middlesex
 Morris
 Passaic
 Somerset
 Union

Area of Application. Survey area plus:

New York:
 Putnam
 Richmond
 Rockland

New Jersey:
 Hunterdon
 Monmouth
 Ocean (Excluding the Fort Dix Military
 Reservation)
 Sussex

Pennsylvania:
 Pike

* * * * *
PENNSYLVANIA

* * * * *
Philadelphia
Survey Area

Pennsylvania:
 Bucks
 Chester
 Delaware
 Montgomery
 Philadelphia

New Jersey:
 Burlington
 Camden
 Gloucester

Area of Application. Survey area plus:

Pennsylvania:
 Carbon
 Lehigh
 Northampton

New Jersey:

Atlantic
 Cape May
 Cumberland
 Mercer
 Ocean (Fort Dix Military Reservation
 only)
 Warren

* * * * *
Scranton-Wilkes-Barre
Survey Area

Pennsylvania:
 Lackawanna
 Luzerne
 Monroe

Area of Application. Survey area plus:

Pennsylvania:
 Bradford
 Columbia
 Lycoming (Excluding Allenwood Federal
 Prison Camp)
 Sullivan
 Susquehanna
 Wayne
 Wyoming

* * * * *
SOUTH DAKOTA
Eastern South Dakota
Survey Area

South Dakota:
 Minnehaha

Area of Application. Survey area plus:

South Dakota:
 Aurora
 Beadle
 Bennett
 Bon Homme
 Brookings
 Brown
 Brule
 Buffalo
 Campbell
 Charles Mix
 Clark
 Clay
 Codington
 Corson
 Davison
 Day
 Deuel
 Dewey
 Douglas
 Edmunds
 Faulk
 Grant
 Gregory
 Haakon
 Hamlin
 Hand
 Hanson
 Hughes
 Hutchinson
 Hyde
 Jerauld
 Jones
 Kingsbury
 Lake
 Lincoln
 Lyman
 McCook
 McPherson

Marshall
 Mellette
 Miner
 Moody
 Potter
 Roberts
 Sanborn
 Spink
 Stanley
 Sully
 Todd
 Tripp
 Turner
 Walworth
 Washabaugh
 Yankton
 Ziebach

Iowa:
 Dickinson
 Emmet
 Lyon
 Osceola
 Minnesota:
 Jackson
 Lincoln
 Lyon
 Murray
 Nobles
 Pipestone
 Rock

* * * * *
VIRGINIA

* * * * *
Richmond
Survey Area

Virginia (cities):
 Colonial Heights
 Hopewell
 Petersburg
 Richmond

Virginia (counties):
 Charles City
 Chesterfield
 Dinwiddie
 Goochland
 Hanover
 Henrico
 New Kent
 Powhatan
 Prince George

Area of Application. Survey area plus:

Virginia (cities):
 Charlottesville
 Emporia

Virginia (counties):
 Albemarle
 Amelia
 Brunswick
 Buckingham
 Caroline
 Charlotte
 Cumberland
 Essex
 Fluvanna
 Greensville
 King and Queen
 King William
 Lancaster
 Louisa
 Lunenburg

Mecklenburg
Middlesex
Northumberland
Nottoway
Orange
Prince Edward
Richmond
Sussex
Westmoreland

* * * * *

WISCONSIN

* * * * *

**Milwaukee
Survey Area**

Wisconsin:
Milwaukee
Ozaukee
Washington
Waukesha
Area of Application. Survey area plus:

Wisconsin:
Brown
Calumet
Door
Fond du Lac
Kewaunee
Manitowoc
Outagamie
Racine
Sheboygan
Walworth
Winnebago

[FR Doc. E9-10177 Filed 5-1-09; 8:45 am]

BILLING CODE 6325-39-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA-2009-0241; Airspace
Docket No. 09-ASW-6]

Amendment of Class E Airspace; Refugio, TX

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends the legal description of the Class E airspace at Refugio, TX. It removes the reference to the Rockport, TX, Class E airspace area to reflect its incorporation into the Corpus Christi, TX, Class E airspace area (74 FR 7560). All other legal descriptions for the Refugio, TX, airspace area remain the same.

DATES: *Effective Date:* 0901 UTC, May 7, 2009. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT:
Scott Enander, Central Service Center,
Operations Support Group, Federal
Aviation Administration, Southwest
Region, 2601 Meacham Blvd, Fort
Worth, TX 76193-0530; telephone (817)
321-7716.

SUPPLEMENTARY INFORMATION:

History

On February 18, 2009, the FAA published in the **Federal Register** a final rule to revoke Class E airspace at Rockport, TX (74 FR 7560, Docket No. FAA-2008-0988). This airspace was incorporated into the Corpus Christi, TX, Class E surface area (74 FR 7557, Docket No. FAA-2008-0987). The FAA now will remove reference to the Rockport, TX, airspace area from the Refugio, TX, airspace area. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9S signed October 3, 2008, and effective October 31, 2008, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designations listed in this document will be published subsequently in that Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by removing Rockport, TX, from the legal description of the Class E airspace area at Refugio, TX.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is

promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the legal description for Class E airspace at Refugio, TX.

Since this is only an amendment to the legal description, and in consideration of the need to avoid confusion on the part of pilots flying in the vicinity of Refugio, TX, the FAA finds good cause, pursuant to 5 U.S.C. 553(d), for making this amendment effective in less than 30 days in order to promote the safe and efficient handling of air traffic in the area.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E. O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9S, Airspace Designations and Reporting Points, signed October 3, 2008, and effective October 31, 2008, is amended as follows:

Paragraph 6005 Class E Airspace areas extending upward from 700 feet or more above the surface of the earth.

* * * * *

ASW TX E5 Refugio, TX [Amended]

Refugio, Mellon Ranch Airport, TX
(Lat. 28°16'51" N., long. 97°12'41" W.)
Mellon Ranch NDB
(Lat. 28°16'48" N., long. 97°12'21" W.)
Refugio, Rooke Field, TX
(Lat. 28°17'37" N., long. 97°19'23" W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Mellon Ranch Airport, and within 2.7 miles each side of the 345° bearing from the Mellon Ranch NDB extending from the 6.8-mile radius to 7.4 miles north of the airport, and within 2.7 miles each side of the 145° bearing from the Mellon Ranch NDB