Rules and Regulations

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OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 581 and 582

RIN 3206–AH43

Processing Garnishment Orders for Child Support and Alimony and Commercial Garnishment of Federal Employees' Pay

AGENCY: Office of Personnel Management.

ACTION: Final rule; correction.

SUMMARY: On June 26, 1998 (63 FR 34777), the Office of Personnel Management corrected errors that appeared in the list of agents designated to accept legal process for child support and alimony and the list of agents designated to facilitate the service of legal process on Federal employees (Appendices A and B to Part 581) that were published on March 26, 1998 (63 FR 14756). Subsequent to that correction, additional errors have been brought to OPM's attention. This notice corrects those additional errors.

EFFECTIVE DATE: April 27, 1998.

FOR FURTHER INFORMATION CONTACT: Murray M. Meeker, Senior Attorney, Office of the General Counsel, (202) 606–1700.

U.S. Office of Personnel Management.

Janice R. Lachance,

Director.

Accordingly, the following corrections are made to the final rule published on March 26, 1998 (63 FR 14756):

The listing for the Department of Agriculture's Food Safety and Inspection Service, on page 14760, columns 1 and 2, is corrected to read as follows: Chief, Employee Relations Branch, Human Resources Division, Food Safety and Inspection Service, Room 3175 South Building, Washington, DC 20250–3700, (202) 720–6287

Note: the listing for the Department of Agriculture's Food Safety remains unchanged.

The listing for the ''agent designated to accept legal process issued by courts in the District of Columbia'', under the heading of ''Headquarters (Washington, DC) and overseas employees'', Federal Aviation Administration, Department of Transportation, on page 14767, column 2, is corrected to read as follows: Assistant Chief Counsel, AGC–100, General Legal Services Division, Federal Aviation Administration, 400 Seventh Street, SW., Suite PL–200A, Washington, DC 20590, (202) 366–4099.

The listing for the ''agent designated to accept legal process issued by courts in the State of Oklahoma'', Headquarters (Washington, DC) and overseas employees, Federal Aviation Administration, Department of Transportation, on page 14767, column 2, is corrected to read as follows: Assistant Chief Counsel, AMC–7, Federal Aviation Administration, P.O. Box 25082, Oklahoma City, OK 73125, (405) 954–3296.

The listing for the General Services Administration on page 14775, columns 2 and 3, is corrected to read as follows: Director, Kansas City Finance Division—6BC, 1500 East Bannister Road—Room 1107, Kansas City, MO 64131, (816) 926–7625.

The listing for the Merit Systems Protection Board on page 14775, column 3, is corrected to read as follows: Director, Financial and Administrative, Management Division 1120 Vermont Avenue, NW., Washington, DC 20419, (202) 653–7263.

The listing for the General Services Administration on page 14787, column 1, is deleted.

The listing for the Merit Systems Protection Board on page 14787, column 2, is deleted.

[FR Doc. 98–28350 Filed 10–21–98; 8:45 am]

BILLING CODE 6325–01–P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 98–082–2]

Mexican Fruit Fly Regulations; Addition of Regulated Area

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the Mexican fruit fly regulations by adding an additional area in San Diego County, CA, to the list of regulated areas. This action is necessary on an emergency basis to prevent the spread of the Mexican fruit fly to noninfested areas of the United States. This action restricts the interstate movement of regulated articles from the newly regulated area in San Diego County, CA.

DATES: Interim rule effective October 16, 1998. Consideration will be given only to comments received on or before December 21, 1998.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 98–082–2, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 98–082–2. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690–2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Programs, PPQ, APHIS, 4700 River Road Unit 134, Riverdale, MD 20737–1236, (301) 734–8247; or e-mail: michael.b.stefan@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The Mexican fruit fly, *Anastrepha ludens* (Loew), is a destructive pest of citrus and many other types of fruit. The short life cycle of the Mexican fruit fly

allows rapid development of serious outbreaks that can cause severe economic losses in commercial citrus-producing areas.

The Mexican fruit fly regulations (contained in 7 CFR 301.64 through 301.64–10 and referred to below as the regulations) were established to prevent the spread of the Mexican fruit fly to noninfested areas of the United States. The regulations impose restrictions on the interstate movement of regulated articles from the regulated areas. Prior to the effective date of this rule, the only area in California regulated for the Mexican fruit fly was a portion of San Diego County.

Section 301.64–3 provides that the Deputy Administrator for Plant Protection and Quarantine (PPQ), Animal and Plant Health Inspection Service (APHIS), shall list as a regulated area each quarantined State, or each portion of a quarantined State, in which the Mexican fruit fly has been found by an inspector, in which the Deputy Administrator has reason to believe the Mexican fruit fly is present, or that the Deputy Administrator considers necessary to regulate because of its proximity to the Mexican fruit fly or its inseparability for quarantine enforcement purposes from localities in which the Mexican fruit fly occurs.

Less than an entire quarantined State will be designated as a regulated area only if the Deputy Administrator determines that the State has adopted and is enforcing a quarantine or regulation that imposes restrictions on the intrastate movement of the regulated articles that are substantially the same as those that are imposed with respect to the interstate movement of the articles and the designation of less than the entire State as a regulated area will otherwise be adequate to prevent the artificial interstate spread of the Mexican fruit fly.

Recent trapping surveys by inspectors of California State and county agencies and by inspectors of PPQ reveal that an additional portion of San Diego County, CA, is infested with the Mexican fruit fly. Specifically, since September 16, 1998, inspectors have detected several adult and larval sites in a previously nonregulated area of San Diego County, CA, indicating a reproducing population. The Mexican fruit fly is not known to occur anywhere else in the continental United States except in another portion of San Diego County, CA, and in Texas.

Accordingly, to prevent the spread of the Mexican fruit fly to noninfested areas of the United States, we are amending the regulations in § 301.64–3(c) by designating as a regulated area an additional portion of San Diego County, CA. The regulated area is described in the rule portion of this document.

There does not appear to be any reason to designate any other portions of the quarantined State of California as a regulated area. Officials of State agencies of California are conducting an intensive Mexican fruit fly eradication program in the regulated areas in California. Also, California has adopted and is enforcing regulations imposing restrictions on the intrastate movement of certain articles from the regulated areas that are substantially the same as those imposed with respect to the interstate movement of regulated articles.

Emergency Action

The Administrator of the Animal and Plant Health Inspection Service has determined that an emergency exists that warrants publication of this interim rule without prior opportunity for public comment. Immediate action is necessary to prevent the Mexican fruit fly from spreading to noninfested areas of the United States.

Because prior notice and other public procedures with respect to this action are impracticable and contrary to the public interest under these conditions, we find good cause under 5 U.S.C. 553 to make this action effective upon signature. We will consider comments that are received within 60 days of publication of this rule in the **Federal Register**. After the comment period closes, we will publish another document in the **Federal Register**. The document will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This rule restricts the interstate movement of regulated articles from an additional area in San Diego County, CA. Within the regulated area there are approximately 156 small entities that may be affected by this rule. These include 124 fruit sellers, 6 nurseries, 4 mobile fruit vendors, 2 farmer's markets, and 20 farmer's market vendors. These 156 entities comprise less than 1 percent of the total number of similar entities operating in the State of California. Additionally, these small entities sell regulated articles primarily for local intrastate, not interstate movement, so the effect, if any, of this regulation on these entities appears to be minimal.

The effect on those few entities that do move regulated articles interstate will be minimized by the availability of various treatments, that, in most cases, will allow these small entities to move regulated articles interstate with very little additional costs.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

National Environmental Policy Act

An environmental assessment and finding of no significant impact have been prepared for this rule. The assessment provides a basis for the conclusion that the methods employed to eradicate the Mexican fruit fly will not present a risk of introducing or disseminating plant pests and will not have a significant impact on the quality of the human environment. Based on the finding of no significant impact, the Administrator of the Animal and Plant Health Inspection Service has determined that an environmental impact statement need not be prepared.

The environmental assessment and finding of no significant impact were prepared in accordance with: (1) The National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*), (2) regulations of the Council on Environmental Quality for implementing the procedural provisions of NEPA (40 CFR parts 1500–1508), (3) USDA regulations implementing NEPA (7 CFR part 1b), and (4) APHIS' NEPA Implementing Procedures (7 CFR part 372).

Copies of the environmental assessment and finding of no significant impact are available for public

inspection at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect copies are requested to call ahead on (202) 690–2817 to facilitate entry into the reading room. In addition, copies may be obtained by writing to the individual listed under **FOR FURTHER INFORMATION CONTACT**.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Incorporation by reference, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is amended as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

1. The authority citation for part 301 continues to read as follows:

Authority: 7 U.S.C. 147a, 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.22, 2.80, and 371.2(c).

2. In § 301.64–3, paragraph (c), the entry for California is amended by adding a second entry for San Diego County to read as follows:

301.64–3 Regulated areas.

* * * * *

(c) * * *

CALIFORNIA

San Diego County. * * *

Also, that portion of San Diego County in the San Diego area bounded by a line drawn as follows: Beginning at the intersection of Mission Gorge Road and Jackson Drive; then southeast along Jackson Drive to Grossmont Boulevard; then east along Grossmont Boulevard to State Highway 125; then south along State Highway 125 to Spring Street; then southeast along Spring Street to Broadway; then southwest along Broadway to Sweetwater Road; then south along Sweetwater Road to South Bay Parkway; then southwest along South Bay Parkway to State Highway 54; then southwest along State Highway 54 to Interstate Highway 805; then northwest along Interstate Highway 805 to Plaza Boulevard; then west along Plaza Boulevard to Interstate Highway 5; then north along Interstate Highway 5 to State Highway 15; then north along State Highway 15 to National Avenue; then west along National Avenue to 28th Street; then north along 28th Street to State Highway 94; then west along State Highway 94 to Interstate Highway 5; then north along Interstate Highway 5 to Park Boulevard; then north along Park Boulevard to Mission Avenue; then northeast along Mission Avenue to Texas Street; then north along Texas Street to Interstate Highway 8; then northeast along Interstate Highway 8 to Interstate Highway 15; then north along Interstate Highway 15 to Friars Road; then northeast along Friars Road to Mission Gorge Road; then northeast along Mission Gorge Road to the point of beginning.

* * * * *

Done in Washington, DC, this 16th day of October 1998.

Joan M. Arnoldi,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 98–28282 Filed 10–21–98; 8:45 am]

BILLING CODE 3410–34–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Chapter I

[Docket No. 28910]

Review of Existing Rules

AGENCY: Federal Aviation Administration, DOT.

ACTION: Review of Existing Rules; disposition of comments.

SUMMARY: This document summarizes the comments the Federal Aviation Administration (FAA) received in response to the notice inviting participation in its 1997 review of regulations as part of the 3-year Regulatory Review Program. That notice requested the public to identify regulations it believes should be amended, simplified, or eliminated.

In addition, in response to a recommendation by the White House Commission on Aviation Safety and Security (Commission), the FAA requested that the public suggest which rules could be developed as performance-based rather than prescriptive and to suggest plain English language that could be used in writing the regulations. This document also summarizes the FAA's response to the comments and changes it intends to make in its regulatory program as a result of this review. A report of the individual comments and the FAA's disposition of those comments by subject is on file in the docket. A copy of this report may be obtained from the Office of Rulemaking using the contact information listed below.

FOR FURTHER INFORMATION CONTACT: Ms. Gerri Robinson, ARM–24, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone (202) 267–9678.

SUPPLEMENTARY INFORMATION:

Three-Year Regulatory Review Program

On May 15, 1997, by notice published in the **Federal Register** (62 FR 26894), the FAA initiated a regulatory review as part of its ongoing Regulatory Review Program, which prescribes that the FAA review existing regulations every 3 years. This action was based on the 1995 Strategic Plan and Presidential recommendation that the FAA perform regulatory reviews consistent with its statutory authority and public interest responsibilities. This review program originally was published for comment through a notice in **Federal Register** on August 24, 1995 (60 FR 44142), soliciting recommendations on the FAA's proposed method of obtaining and analyzing public comments. Comments in response to that notice were received addressing the 3-year review cycle and the method of concluding the review by publishing a summary and general disposition of comments and, where appropriate, indicating how the FAA's regulatory priorities will be adjusted. While some commenters recommended different cycle times, the public was supportive of the FAA's approach to using its regulatory resources wisely, while effectively identifying regulations in need of revision or elimination. All comments were reviewed and final guidelines were published in the **Federal Register** notice dated October 15, 1996 (61 FR 53610).

As a result of past regulatory reviews, the FAA recognizes that there is great value in obtaining public input and adjusting its agenda and priorities accordingly. The FAA's objective in conducting regulatory reviews is to identify any necessary changes to the FAA's regulatory agenda. The regulatory review effort promotes the FAA's objective to improve safety without imposing undue burdens on the public. The comments received in each subsequent review will assist the FAA in determining the direction of its regulatory efforts.

In the FAA's May 15, 1997, notice, the public was asked to identify three regulations, in priority order, that should be amended or eliminated. In addition, the FAA asked the public to identify unnecessary regulations that have a significant impact on small business entities. The comment period closed August 13, 1997.

Comments were received from 21 commenters. The commenters included the following: air carriers, individuals, pilots, rotorcraft operators, aviation trade associations, an airport authority, a parts manufacturer, a pilot school, a