

Rules and Regulations

Federal Register

Vol. 90, No. 172

Tuesday, September 9, 2025

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

[Docket ID: OPM-2025-0010]

RIN 3206-AO83

Prevailing Rate Systems; Abolishment of Hennepin, Minnesota, as a Nonappropriated Fund Federal Wage System Wage Area

AGENCY: Office of Personnel Management.

ACTION: Final rule; correcting amendments.

SUMMARY: The Office of Personnel Management (OPM) is issuing a final rule to abolish the Hennepin, Minnesota, nonappropriated fund (NAF) Federal Wage System (FWS) wage area and define most of its counties to the nearest NAF FWS wage areas. Those counties without NAF FWS employment would no longer be defined to a NAF wage area. These changes are necessary because NAF FWS employment in the survey area has been declining, and the local activities no longer have the capability to conduct local wage surveys. This rule also makes correcting amendments related to four prior final rules revising other NAF FWS wage areas.

DATES:

Effective date: This regulation is effective October 9, 2025.

Applicability date: This change applies on the first day of the first applicable pay period beginning on or after October 9, 2025.

FOR FURTHER INFORMATION CONTACT: Ana Paunoiu, by telephone at (202) 606-2858 or by email at paypolicy@opm.gov.

SUPPLEMENTARY INFORMATION: On June 2, 2025, OPM issued a proposed rule (90 FR 23292) to abolish the Hennepin, MN, NAF FWS wage area and define Hennepin, Morrison, and Stearns Counties, to the Grand Forks, North Dakota, NAF FWS wage area; and

Monroe County, Wisconsin, to the Lake, Illinois, NAF FWS wage area. Murray, Ramsey and St. Louis Counties, MN; and Juneau and Polk Counties, WI, will no longer be defined to a NAF wage area because those counties have no NAF FWS employment. The Federal Prevailing Rate Advisory Committee, the national labor-management committee responsible for advising OPM on matters concerning the pay of FWS employees, reviewed and recommended these changes by consensus.

In addition, this final rule makes revisions to the “Appendix B to Subpart B of Part 532—Nationwide Schedule of Nonappropriated Fund Regular Wage Surveys,” to correct inadvertent errors in prior final rules related to FWS wage areas. Specifically, this final rule: (1) removes “Allegheny” under the State of Pennsylvania because the final rule (88 FR 78223), published on November 15, 2023, abolishing the Allegheny, PA, NAF FWS wage area, inadvertently omitted deleting this entry from Appendix B; (2) revises the name of the “Arapahoe-Denver, Colorado,” NAF FWS wage area to read “Arapahoe” because the final rule (89 FR 67519), published on August 21, 2024, removing Denver County from the Arapahoe-Denver, CO, NAF FWS wage area and changing the name of the Arapahoe-Denver NAF FWS wage area to “Arapahoe,” inadvertently omitted revising the name in Appendix B; (3) removes “Frederick” under the State of Maryland because the final rule (89 FR 67829), published on August 22, 2024, abolishing the Frederick, MD, NAF FWS wage area inadvertently omitted deleting this entry from Appendix B; and (4) removes “Calhoun” under the State of Alabama because the final rule (89 FR 93147), published on November 26, 2024, abolishing the Calhoun, AL, NAF FWS wage area, inadvertently omitted deleting this entry from Appendix B.

The proposed rule had a 30-day comment period, during which OPM received no comments. Therefore, this final rule adopts the proposed rule at 90 FR 23292 without change.

Expected Impact of This Rule

Section 5343 of title 5, U.S. Code, provides OPM with the authority and responsibility to define the boundaries of NAF FWS wage areas. Any changes

in wage area definitions can have the long-term effect of increasing pay for Federal employees in affected locations. OPM expects this final rule to impact approximately 98 NAF FWS employees. Considering the small number of employees affected, OPM does not anticipate this rule will substantially impact local economies or have a large impact in local labor markets. As this and future wage area changes may impact higher volumes of employees in geographical areas and could rise to the level of impacting local labor markets, OPM will continue to study the implications of such impacts in this or future rules as needed.

Regulatory Review

OPM has examined the impact of this rulemaking as required by Executive Orders 12866 and 13563 which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). This rulemaking is not a “significant regulatory action” under Executive Order 12866. The rule is not an E.O. 14192 regulatory action because it is not significant under E.O. 12866.

Regulatory Flexibility Act

The Director of OPM certifies that this rule will not have a significant economic impact on a substantial number of small entities.

Federalism

OPM has examined this rule in accordance with Executive Order 13132, Federalism, and has determined that this rule will not have any negative impact on the rights, roles and responsibilities of State, local, or Tribal governments.

Civil Justice Reform

This rulemaking meets the applicable standard set forth in Executive Order 12988.

Unfunded Mandates Act of 1995

This rulemaking will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any year in 1995 dollars, updated annually for inflation. That threshold is currently approximately \$206 million.

This rulemaking will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Congressional Review Act

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (known as the Congressional Review Act or CRA) (5 U.S.C. 801 *et seq.*) requires most final rules to be submitted to Congress before taking effect. OPM will submit to Congress and the Comptroller General of the United States a report regarding the issuance of this rule before its effective date. The Office of Information and Regulatory Affairs in the Office of Management and Budget has determined that this rule is

not a major rule as defined by the CRA (5 U.S.C. 804).

Paperwork Reduction Act

This rulemaking does not impose any reporting or record-keeping requirements subject to the Paperwork Reduction Act.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Freedom of information, Government employees, Reporting and recordkeeping requirements, Wages.

Office of Personnel Management

Jerson Matias,
Federal Register Liaison.

Accordingly, OPM 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 B to subpart B, amend the table by:

- a. Revising the wage survey listings for Alabama, Colorado, and Maryland;
- b. Removing the wage survey listings for Minnesota, and;
- c. Revising the wage survey listings for Pennsylvania.

The revisions read as follows:

Appendix B to Subpart B of Part 532—
Nationwide Schedule of
Nonappropriated Fund Regular Wage
Surveys

* * * * *

State	Wage area	Beginning month of survey	Calendar year of full-scale survey odd or even
Alabama	Madison	April	Even.
	Montgomery	April	Odd.
*	*	*	*
Colorado	Arapahoe	July	Even.
	El Paso	July	Even.
*	*	*	*
Maryland	Anne Arundel	August	Even.
	Charles-St. Mary's	August	Even.
	Harford	May	Even.
	Montgomery-Prince George's	August	Even.
*	*	*	*
Pennsylvania	Cumberland	May	Even.
	York	May	Even.
*	*	*	*

■ 3. In Appendix D to subpart B, amend the table by revising the wage area listing for the States of Illinois and North Dakota to read as follows:

Appendix D to Subpart B of Part 532—
Nonappropriated Fund Wage and
Survey Areas

* * * * *

Definitions of Wage Areas and Wage Area
Survey Areas

* * * * *

Illinois

Lake

Survey Area

Illinois:
Lake

Area of Application. Survey area plus:

Illinois:
Cook
Rock Island
Vermilion

Indiana:
St. Joseph
Iowa:
Johnson
Michigan:
Dickinson
Marquette
Wisconsin:
Brown
Dane
Milwaukee
Monroe

St. Clair

Survey Area

Illinois:
St. Clair

Area of Application. Survey area plus:

Illinois:
Madison
Williamson
Indiana:
Vanderburgh
Missouri (City):
St. Louis

Missouri (County):
St. Louis

* * * * *

North Dakota

Grand Forks

Survey Area

North Dakota:
Grand Forks

Area of Application. Survey area plus:

Minnesota:
Hennepin
Morrison
Stearns
North Dakota:
Cass
Cavalier
Pembina
Steele

Ward

Survey Area

North Dakota:
Ward

Area of Application. Survey area plus:

North Dakota:

Divide

* * * * *

[FR Doc. 2025–17309 Filed 9–8–25; 8:45 am]

BILLING CODE 6325–39–P

DEPARTMENT OF ENERGY

10 CFR Part 429

[EERE–2022–BT–TP–0028]

RIN 1904–AF49

Energy Conservation Program: Test Procedure for Central Air Conditioners and Heat Pumps

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Final rule.

SUMMARY: The U.S. Department of Energy (“DOE”) is finalizing a one-year delay of certain product-specific enforcement provisions related to the controls verification procedure established in a recently published final rule amending the test procedures for central air conditioners and heat pumps.

DATES: The effective date of this rule is September 9, 2025.

ADDRESSES: The docket, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at www.regulations.gov. All documents in the docket are listed in the www.regulations.gov index. However, not all documents listed in the index may be publicly available, such as those containing information that is exempt from public disclosure.

A link to the docket web page can be found at www.regulations.gov/docket/EERE-2022-BT-TP-0028. The docket web page contains instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: ApplianceStandardsQuestions@ee.doe.gov.

FOR FURTHER INFORMATION CONTACT:

Ms. Julia Hegarty, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 255–0630. Email: ApplianceStandardsQuestions@ee.doe.gov.

Mr. Pete Cochran, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–4798. Email: peter.cochran@hq.doe.gov.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Authority and Background
- II. Discussion
 - A. Summary of Comments Received
 - 1. Comments Supporting the Proposed One-Year Delay of CVP Enforcement
 - 2. Comments Opposing the Proposed One-Year Delay of CVP Enforcement
 - 3. Other Comments
 - B. Conclusion
- III. Effective Date
- IV. Procedural Issues and Regulatory Review
- V. Approval of the Office of the Secretary

I. Authority and Background

The Energy Policy and Conservation Act, Public Law 94–163, as amended (“EPCA”),¹ authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. (42 U.S.C. 6291–6317, as codified) Title III, Part B of EPCA² established the Energy Conservation Program for Consumer Products Other Than Automobiles, which sets forth a variety of provisions designed to improve energy efficiency. Central air conditioners (“CACs”) and central air conditioning heat pumps (“HPs”) (collectively, “CAC/HPs”) are included in the list of “covered products” for which DOE is authorized to establish and amend energy conservation standards and test procedures. (42 U.S.C. 6292 (a)(3)) DOE’s currently applicable test procedure for CAC/HPs is prescribed at 10 CFR part 430, subpart B, appendix M1 (“appendix M1”).

On January 7, 2025, DOE published a final rule amending the Federal test procedures for CAC/HPs (“January 2025 Final Rule”). 90 FR 1224. The January 2025 Final Rule amended the currently applicable test procedure at appendix M1 and also established a new test procedure at 10 CFR part 430, subpart B, appendix M2 (“appendix M2”), the use of which would be required beginning on the compliance date of any future amended standards for CAC/HPs based on the new efficiency metrics established in appendix M2. *Id.* at 90 FR 1284. Additionally, the January 2025 Final Rule established enforcement

provisions related to the use of a controls verification procedure (“CVP”), to be conducted per industry standards AHRI 210/240–2024 and AHRI 1600–2024 for the purposes of CAC/HP assessment and enforcement testing. *Id.* at 90 FR 1224, 1255–1265.

On January 20, 2025, President Trump issued the “Regulatory Freeze Pending Review” memorandum, which was published in the **Federal Register** on January 25, 2025. 90 FR 8249. This Presidential action ordered all executive departments and agencies to consider postponing for 60 days the effective date of certain rules published in the **Federal Register** for the purpose of reviewing any questions of fact, law, and policy that the rules may raise. Additionally, executive departments and agencies were to consider opening a comment period to allow interested parties to provide comments about issues of fact, law, and policy raised by the rules postponed under the memorandum.

Consistent with the “Regulatory Freeze Pending Review” Presidential memorandum of January 20, 2025, DOE delayed the effective date of the January 2025 Final Rule to March 21, 2025 (“February 2025 delay of effective date”). 90 FR 9001, (February 5, 2025). DOE also sought comment on any further delay of the effective date, including the impacts of such delay, as well as comment on the legal, factual, or policy issues raised by the rule. *Id.*

Following the February 2025 delay of effective date, DOE delayed the effective date of the January 2025 Final Rule twice more, to allow time for further review of comments received. The first of these additional delays extended the effective date of the January 2025 Final Rule to May 20, 2025. 90 FR 13052 (March 30, 2025). The second of these additional delays extended the effective date of the January 2025 Final Rule to July 7, 2025. 90 FR 21389 (May 20, 2025). Neither of these additional delays nor the initial February 2025 delay of effective date affected the compliance date of the January 2025 Final Rule, which remains July 7, 2025.

In response to the February 2025 delay of effective date, comments from interested parties advocating for a further delay in the effective date of the January 2025 Final Rule were largely limited to the CVP provisions established by the January 2025 Final Rule. Multiple commenters provided justification for further delaying the CVP enforcement provisions of the January 2025 Final Rule, with most commenters suggesting a one-year delay. DOE published a notice of proposed rulemaking (“NOPR”) on May 29, 2025 (“May 2025 NOPR”), in which

¹ All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020), which reflect the last statutory amendments that impact Parts A and A–1 of EPCA.

² For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.