

PARALLEL REFERENCE TABLE—Continued

[This table shows the relationship of sections in Part 22 to revised Part 19]

Old section	New section
22.5(a).....	191.32(a) (1)-(3).
22.5(b).....	191.32(b).
22.5(c).....	191.32(d).
22.5(d).....	Deleted.
22.5(e).....	191.32(c).
	191.33.
	191.34.
22.6(a)-(g).....	Deleted.
22.6(g-1).....	Deleted.
22.6(h) and (i).....	Deleted.
22.7(a).....	191.51(a)-(c).
	191.51(d) and (e).
	Deleted.
22.7(b).....	Deleted.
22.7(c)(1).....	191.52(a)-(c).
22.7(c)(2).....	191.52(d).
22.7(d)(1).....	191.53(a), (e)(2).
22.7(d)(2).....	191.53(b)-(d); (e)(1).
22.7(d)(3).....	191.53(e)(3).
22.8(a)-(c).....	191.54(a)-(c).
22.9(a).....	191.55(a)-(b).
22.9(b).....	Deleted.
22.10.....	Deleted.
22.11.....	191.56.
22.12.....	191.57.
22.13(a).....	191.61, 191.62(a) (1) and (2) (4); 191.62(b).
22.13(b).....	191.63, 191.67(b).
22.13(c) and (e).....	191.62(a)(2).
22.13(d).....	191.62(a)(3).
	191.62(c).
	191.62(d).
22.13(f).....	191.64.
22.13(g).....	191.65.
22.15.....	191.66(a).
22.16(a).....	191.66(b).
	191.66(c).
22.16(b).....	191.66(d).
22.16(c).....	191.66(e).
22.16(d).....	191.66(f).
22.17(a).....	191.67(a).
22.17(b).....	191.67(c).
22.17(c).....	191.67(d).
22.17(d).....	191.67(e)(2).
22.17(e).....	191.67(e)(1).
22.18(a).....	191.91.
22.18(b).....	191.92.
22.18(c).....	191.93(a)-(e).
22.18(d).....	191.93(g) and (h).
22.18(e).....	Deleted.
22.18(f).....	191.93(k).
22.18(g).....	191.93(f).
22.18(h).....	191.93(i) and (j).
22.18(i).....	191.94.
22.18(k).....	191.101.
22.19(a).....	191.102(a).
	191.108.
22.19(b).....	191.102(b).
	191.111.
	191.112.
	191.113.
22.20(a)-(d).....	191.71(a)-(d).
22.20(e).....	191.71(e).
22.20(f).....	191.71(f).
22.20a.....	191.72.
22.21(a)-(b).....	191.73(a)-(b).
22.22(a) and (b).....	191.81(a) and (b).
22.23(a).....	191.82(a), (f).
22.23(b).....	191.82(c).
22.23(c).....	191.82(g).
22.23(d).....	191.82(e).
22.23(e).....	191.83.
22.23(f).....	191.82(d).
22.24.....	191.82(b) and (h).
22.25(a)-(c) and (e).....	191.84(a)-(d).
22.25(d).....	Deleted.
22.26(a).....	191.85.
22.26(b).....	191.86(a) and (b).
22.26(c).....	191.86(d).
22.26(d).....	191.86(c).
22.26a(a).....	191.121.
	191.122.
22.26a(b).....	191.123(a) and (b).
	191.124.
22.26a(a), (c).....	191.131.
22.27(a) and (b).....	191.132.
22.28(a).....	191.133(a) and (b).

PARALLEL REFERENCE TABLE—Continued

[This table shows the relationship of sections in Part 22 to revised Part 19]

Old section	New section
22.26(c).....	191.133(d)(2).
22.26(d).....	191.133(c).
22.26(e).....	191.133(d)(1).
22.29(a) and (b).....	191.134(a) and (b).
22.29(c).....	191.135.
22.29(d).....	191.136(a)-(c).
22.29(e).....	Deleted.
22.29(f).....	191.136(e).
22.29(g).....	191.136(d).
22.29(h).....	191.137.
22.30(a) and (b).....	191.138.
22.30(a).....	191.139.
	191.141.
	191.142.
	191.143.
	191.144.
	191.145.
	191.146.
	191.147.
	191.148.
22.31-22.36.....	191.151-191.158.
22.36(a).....	191.161.
22.36(b).....	191.162.
22.37(a).....	191.163(a).
22.37(a).....	191.163(b)(1).
22.37(b), (c).....	191.163(b)(2).
22.37(b).....	191.163(b)(3).
22.37(d).....	191.163(c) and (d).
22.37(e).....	191.163(e).
22.38(a).....	191.164(a)-(c).
22.38(b).....	191.164(d).
22.39(a).....	191.165(a)-(c).
22.39(b).....	191.165(d).
22.40.....	191.166.
22.41.....	191.3.
22.42.....	191.11.
	191.12.
22.43.....	191.10(a)-(d).
	191.10(e).
	191.7.
22.44.....	191.8.
	191.9.
22.45.....	191.6.
22.46.....	191.5.
	191.41-191.45.

[FR Doc. 82-22874 Filed 8-25-82; 8:45 am]
BILLING CODE 4820-02-M

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 420]

The Carmel Valley Viticultural Area

AGENCY: Bureau of Alcohol, Tobacco and Firearms, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in California to be known as "Carmel Valley." This proposal is the result of a petition submitted by David Armanasco, General Manager of Durney Vineyard, located in Carmel, California. The establishment of viticultural areas and the subsequent use of viticultural area names as appellation of origin in wine labeling and advertising will help consumers better identify wines they

purchase. The use of this viticultural area as an appellation of origin will also help winemakers distinguish their products from wines made in other areas.

DATE: Written comments must be received on or before September 24, 1982.

ADDRESS: Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044 (Attn: Notice No. 420).

Copies of the petition, the proposed regulations, the appropriate maps, and the written comments will be available for public inspection during normal business hours at: ATF Reading Room, Office of Public Affairs and Disclosure, Room 4405, Federal Building, 12th and Pennsylvania Avenue NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: John A. Linthicum, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue NW., Washington, DC 20226 (202-566-7602).

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37872, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definitive viticultural areas. The regulations also allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements.

On October 2, 1979, ATF published Treasury Decision ATF-60 (44 FR 56692) which added a new Part 9 to 27 CFR, providing for the listing of approved American viticultural areas, the names of which may be used as appellations of origin.

Section 4.25a(e)(1), Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Section 4.25a(e)(2) outlines the procedure for proposing an American viticultural area. Any interest person may petition ATF to establish a grape-growing region as a viticultural area. The petition should include—

(a) Evidence that the name of the proposed viticultural area is locally and/or nationally known as referring to the area specified in the petition;

(b) Historical or current evidence that the boundaries of the viticultural area are as specified in the petition;

(c) Evidence relating to the geographical features (climate, soil, elevation, physical features, etc.) which

distinguish the viticultural features of the proposed area from surrounding areas;

(d) A description of the specific boundaries of the viticultural area, based on the features which can be found on the United States Geological Survey (U.S.G.S.) maps of the largest applicable scale; and

(e) A copy of the appropriate U.S.G.S. map with the boundaries prominently marked.

Petition

ATF has received a petition proposing an area in Monterey County, California as a viticultural area to be known as "Carmel Valley." The area consists of approximately 19,200 acres.

There are 120 acres of grapevines growing in the proposed area, with other plantings of approximately 110 acres projected to begin within the next five years. There are two grape growers in the proposed area. One other landowner in the proposed area is planning to plant grapevines within the next five years. There is one winery in the proposed area owned by the petitioner.

The Carmel River was discovered in 1603 by Sebastian Vizcaino and the name "Carmel" has applied to the area since that time. The village of Carmel Valley is 91 years old. The proposed area is within the watershed of the Carmel River and within a larger area commonly known by the name Carmel Valley. Grapevines have been grown commercially by the petitioner in Carmel Valley since 1968. The petition contains evidence that grapevines were successfully grown in Carmel Valley in the nineteenth century.

The proposed area runs from the village of Carmel Valley southeasterly along the Carmel River and Cachagua Creek for a distance of approximately ten miles. The northeastern boundary is Tularcitos Ridge, which readily distinguishes the proposed area from areas northeast of it by typography and the ridge's effect on the climate of the proposed area. Southwest of the proposed area is the Los Padres National Forest where agricultural land use is restricted by the U.S. Department of Agriculture. The smaller northwestern and southeastern boundaries are less well defined geographically.

The petitioner claims that the proposed viticultural area is distinguished from the surrounding area by climate and soil types. The petitioner submitted heat summation data utilizing the *Amerine-Winkler* method. This data shows that Carmel Valley has different cumulative heat summation during the grape growing

season than nearby areas, as follows: Carmel Valley 2317 degree-days (Region I), Salinas Valley 2148 degree-days (Region I), King City 3085 degree-days (Region III). The petitioner claims that, although Carmel Valley and nearby Salinas Valley are both Region I heat summation areas, the higher elevation in Carmel Valley curbs the marine fog incursion producing more sunny days in Carmel valley than in Salinas Valley. This phenomenon distinguishes the proposed area from the surrounding area, but not in quantitative terms.

The petitioner claims that Carmel Valley's normal annual precipitation ranges from 16.5 to 22.5 inches which readily distinguishes it from Monterey County's overall normal annual precipitation of 10 inches.

The petitioner claims that Carmel Valley has soils which are significantly different from the immediate surrounding area, and which are particularly well-suited to viticulture, as follows:

- San Benito (SdF) clay loam, 30—50% slopes
- San Benito (SdG) clay loam, 50—75% slopes
- Junipero (JaF) Loamy sand, 30—50% slopes
- Junipero (JbG) sandy loam, 30—75% slopes
- Junipero-Sur (Jc) complex, 50—85% slopes
- Santa Lucia (SfF) shaly clay loam, 30—50% slopes
- Cieneba (CcG) fine gravelly sandy loam, 30—70% slopes
- San Andreas (SgC) fine sandy loam, 30—75% slopes
- Sheridan (SoG) course sandy loam, 30—75% slopes
- Santa Lucia-Reliz Association (Sg) loamy and shallow loamy complex, 30—75% slopes

The boundary of the proposed viticultural area is described in the proposed § 9.58.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory flexibility analysis (5 U.S.C. 603, 604) are not applicable to this proposal because the notice of proposed rulemaking, if promulgated as a final rule, will not have a significant economic impact on a substantial number of small entities. The proposal is not expected to have significant secondary or incidental effects on a substantial number of small entities, or impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

ATF is not able to assign a realistic economic value to using "Carmel Valley" as an appellation of origin. An appellation of origin is primarily an advertising intangible. Moreover, changes in the values of grapes or wines may be caused by a myriad of factors unrelated to this proposal.

Any value derived from using the "Carmel Valley" appellation of origin would apply equally to all grape growers in the proposed area.

Therefore, ATF believes that this notice of propose rulemaking, if promulgated as a final rule, will not have a significant economic impact on a substantial number of small entities.

Compliance With E.O. 12291

In compliance with Executive Order 12291 the Bureau has determined that this proposal is not a major rule since it will not result in:

- (a) An annual effect on the economy of \$100 million or more;
- (b) A major increase in costs or prices for consumers, individual industries, Federal, States, or local government agencies, or geographic regions; or
- (c) Significant adverse effects on competition, employment, investment, productivity, or on the ability of United State-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Public Participation—Written Comments

AFT requests comments concerning this proposed viticultural area from all interested persons. Furthermore, while this document proposes possible boundaries for the Carmel Valley viticultural area, comments concerning other possible boundaries for this viticultural area will be given consideration.

The proposed area of 19,200 acres contains only 120 acres of grapevines which are at opposite ends of the area. ATF requests comments on whether the petitioned area could be reduced in size.

Comments received before the closing date will be carefully considered. Comments received after the closing date and too late for consideration will be treated as possible suggestions for future ATF action.

ATF will not recognize any material or comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person submitting a comment is not exempt from disclosure.

Any person who desires an opportunity to comment orally at a

public hearing on these proposed regulations should submit his or her request, in writing, to the Director within the 30-day comment period. The request should include reasons why the commenter feels that a public hearing is necessary. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

List of Subjects in 27 CFR Part 9

Administrative practice and procedure, Consumer protection, Viticultural areas, and Wine.

Drafting Information

The principal author of this document is John A. Linthicum, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of the bureau and of the Treasury Department have participated in the preparation of this document, both in matters of substance and style.

Authority

Accordingly, under the authority in 27 U.S.C. 205, the Director proposes the amendment of 27 CFR Part 9 as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The table of contents in 27 CFR Part 9, Subpart C, is amended to add the heading of § 9.58. As amended, the table of contents reads as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *

9.58 Carmel Valley.

Paragraph 2. Subpart C is amended to adding § 9.58. As amended, Subpart C reads as follows:

Subpart C—Approved American Viticultural Areas

§ 9.58 Carmel Valley.

(a) *Name.* The name of the viticultural area described in this section is "Carmel Valley."

(b) *Approved maps.* The approved maps for determining the boundary of the Carmel Valley viticultural area are five U.S.G.S. topographic maps in the 7.5 minute series, as follows:

- (1) Mt. Carmel, Calif., dated 1956;
 - (2) Carmel Valley, Calif., dated 1956;
 - (3) Ventana Cones, Calif., dated 1956;
 - (4) Chews Ridge, Calif., dated 1956;
- and
- (5) Rana Creek, Calif., dated 1956.

(c) *Boundary.* The Carmel Valley viticultural area is located in Monterey County, California. The boundary is as follows:

(1) The beginning point is the northeast corner of Section 5 in Township 17 South, Range 2 East.

(2) The boundary follows the Los Laureles Land Grant boundary south, then easterly, to the north-south section line dividing Section 9 from Section 10 in Township 17 South, Range 2 East.

(3) The boundary follows this section line south to the southwest corner of Section 22 in Township 17 South, Range 2 East.

(4) From this point, the boundary follows section lines in Township 17 South, Range 2 East—

(i) To the southeast corner of section 22,

(ii) To the southwest corner of section 26,

(iii) To the southeast corner of section 26,

(iv) To the southwest corner of section 36,

(5) From this point, the boundary follows the Los Padres National Forest boundary east, then south, then east to the southwest corner of Section 9 in Township 18 South, Range 3 East.

(6) The boundary follows the section line east to the southeast corner of the same section, where the section line rejoins the Los Padres National Forest boundary.

(7) The boundary follows the Los Padres National Forest boundary to the north-south section line dividing Section 11 from Section 12 in Township 18 South, Range 3 East.

(8) The boundary follows this section line north to the township line dividing Township 17 South from Township 18 South.

(9) The boundary follows this township line west to the north-south section line dividing Section 34 from Section 35 in Township 17 South, Range 3 East.

(10) The boundary follows this section line north to the Los Tularcitos Land Grant boundary.

(11) The boundary follows the Los Tularcitos Land Grant boundary northwesterly to the Carmel River.

(12) The boundary follows the Carmel River northerly to the Los Tularcitos Land Grant boundary.

(13) The boundary follows the Los Tularcitos Land Grant boundary northeasterly to the unsurveyed township line (approximate location denoted by a line of red dashes) dividing Township 16 South from Township 17 South.

(14) The boundary follows the unsurveyed township line west to the beginning point.

Signed: July 16, 1982.

Stephen E. Higgins,
Acting Director.

Approved: August 5, 1982.

J. M. Walker, Jr.,
Assistant Secretary (Enforcement and Operations).

[FR Doc 82-23343 Filed 8-25-82; 8:45 am]
BILLING CODE 4810-31-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA Docket No. AW036PA; A-3-FRL 2184-2]

Commonwealth of Pennsylvania; Proposed Revision of the Pennsylvania State Implementation Plan

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Commonwealth of Pennsylvania has submitted a proposed revision to its State Implementation Plan (SIP) to incorporate an alternative emission reduction plan or "bubble." Pennsylvania has requested that the plan be approved by EPA for the Homestead and Edgar Thomson plants of the United States Steel Corporation (USSC) in Allegheny County, Pennsylvania. This plan consists of bubble regulations which apply to sulfur dioxide emissions from nine categories of miscellaneous Homestead sources, the Homestead Open Hearth Furnaces, the Carrie Furnaces boilers (Homestead), and the Edgar Thomson soaking pits and boilers. The proposed plan allows U.S. Steel to increase on a temporary basis sulfur dioxide emissions from Carrie boilers Nos. 3 and 4 when the increases are offset by sulfur dioxide reductions at the remaining listed sources due to shutdown or use of natural gas. In support of this proposed bubble, an air quality analysis was conducted. EPA has reviewed this analysis and has concluded that no significant air quality impact will occur if this bubble is implemented.

DATE: Comments must be submitted on or before September 27, 1982.

ADDRESSES: Copies of the proposed SIP revision and the accompanying support documents are available for inspection during normal business hours at the following locations:

U.S. Environmental Protection Agency,
Air Programs & Energy Branch, 6th &
Walnut Streets, Curtis Building,