

The boundaries of the proposed Edna Valley viticultural area may be found on four U.S.G.S. 7.5 minute quadrangle maps ("San Luis Obispo Quadrangle, California", "Lopez Mtn. Quadrangle, California", "Arroyo Grande NE Quadrangle, California" and "Pismo Beach Quadrangle, California").

The boundaries are as follows:

(1) The beginning point is Cuesta Canyon County Park, located on U.S.G.S. map "San Luis Obispo Quadrangle" at the north end of Section 25, Township 30 South, Range 12 East. From the beginning point, the boundary runs southwesterly along San Luis Obispo Creek to a point .7 mile southerly of the confluence with Davenport Creek;

(2) Southeasterly from San Luis Obispo Creek along the 400-foot contour line of the northeastern flank of the San Luis Range, which forms the southwestern rim of Edna Valley, to the township line identified as "T31S/T32S" on the U.S.G.S. map;

(3) East along township line "T31S/T32S", across Price Canyon to Tiber;

(4) Easterly along the 400-foot contour line of Tiber Canyon and the southern rim of Canada Verde, crossing Corbett Canyon Road and continuing along the 400-foot contour line to longitude line 120° 32' 30";

(5) North along longitude line 120° 32' 30" to the 600-foot contour line of the southwestern flank of the Santa Lucia Mountain Range;

(6) Northwesterly along the 600 foot contour line of the southwestern flank of the Santa Lucia Range to Cuesta Canyon County Park, the beginning point.

Public Participation—Written Comments

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

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 interested 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 60-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing should be held.

Drafting Information

The principal author of this document is Robert L. White, 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 sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.35 as follows:

Subpart C—Approved American Viticultural Areas

Sec.
* * * * *

§ 9.35 Edna Valley.

Paragraph 2. Subpart C is amended by adding § 9.35 to read as follows:

Subpart C—Approved American Viticultural Areas

* * * * *

§ 9.35 Edna Valley.

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

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Edna Valley viticultural area are four U.S.G.S. maps. They are titled:

(1) "San Luis Obispo Quadrangle, California-San Luis Obispo Co.," 7.5 minute series;

(2) "Lopez Mtn. Quadrangle, California-San Luis Obispo Co.," 7.5 minute series;

(3) "Pismo Beach Quadrangle, California-San Luis Obispo Co.," 7.5 minute series; and

(4) "Arroyo Grande NE Quadrangle, California-San Luis Obispo Co.," 7.5 minute series.

(c) *Boundaries.* The Edna Valley viticultural area is located in San Luis Obispo County, California. The beginning point is Cuesta Canyon

County Park, located on U.S.G.S. map "San Luis Obispo Quadrangle" at the north end of Section 25, Township 30 South, Range 12 East.

(1) From the beginning point, the boundary runs southwesterly along San Luis Obispo Creek to a point .7 mile southerly of the confluence with Davenport Creek;

(2) Southeasterly from San Luis Obispo Creek along the 400-foot contour line of the northeastern flank of the San Luis Range, which forms the southwestern rim of Edna Valley, to the township line identified as "T31S/T32S" on the U.S.G.S. map;

(3) East along township line "T31S/T32S", across Price Canyon to Tiber;

(4) Easterly along the 400-foot contour line of Tiber Canyon and the southern rim of Canada Verde, crossing Corbett Canyon Road and continuing along the 400-foot contour line to longitude line 120° 32' 30";

(5) North along longitude line 120° 32' 30" to the 600-foot contour line of the southwestern flank of the Santa Lucia Mountain Range;

(6) Northwesterly along the 600-foot contour line of the southwestern flank of the Santa Lucia Range to Cuesta Canyon County Park, the beginning point.

Signed: January 8, 1981.

G. R. Dickerson,
Director.

Approved: March 30, 1981.

John P. Simpson,
Acting Assistant Secretary (Enforcement and Operations).

[FR Doc. 81-10720 Filed 4-8-81; 8:45 am]

BILLING CODE 4810-31-M

27 CFR Part 9

[Notice No. 368]

McDowell 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 Mendocino County, California, to be known as "McDowell Valley." This proposal is the result of a petition submitted by members of the grape-growing and wine-producing industries. ATF feels that the establishment of viticultural areas and the subsequent use of viticultural area names as appellations of origin in wine labeling and advertising will help consumers identify the wines they may purchase.

DATES: Written comments must be received by June 8, 1981.

ADDRESSES: Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044, (Notice No. 368).

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, Room 4407, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: E. J. Ference, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226 (202-566-7626).

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4. These regulations allow the establishment of definite 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, the boundaries of which have been delineated in Subpart C of Part 9.

Section 4.25a(e)(2), outlines the procedure for proposing an American viticultural area. Any interested 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 characteristics (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 features which can be found

on 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 Mendocino County, California, as a viticultural area to be known as "McDowell Valley." The proposed area is a natural valley consisting of approximately 2,230 acres and is situated four miles east of the Sanel Valley, Hopland, Mendocino County, California. The proposed area lies within the proposed North Coast viticultural area.

The petitioner claims that the proposed viticultural area is distinguished from surrounding areas physically and historically. The petitioner bases these claims on the following:

(a) McDowell Valley is a natural, sheltered valley.

(b) The valley is surrounded by mountain ranges rising sharply to elevations of over 2,500 feet above sea level; the drainage from McDowell Valley passes out through a gorge cut in bedrock before it reaches the Little Sanel Valley and Hopland. McDowell Creek drains the valley and flows into the Russian River system.

(c) The benchmark at the lower northwestern end of the valley is at 725 feet. McDowell Creek flows through the gorge for approximately ½ mile before emerging in Little Sanel Valley at approximately 600 feet elevation. There is an upper elevation contour of 1,000 feet around the valley which effectively contains an area of alluvial soils.

(d) The alluvial soils of the valley are of the "gravelly-loam" types in depths ranging from 2 feet to 15 feet. The surrounding slopes are composed of nonalluvial upland soils.

(e) The valley has temperatures consistently warmer during the spring frost season and cooler during the summer growing season than most other Mendocino and Lake County areas surveyed by the National Weather Service between 1965 and 1978.

(f) Historical and current usage of the name "McDowell Valley" as identifying the area proposed by the petitioners is supported by the following:

(1) The valley was apparently first settled by Paxton A. McDowell around 1852.

(2) Survey maps from 1872 and 1874 refer to and locate McDowell Valley.

(3) A 1918 publication, "Soil Survey of the Ukiah Area, California," prepared by the United States Department of

Agriculture, refers to and describes McDowell Valley.

(4) Bruce E. Bearden, Farm Advisor, University of California, indicates that McDowell Valley is presently recognized as an area distinct from the Russian River Valley and has been historically identified since 1872.

(5) An area school has included "McDowell" in its name.

(6) McDowell Valley Vineyards and Cellars is a business currently operating in this area.

Relying on the "Soil Survey of the Ukiah Area," the petitioners describe the proposed area as a small valley lying east of Sanel Valley. This valley is about 2½ miles long and one mile wide. It is narrower at the north, widening somewhat toward the south. McDowell Creek carries its drainage westward through a narrow ridge into the Russian River. McDowell Valley differs from the other valleys in the area in that it has no flood plain along the stream. The valley floor lies well above the bed of the stream that drains it. The valley floor is about on level with the lowest part of the enclosing rim.

The boundaries of the proposed McDowell Valley viticultural area may be found on a U.S.G.S. 7.5 minute quadrangle map (Hopland California quadrangle).

The boundaries, which are described in proposed § 9.36, generally delineate the area drained by McDowell Creek up to the 1,000-foot contour line of the surrounding ridges.

Public Participation—Written Comments

ATF requests comments from all interested persons concerning this proposed viticultural area. This document proposes possible boundaries for the McDowell Valley viticultural area. However, comments concerning other possible boundaries for this viticultural area will be given consideration.

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 in 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 interested 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 60-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

Drafting Information

The principal author of this document is E. J. Ference, 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

Par. 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to add the title of § 9.36 as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *
§ 9.36 McDowell Valley.

Par. 2. Subpart C is amended by adding § 9.36 to read as follows:

Subpart C—Approved American Viticultural Areas

* * * * *
§ 9.36 McDowell Valley.

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

(b) *Approved maps.* The appropriate map for determining the boundaries of the McDowell Valley viticultural area is a U.S.G.S. map. That map is titled: "Hopland California Quadrangle" 7.5 minute series.

(c) *Boundaries.* Beginning at the northwest corner of Section 22 T13N R11W; thence running southerly along the section line between Sections 22 and 21 approximately 1700 feet to the intersection of the section line and the ridge line between the McDowell Creek Valley and the Dooley Creek Valley; thence running southeasterly along the ridge line to the intersection of the ridge line and the 1000-foot contour line in Section 27; thence running southeasterly and on the McDowell Creek Valley side of the ridge along the 1000-foot contour line to the intersection of the 1000-foot contour line and the south section line of

Section 27; thence running easterly along the section line between Sections 27 and 34 and between Sections 26 and 35 to the intersection of the section line and the centerline of Younce Road; thence running southeasterly and then northeasterly along Younce Road to the intersection of Younce Road and the section line between Sections 26 and 35; thence running due north from the section line across Coleman Creek approximately 1250 feet to the 1000-foot contour; thence running westerly and then meandering generally to the north and east along the 1000-foot contour to the intersection of the 1000-foot contour line and the section line between Sections 26 and 25; thence continuing along the 1000-foot contour easterly and then northwesterly in Section 25 to the intersection of the 1000-foot contour line and the section line between Sections 26 and 25; thence running northerly along the 1000-foot contour to the intersection of the 1000-foot contour line and the section line between Sections 23 and 24; thence running northerly along the section line across State Highway 175 approximately 1000 feet to the intersection of the section line and the 1000-foot contour line; thence running generally to the northwest along the 1000-foot contour line through Sections 23 and 14 and into Section 15 to the intersection of the 1000-foot contour and the flowline of an unnamed creek near the northeast corner of Section 15; thence southwestwardly and down stream along the flowline of said unnamed creek and across Section 15, to the stream's intersection with the section line between Sections 15 and 16; thence running southerly along the section line approximately 100 feet to the northwest corner of Section 22 and to the point of beginning.

Signed: February 20, 1981.

G. R. Dickerson,
Director.

Approved: March 30, 1981.

John P. Simpson,
Acting Assistant Secretary (Enforcement and Operations).

[FR Doc. 81-10721 Filed 4-8-81; 8:45 am]

BILLING CODE 4810-31-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-7-FRL 1784-1]

Approval and Promulgation of Implementation Plans; South Dakota

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: This action proposes to approve revisions to the South Dakota State Implementation Plan (SIP) submitted by the Governor of South Dakota on October 16, 1980. The revisions were prepared by the State to meet the requirements of Part D (plan requirements for nonattainment areas) of the Clean Air Act, as amended in 1977. The submittal also revises the numbering system of the South Dakota air pollution control regulations, adds several definitions, and discusses several New Source Performance Standards. This action proposes to approve a portion of a regulation which was previously disapproved on July 30, 1979.

DATES: Comments must be received on or before May 11, 1981.

ADDRESSES: Copies of the SIP revision are available at the following addresses for inspection:

Environmental Protection Agency,
Region VIII, 1860 Lincoln Street,
Denver, Colorado 80295

Environmental Protection Agency,
Public Information Reference Unit, 401
M Street SW., Washington, D.C. 20460

South Dakota Department of Health,
Division of Air Quality and
Hazardous Materials, Joe Foss
Building, Pierre, South Dakota

Written Comments Should Be Sent To:
Robert R. DeSpain, Chief, Air Programs
Branch, Environmental Protection
Agency, 1860 Lincoln Street, Denver,
Colorado 80295.

FOR FURTHER INFORMATION CONTACT:
William Bernardo, Air Programs Branch,
Environmental Protection Agency, 1860
Lincoln Street, Denver, Colorado 80295,
(303) 837-6131.

SUPPLEMENTARY INFORMATION: On July 30, 1979 (44 FR 44494), EPA disapproved a part of a SIP revision submitted by the State of South Dakota on January 3, 1979, addressing the requirement of Section 172(b)(6). Section 172(b)(6) requires that permits for construction or modification of any major stationary sources affecting a nonattainment area be issued in accordance with Section 173 of the Act. Compliance with this provision required an amendment to the State permit regulations to allow for a permit to be issued only after a determination that (a) the source will comply with the lowest achievable emission rate, (b) all other facilities in the State owned, operated or controlled by the applicant are in compliance with the SIP, and (c) the source's emissions would not prevent achieving reasonable further progress towards attainment.