

a significant economic impact on a substantial number of small entities.

Executive Order 12291

It has been determined that this final rule is not a "major rule" within the meaning of Executive Order 12291 of February 17, 1981, because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Disclosure

A copy of the petition and the comments received are available for inspection during normal business hours at the following location: ATF Reading Room, Room 4405, Office of Public Affairs and Disclosure, 12th and Pennsylvania Avenue, NW, Washington, DC.

Drafting Information

The principal author of this document is James A. Hunt, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

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

Authority and Issuance

Accordingly, under the authority contained in Section 5 of the Federal Alcohol Administration Act (45 Stat. 981, as amended; 27 U.S.C. 205), 27 CFR Part 9 is amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to include the title of § 9.65 as follows:

SUBPART C—Approved American Viticultural Areas

Sec.

* * * * *

9.65 North Fork of Roanoke.

Paragraph 2. Subpart C is amended by adding § 9.65 to read as follows:

Subpart C—Approved American Viticultural Areas

§ 9.65 North Fork of Roanoke.

(a) *Name.* The name of the viticultural area described in this section is "North Fork of Roanoke."

(b) *Approved maps.* The appropriate maps for determining the boundaries of the North Fork of Roanoke viticultural area are 7.5 minute series 1965 U.S.G.S. Virginia maps titled: Looney Quadrangle, McDonalds Mill Quadrangle, Glenbar Quadrangle, Elliston Quadrangle, Ironto Quadrangle, Blacksburg Quadrangle, Newport Quadrangle and Craig Springs Quadrangle.

(c) *Boundaries.* The North Fork of Roanoke viticultural area is located in parts of Roanoke and Montgomery Counties in southern Virginia. The point of beginning is in the north at the intersection of State Routes 785 and 697 in Roanoke County. The line follows State Route 697 northeast over Crawford Ridge to the intersection at State Route 624. The viticultural area line turns southwest on State Route 624 along the boundary of the Jefferson National Forest and then continues across the Montgomery County line to U.S. 460 (business). The line follows U.S. 460 (business) south through the town of Blacksburg. The line then continues on U.S. 460 (bypass) to the intersection of U.S. 460 east where it turns east for approximately 1 mile to the intersection of U.S. Interstate Highway 81 at Interchange 38 at State Route 629, then follows State Route 629 (which later becomes State Route 622 north of Bradshaw Creek) 2 miles across the Roanoke County line to where it intersects the Chesapeake and Potomac Telephone Company right-of-way. The line then turns northwest along the C & P right-of-way over Pearis Mountain to the point where the right-of-way intersects State Route 785, one quarter mile northeast of the intersection of State Routes 785 and 697 and then follows State Route 784 back to the starting point.

Signed: March 18, 1983.

Stephen E. Higgins,
Acting Director.

Approved: March 31, 1983.

David Q. Bates,
Deputy Assistant Secretary (Operations).

[FR Doc. 83-10110 Filed 4-14-83; 8:45 am]

BILLING CODE 4810-31-M

27 CFR Part 9

[T.D. ATF-132; Reference Notice No. 435]

Santa Ynez Valley Viticultural Area

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule establishes an American viticultural area in Santa Barbara County, California known as "Santa Ynez Valley." The establishment of viticultural areas and the use of viticultural area names in wine labeling and advertising will allow wineries to designate the specific grape-growing area where their wines come from, and will help consumers to identify the wine they purchase.

EFFECTIVE DATE: May 16, 1983.

FOR FURTHER INFORMATION CONTACT: Charles N. Bacon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226, Telephone: 202-566-7626.

SUPPLEMENTARY INFORMATION:

Background

ATF regulations in 27 CFR Part 4 allow the establishment of definite viticultural areas. These 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. Section 9.11, Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Approved American viticultural areas are listed in 27 CFR 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.

ATF was petitioned by the Firestone Vineyard, a bonded winery in Los Olivos, to establish a viticultural area in Santa Barbara County, California, to be known as "Santa Ynez Valley." This viticultural area is a valley contered around the Santa Ynez River, and contains a total of 285 square miles with 1,200 acres of vineyards. In response to this petition, ATF published a notice of proposed rulemaking, No. 435, in the *Federal Register* on November 24, 1982 [47 FR 53048] proposing the establishment of the Santa Ynez Valley viticultural area.

Supporting Evidence

The following evidence was presented in the petition to support the proposed viticultural area.

Name. The name "Santa Ynez" was given to the mission established in 1804 by the first European settlers in the valley. This mission was dedicated to Saint Agnes, and Santa Ynez was the name applied to the town, river, and valley.

Viticultural history. Grape-growing and winemaking were extensive in Santa Barbara County prior to Prohibition. The Santa Ynez Valley itself contained over 5,000 acres of vineyards. However, Prohibition ended the industry in the valley, and vineyards were not replanted after Repeal.

In 1969, the first commercial vineyards since Prohibition were planted just east of Solvang. Additional acreage was planted during the next decade, especially 1972-1973, by winemakers attracted to the climate of the valley, and its remoteness from urban encroachment. Today there are over 20 vineyards encompassing 1,200 acres within the viticultural area, and eight bonded wineries have been established. Major grape varieties include Cabernet Sauvignon, Riesling, Chardonnay, Merlot, Sauvignon Blanc, Gewurztraminer, and Pinot Noir. Commercial production of Santa Ynez Valley wines began in the mid 1970's, and the Santa Ynez Valley, California appellation currently appears on may labels of wines from the region.

Geographical features. Topography and geography distinguish the Santa Ynez Valley viticultural area from surrounding areas. The valley itself surrounds the Santa Ynez River and is defined by mountains to the north and south, by Lake Cachuma and the Los Padres National Forest to the east, and by a series of low hills to the west.

To the north, the Purisima Hills rise from 1,200 to 1,700 feet in elevation, and separate the Santa Ynez Valley from the Los Alamos Valley. Similarly, the San Rafael Mountains separate the valley from the Santa Maria Valley, previously approved as an American viticultural area. These mountains generally range in elevation from 1,400 to 2,600 feet.

The Santa Ynez Mountains on the south separate the Santa Ynez Valley from the Pacific Ocean; these mountains range in elevation from 800 to 2,500 feet. To the west, the Santa Ynez Valley narrows, and the Santa Rita Hills separate it from the Lompoc Valley.

Within the Santa Ynez Valley, the Santa Ynez River flows west, descending in elevation from 750 feet at Lake Cachuma to approximately 125 feet at the extreme western end. Vineyards within the valley range in elevation from 200 to 400 feet for those planted in proximity to the Santa Ynez River, to 1,300-1,500 feet in elevation for

vineyards planted in the foothills of the San Rafael Mountains. Around Los Olivos, vineyards range between 650 feet and 900 feet in elevation, those around Santa Ynez are between 500 and 600 feet in elevation, while vineyards planted near Buellton range from 300 to 600 feet in elevation.

Climate. The Santa Ynez Valley is a cool Region II on the scale developed by Winkler and Amerine of the University of California to measure degree days. Solving in the center of the valley registers an average of 2680 degree days. This contrasts with 1970 degree days (Region I) in nearby Lompoc, and with 2820 degree days for Santa Barbara, south of the Santa Ynez Mountains. Within the Santa Ynez Valley, summertime temperatures increase from west to east following the Santa Ynez River upstream.

The Santa Rita Hills to the west block the colder ocean air, prevalent at Lompoc, from entering the Santa Ynez Valley and act to moderate the valley's climate. To the east, the boundary of the viticultural area is drawn along recognizable map features which approximately delineate the cooler temperatures of the Santa Ynez Valley from warmer temperatures further inland.

Rainfall averages 16 inches within the Santa Ynez Valley although it is variable from year to year. Fog also plays an important factor in the climate of the viticultural area by keeping the valley cool and moist during the growing season. Fog is present to elevations of 1,000 to 1,200 feet in the valley and nearly all vineyards are influenced by it.

Soils. Northern Santa Barbara County contains 14 major soil associations, but the Santa Ynez Valley contains only 7 major associations. Vineyard plantings are confined almost entirely to 3 of these soil associations.

The Positas-Ballard-Santa Ynez association consists of well-drained fine sandy loams to clay loams. These soils occur on level to moderately steep slopes in the upper Santa Ynez Valley at elevations of 500 to 1,000 feet.

Another association, the Chamise-Arnold-Crow Hill association, consists of well-drained to excessively well-drained sand loams and clay loams. These soils are found on gentle to very steep slopes on high terraces and uplands. Elevations range from 200 to 1,500 feet.

The Shedd-Santa Lucia-Diablo association consists of steep, well-drained shaly clay loams and silty clay loams. These soils occur on uplands from 200 to 3,000 feet in elevation.

A few vineyards are planted in the Sorrento-Mocho-Camarillo soil

association. These soils are nearly level and consist of well-drained to somewhat poorly-drained sandy loams and silty clay loams. They are found on the flood plains and alluvial fans along the Santa Ynez River.

Boundaries. The boundaries of the Santa Ynez Valley viticultural area consist of many land grant and section boundaries. In most cases, these boundaries closely approximate ridgelines, but have been used because they are more easily described on U.S.G.S. maps. The boundaries are fully described in the regulatory text of § 9.54.

Discussion of Comments

In Notice No. 435, ATF requested public comments on the proposed viticultural area. ATF noted that the area, as proposed, contains about 285 square miles, but only 1,200 acres of vineyards, and requested ways in which the proposed area could be reduced in size.

Five comments were received from Santa Barbara County wineries, farms, and consumers. All of these comments favored establishing the Santa Ynez viticultural area as proposed without any reduction in size.

One respondent noted that it would be inappropriate to reduce the area in size since "there are producing vineyards in the furthest extremities of the proposed area." Therefore, reduction in size would necessarily exclude some vineyards from the viticultural area. Another respondent stated that the proposed viticultural area is consistent with the definition of a delimited grape-growing region, and that the proposed area already represents only about one third of the actual Santa Ynez Valley. Finally, another respondent pointed out that if the area were reduced in size, it would prompt the establishment of adjacent viticultural areas which would only mislead or confuse the consumer.

On the basis of all evidence presented with the petition and in written comments, ATF has concluded the boundaries should be adopted as proposed, and the viticultural area should include the entire petitioned for 285 square miles.

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 final rule because it will not have a significant economic impact on a substantial number of small entities. This rule allows the petitioner and other persons to use an appellation of origin, "Santa Ynez Valley," on wine labels

and in wine advertising. This final rule 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.

Accordingly, it is hereby certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that this final rule will not have a significant economic impact on a substantial number of small entities.

Compliance With Executive Order 12291

It has been determined that this final rule is not a "major rule" within the meaning of Executive Order 12291 of February 17, 1981, because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

List of Subjects in 27 CFR Part 9

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

Drafting Information

The principal author of this final rule is Charles N. Bacon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

Authority and Issuance

Accordingly, under the authority contained in 27 U.S.C. 205, the Director is amending 27 CFR Part 9 as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The table of sections in 27 CFR Part 9 is amended by adding § 9.54. As amended, the table of sections reads as follows:

Sec. * * * * *

Subpart C—Approved American Viticultural Areas

* * * * *

9.54 Santa Ynez Valley.

* * * * *

Par. 2. Subpart C is amended by adding § 9.54 which reads as follows:

§ 9.54 Santa Ynez Valley.

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

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Santa Ynez Valley viticultural area are 12 U.S.G.S. quadrangle maps. They are entitled:

- (1) "Figuroa Mountain, Cal.", 7.5 minute series, edition of 1959;
- (2) "Foxen Canyon, Cal.", 7.5 minute series, edition of 1964;
- (3) "Lake Cachuma, Cal.", 7.5 minute series, edition of 1959;
- (4) "Lompoc, Cal.", 7.5 minute series, edition of 1959 (photorevised 1974);
- (5) "Lompoc Hills, Cal.", 7.5 minute series, edition of 1959;
- (6) "Los Alamos, Cal.", 7.5 minute series, edition of 1959;
- (7) "Los Olivos, Cal.", 7.5 minute series, edition of 1959 (photoinspected 1974);
- (8) "Santa Rosa Hills, Cal.", 7.5 minute series, edition of 1959;
- (9) "Santa Ynez, Cal.", 7.5 minute series, edition of 1959 (photorevised 1974);
- (10) "Solvang, Cal.", 7.5 minute series, edition of 1959 (photorevised 1974);
- (11) "Zaca Creek, Cal.", 7.5 minute series, edition of 1959; and
- (12) "Zaca Lake, Cal.", 7.5 minute series, edition of 1964.

(c) *Boundaries.* The Santa Ynez Valley viticultural area is located within Santa Barbara County, California. The beginning point is found on the "Los Alamos, California" U.S.G.S. map where California Highway 246 (indicated as Highway 150 on the Los Alamos map) intersects with the 120°22'30" longitude line.

- (1) Then north following the 120°22'30" longitude line to Cebada Canyon Road.
- (2) Then northeast following Cebada Canyon Road and an unnamed jeep trail to the northern boundary of Section 9, T. 7 N., R. 33 W.
- (3) Then east following the northern boundaries of Sections 9, 10, 11, 12, 7, and 8 to the northeast corner of Section 8, T. 7 N., R. 33 W.
- (4) Then south following the eastern boundaries of Sections 8 and 17 to the intersection with the boundary dividing the La Laguna and San Carlos de Jonata Land Grants.

(5) Then east following the boundary between the La Laguna and the San Carlos de Jonata Land Grants to the intersection with Canada de Santa Ynez.

(6) Then northeast in a straight line for approximately 3.6 miles to Benchmark 947 at U.S. Highway 101.

(7) Then northeast in a straight line for approximately 2.6 miles to the southwest corner of the La Zaca Land Grant.

(8) Then following the boundary of the La Zaca Land Grant north, then east to its northeast corner.

(9) Then east in a straight line for approximately 2.0 miles to the point of intersection of the La Laguna and Sisquoc Land Grants with the Los Padres National Forest.

(10) Then following the boundary of the Los Padres National Forest south, east, and south until it intersects with the eastern boundary of Section 29, T. 7 N., R. 29 W.

(11) Then south following the eastern boundaries of Sections 29, 32, 5, 8, and 17 to the boundary of the Cachuma Recreation Area at Bitt Benchmark 1074.

(12) Then following the boundary of the Cachuma Recreation Area west and south to the point of intersection with the Los Padres National Forest.

(13) Then south and west following the boundary of the Los Padres National Forest to its intersection with the Las Cruces Land Grant at the southwest corner of Section 12, T. 5 N., R. 32 W.

(14) Then north following the boundary of the Las Cruces Land Grant to the southeast corner of Section 26, T. 6 N., R. 32 W.

(15) Then west following the southern boundaries of Sections 26, 27, 28, and 29 to the intersection with the northern boundary of the San Julian Land Grant at the southwestern corner of Section 29, T. 6 N., R. 32 W.

(16) Then northwest following the boundary of the San Julian Land Grant to its intersection with the 120° 22'30" longitude line.

(17) Then northwest in a straight line for approximately 3.2 miles to the point where Santa Rosa Road intersects Salsipuedes Creek.

(18) Then following Salsipuedes Creek downstream to the point of confluence with the Santa Ynez River.

(19) Then northeast in a straight line for approximately 1.4 miles to an unnamed hill, elevation 597 feet.

(20) Then northeast in a straight line for approximately 1.7 miles to the point of beginning.

Signed: March 24, 1983.

W. T. Drake,
Acting Director.

Approved: April 4, 1983.

David Q. Bates,
Deputy Assistant Secretary (Operations)

[FR Doc. 83-10113 Filed 4-14-83; 8:45 am]

BILLING CODE 4810-31-M

Office of the Secretary**31 CFR Part 3****Legal Review of Certain Small Tort Claims**

AGENCY: Department of the Treasury.
ACTION: Final rule.

SUMMARY: Under the existing regulations governing claims against the Department of the Treasury under the Federal Tort Claims Act, all claims must be forwarded to the legal division of the bureau or office out of whose activities the claim arose. This final rule amends 31 CFR 3.3 such that legal review of certain claims for less than \$500 will not be mandatory.

The Treasury Department has determined that certain small tort claims do not merit the time and expense of legal review. By eliminating the requirement of legal review of certain small tort claims, Treasury Department attorneys will be able to spend more time on significant tasks, and thus a more efficient allocation of employee efforts will be realized.

EFFECTIVE DATE: April 15, 1983.

FOR FURTHER INFORMATION CONTACT: Jordan Luke, Assistant General Counsel (Enforcement & Operations), Room 2310, Main Treasury Building, 1500 Pennsylvania Avenue, NW., Washington, D.C. 20220 (202/566-5404)

SUPPLEMENTARY INFORMATION:

This final rule would eliminate the requirement of legal review of certain tort claims under \$500. Each bureau or office of the Treasury Department will retain the right to subject all tort claims to legal review. Thus, this rule is optional; it is intended only for those bureaus or offices that determine that legal review of certain small tort claims is not necessary.

Under this rule, each bureau or office may elect to process tort claims for less than \$500 without legal review, if such claims do not involve personal injuries or automobile damage, or do not arise out of an incident that is likely to result in multiple claims or claimants.

Authority

This final rule is promulgated under the authority of 28 U.S.C. 2672.

Executive Order 12291

This final rule is not subject to the provisions of Executive Order 12291 because the rule is related to agency organization, management or personnel.

Regulatory Flexibility Act

This rule is not subject to the provisions of the Regulatory Flexibility

Act (5 U.S.C. 601 *et seq.*) because no notice of proposed rulemaking is required under 5 U.S.C. 553. A notice of proposed rulemaking is not required because this rule addresses rules of agency procedure: The processing of certain small tort claims.

Drafting Information

The principal author of this document was Ramon Estrada, Office of the General Counsel, Department of the Treasury. However, other Treasury personnel participated in its development.

List of Subjects in 31 CFR Part 3

Claims, Federal tort claims; Claims regulations.

Promulgation of Regulations

Part 3, Treasury Regulations (31 CFR Part 3) is amended as set forth.

Dated: April 1, 1983.

Margery Waxman,
Acting General Counsel.

PART 3—CLAIMS REGULATIONS

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Subpart A—Claims Under the Federal Tort Claims Act

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The first sentence of § 3.3 is revised to read as follows:

§ 3.3 Legal review.

Any claim that exceeds \$500, involves personal injuries or automobile damage, or arises out of an incident that is likely to result in multiple claimants, shall be forwarded to the legal division of the bureau or office out of whose activities the claim arose. * * *

[FR Doc. 83-10109 Filed 4-14-83; 8:45 am]

BILLING CODE 4810-25-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 60**

[A-4-PRL 2347-2]

Standards of Performance for New Stationary Sources; Supplemental Delegation of Authority to Mississippi

AGENCY: Environmental Protection Agency.

ACTION: Informational notice.

SUMMARY: On December 23, 1982, the State of Mississippi requested a delegation of authority for the implementation and enforcement of several additional categories of New Source Performance Standards.

EPA's review of Mississippi's laws, rules, and regulations shows them to be adequate for the implementation and enforcement of these Federal standards, and the Agency has made the delegations as requested.

EFFECTIVE DATE: The effective date of the delegations of authority to Mississippi is March 25, 1983.

ADDRESSES: Copies of the request for delegation of authority and EPA's letter of delegation are available for public inspection at EPA's Region IV Office, 345 Courtland Street, N.E., Atlanta, Georgia 30365.

All reports required pursuant to the newly delegated standards should not be submitted to the EPA Region IV office, but should instead be submitted to the following address: Mr. Dwight Wylie, Chief, Air Quality Control, Bureau of Pollution Control, P.O. Box 10385, Jackson, Mississippi 39209.

FOR FURTHER INFORMATION CONTACT: Denise W. Pack, 404-881-3286.

SUPPLEMENTARY INFORMATION: Sections 101, 110, and 111 of the Clean Air Act authorize the Administrator to delegate his authority to implement and enforce the National Standards of Performance for New Stationary Sources (NSPS) to any State which has submitted adequate implementation and enforcement procedures.

On November 30, 1981, EPA delegated to the State of Mississippi the authority to implement the Standards of Performance for New Stationary Sources (NSPS). On December 23, 1982, Mississippi requested that EPA delegate the authority for the NSPS categories that had been promulgated subsequent to the original delegation of November 30, 1981:

1. *Lead Acid Battery Manufacture, 40 CFR, Part 60, Subpart KK*, as promulgated on April 16, 1982.

2. *Phosphate Rock Operations, 40 CFR, Part 60, Subpart NN*, as promulgated on April 16, 1982.

3. *Asphalt Processing and Asphalt Roofing Manufacture, 40 CFR, Part 60, Subpart UU*, as promulgated on August 6, 1982.

4. *Industrial Surface Coating, Large Appliances, 40 CFR, Part 60, Subpart SS*, as promulgated on October 27, 1982.

5. *Surface Coating-Metal Furniture, 40 CFR, Part 60, Subpart EE*, as promulgated on October 29, 1982.

6. *Metal Coil Surface Coating, 40 CFR, Part 60, Subpart TT*, as promulgated on November 1, 1982.

Action. I reviewed all of the pertinent Mississippi laws, rules, and regulations and found them to be adequate for the implementation and enforcement of