

(3) The first month in which you fail to follow prescribed treatment that can restore your ability to work (see § 416.930).

(b) *If you were found blind as defined in a State plan.* If you became eligible for payments because you were blind as defined in a State plan, we will find that your blindness has ended beginning with the earlier of—

(1) The first month in which your vision, as shown by medical or other evidence, does not meet the criteria of the appropriate State plan or the first month in which your vision does not meet the definition of statutory blindness (§ 416.981), whichever is later, and in neither event earlier than the month in which we mail you a notice saying that we have determined that you are not now blind under a State plan or not now statutorily blind, as appropriate; or

(2) The month in which your physician tells you that your vision has improved or that you are not blind, and the medical evidence shows that, as of that month, your vision does not meet either the criteria of the appropriate State plan or the definition of statutory blindness (§ 416.981).

\* \* \* \* \*

3. In § 416.994, paragraphs (b), (c), and (e) are revised to read as follows:

**§ 416.994 Why and when we will find that your disability has ended.**

\* \* \* \* \*

(b) *Disabled persons age 18 or over.* If you are age 18 or older, we will find that your disability ended in the earliest of the following months—

(1) The month your impairment, based on current medical or other evidence, no longer exists or is such that you are able to do substantial gainful activity, but not earlier than the month in which we mail you a notice saying that the information we have shows that you are not disabled;

(2) The month in which your physician tells you that your condition has improved or that you are able to work and the medical evidence shows that, as of that month, you are able to do substantial gainful activity;

(3) The month in which you demonstrated your ability to engage in substantial gainful activity (following completion of a trial work period);

(4) The month in which you actually do substantial gainful activity (where you are not entitled to a trial work period);

(5) The month in which you return full-time work, with no significant medical restrictions, and we expected

your impairment to improve (see § 416.991); or

(6) The first month you fail to follow prescribed treatment that can restore your ability to work (see § 416.930).

(c) *Disabled persons under age 18.* If you are under age 18, we will find that your disability ended in the earliest of the following months—

(1) The month your impairment, based on current medical evidence, is not an impairment listed in Appendix 1 of Subpart P of Part 404 of this chapter or is not equal to a listed impairment, but not earlier than the month in which we mail you a notice saying that the information we have shows that you are not disabled;

(2) The month in which your physician tells you that your condition has improved or that you are able to work and the medical evidence shows that, as of that month, your impairment is now such that it is not listed in Appendix 1 of Subpart P of Part 404 of this chapter or is not equal to a listed impairment; or

(3) The month in which you demonstrated your ability to engage in substantial gainful activity (following completion of a trial work period).

\* \* \* \* \*

(e) *Persons who were found disabled under a State plan.* If you became entitled to benefits because you were found to be disabled under a State plan, we will find that your disability ended in the earlier of the following months—

(1) The month in which your disability, as shown by current medical or other evidence, does not meet the criteria of the appropriate State plan or the month in which your disability ended under the provisions of paragraphs (b), (c), or (d) of this section, whichever is later, and, unless otherwise indicated under the provisions of paragraphs (b), (c), or (d), not earlier than the month in which we mail you a notice saying that you are not now disabled under a State plan or not now disabled under the provisions of paragraphs (b), (c), or (d) of this section, as appropriate; or

(2) The month in which your physician tells you that your condition has improved or that you are able to work and the medical evidence shows that, as of that month, you are able to do substantial gainful activity

[FR Doc. 83-13055 Filed 5-13-83; 8:45 am]

BILLING CODE 4190-11-M

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 9

[Notice No. 466]

#### Altus Viticultural Area

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Bureau of Alcohol, Tobacco and Firearms (ATF) is considering the establishment of a viticultural area in Arkansas to be known as "Altus." This proposal is the result of a petition from Mr. Mathew J. Post, a grape grower in the area. The establishment of viticultural areas and the subsequent use of viticultural area names in wine labeling and advertising will enable industry to label wines more precisely, and will help consumers to better identify the wines they purchase.

**COMMENT DATE:** Written comments must be received by June 30, 1983.

**ADDRESSES:** Send written comments to: Chief, Regulations and Procedures Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 385, Washington, DC 20044-0385 (Notice No. 466).

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, 1200 Pennsylvania Avenue NW, Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Steve Simon, 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. 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 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 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.

ATF has received a petition proposing an area near the town of Altus, Arkansas, as a viticultural area to be known as "Altus." The area extends for a length of about five miles, along a plateau situated between the Arkansas River bottomlands and the high peaks of the Boston Mountains. The width of the area is about four miles. The proposed boundaries encompass a total area of between 12,000 and 13,000 acres. There are about 800 acres of grape plantation on vineyards in the proposed area. There are four wineries now operating in the proposed area.

The petitioner claims that the proposed viticultural area is known by the name "Altus" and is associated with grape growing for the following reasons:

(a) The official stationery of the city of Altus, Arkansas, declares that city to be the "wine capital" of the State.

(b) Wines produced at the area's four wineries (all located within a mile of the Altus Post Office) have won national and international awards.

(c) Labels of all four wineries bear the name "Altus" as part of their mailing address.

(d) Bumper plates used on the first automobiles in town bear the name, "Altus," and the legend, "The grapes grow best."

(e) An article by Joe Crump, entitled "Vintage Memories," appearing in the *Southwest Times Record* of June 25, 1981, discussed "Altus, the village known for its wine."

(f) The stationery of the local St. Joseph's Farmer Club, whose address is Altus, Arkansas, states: "Best flavored grapes grown in the country. Campbell's Early, Delaware and Niagara a specialty."

(g) The Rev. Placidus Oeschle, a local parish priest from 1897 to 1935, wrote the following in 1930, in a work entitled "Historical Sketch of the Congregation of Our Lady of Perpetual Help":

Some of our pioneers came from winemaking countries, and started to plant vineyards. Grapegrowing became a very profitable industry, and Altus was soon famous for its good wine.

Our grape festivals are an attraction for thousands of visitors \* \* \* After many years of experimenting with hundreds of varieties, only a few proved commercially valuable. Today, mostly Campbell's Early, Delaware, Niagara, Brighton, and Banner, and a few others are cultivated for market \* \* \* The grapes of Altus are famous, and are shipped all over the country.

The petitioner claims that the proposed viticultural area is distinguished from the surrounding area for the following reasons:

(1) The moderating climatological effects of the Boston Mountains protect the area from the harshest of winter's weather.

(2) The elevation of the plateau above the surrounding river and creek valleys creates a microclimate wherein cold air is funneled down to the Arkansas River in the spring and fall. Thus, as the petitioner states, "It has been observed that growers in the hills around Altus enjoy additional frost-free growing days because the colder air sinks to the river valley, and forces warmer air into the hills in the early spring and late fall."

(3) The soils of the Altus region (known as the Linker-Mountainburg association) are distinctive in that within Arkansas they are found only along the edge of the Boston Mountains. These soils, states the petitioner, "are fine to gravelly in texture, sandy to silty loams, and slightly to strongly acid." It is implied that these soils are particularly suited to viticulture.

The boundaries of the proposed viticultural area may be found on five U.S.G.S. topographic maps in the 7.5 minute series: Ozark Quadrangle, Coal Hill Quadrangle, Hartman Quadrangle, Hunt Quadrangle, and Watalula Quadrangle. The boundaries are described in the proposed § 9.77.

### 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, because the value of the proposed viticultural area designation is intangible and subject to influence by other unrelated factors. Further, the proposal will not impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

### Executive Order 12291

In compliance with Executive Order 12291 of Feb. 17, 1981, 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, State, or local government agencies, or geographic regions; or

(c) Significant adverse effects on competition, employment, investment, productivity, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

### 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 Altus 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 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 45-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.

#### Drafting Information

The principal author of this document is Steve Simon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, other personnel of the Bureau have participated in the preparation of this document, both in matters of substance and style.

#### List of Subjects in 27 CFR Part 9

Administrative practice and procedure, Consumer protection, Wine.

#### 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 § 9.77 to read as follows:

#### Subpart C—Approved American Viticultural Areas

Sec.

9.77 Altus.

**Par. 2.** Subpart C of 27 CFR Part 9 is amended by adding § 9.77, which reads as follows:

#### § 9.77 Altus.

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

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Altus viticultural area are five U.S.G.S. maps in the 7.5 minute series. They are titled:

- (1) Ozark Quadrangle, 1966.
- (2) Coal Hill Quadrangle, 1961.
- (3) Hartman Quadrangle, 1961.
- (4) Hunt Quadrangle, 1963.
- (5) Watalula Quadrangle, 1973.

(c) *Boundary—(1) General.* The Altus Viticultural area is located in Arkansas. The starting point of the following boundary description is the crossing of the Missouri Pacific Railroad over Gar Creek, near the Arkansas River at the southeast corner of the city of Ozark, Arkansas (on the Ozark Quadrangle map.)

(2) *Boundary Description:*

(i) From the crossing of the Missouri Pacific Railroad over Gar Creek, following the railroad tracks eastward to the crossing over Horsehead Creek (on the Hartman Quadrangle map.)

(ii) From there northward along Horsehead Creek to the merger with Dirty Creek (on the Coal Hill Quadrangle map.)

(iii) From there generally northwestward along Dirty Creek to Arkansas Highway 352 (where Dirty Creek passes under the highway as a perennial stream—on the Hunt Quadrangle map.)

(iv) From there along Highway 352 westward to Arkansas Highway 219 (on the Watalula Quadrangle map.)

(v) Then southward along Highway 219 to Gar Creek (on the Ozark Quadrangle map.)

(vi) Then southeastward along Gar Creek to the beginning point.

Approved: May 2, 1983.

Stephen E. Higgins,

Director.

[FR Doc. 83-12953 Filed 5-13-83; 8:45 am]

BILLING CODE 4910-31-M

#### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 117

[CGD 9-83-04]

#### Drawbridge Operations Regulations; Manitowoc River, WI; Correction

**AGENCY:** Coast Guard, DOT.

**ACTION:** Proposed rule, correction.

**SUMMARY:** This document corrects a typographical error in FR 83-9138 appearing on page 15165 in the *Federal Register* of Thursday, April 7, 1983, relating to drawbridge operations on the Manitowoc River, Wisconsin.

In 33 CFR 117.650(b)(1) "4:30 p.m." on lines two and three should be corrected to read "4:30 a.m."

**FOR FURTHER INFORMATION CONTACT:** Robert W. Bloom, Jr., Chief, Bridge Branch, Ninth Coast Guard District, 1240 East Ninth Street, Cleveland, Ohio 44199 (216-522-3993).

Dated: April 29, 1983.

Henry H. Bell,

Rear Admiral, U.S. Coast Guard, Commander, Ninth Coast Guard District.

[FR Doc. 83-12857 Filed 5-13-83; 8:45 am]

BILLING CODE 4910-14-M

#### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[Docket No. NH-A-1-FRL 2351-4]

#### Approval and Promulgation of Air Quality Implementation Plans, New Hampshire; Group I VOC Source Compliance Schedules

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve State Implementation Plan revisions submitted by the State of New Hampshire. These revisions will reduce emissions from major sources of volatile organic compounds (VOC's) in the State. The intended effect of this action is to satisfy conditions for Part D plan requirements for nonattainment areas under Section 172(b)(2) of the Clean Air Act.

**DATES:** Comments must be received on or before June 15, 1983.

**ADDRESSES:** Comments may be mailed to Harley F. Laing, Director, Air Management Division, Room 2311, JFK Federal Building, Boston, MA 02203. Copies of the submittal and EPA's evaluation are available for public inspection during normal business hours at the Environmental Protection Agency, Room 2111, JFK Federal Building, Boston, MA 02203 and the New Hampshire Air Resources Agency, Health and Welfare Building, Hazen Drive, Concord, NH 03301.

**FOR FURTHER INFORMATION CONTACT:** Alan E. Dion, (617) 223-5130.

**SUPPLEMENTARY INFORMATION:** On February 3, 1983 (48 FR 4972), EPA proposed to sanction the Southern New Hampshire Air Quality Control Region by imposing a moratorium on new construction, because the State had failed to meet all the requirements of its 1979 State Implementation Plan (SIP) for ozone (see 48 FR 5015). EPA proposed sanctions for two reasons.<sup>1</sup> First, the State had not yet satisfied the condition for approval of this SIP which required the submission of approvable compliance schedules for stationary sources of volatile organic compounds (VOC) (see 45 FR 24872, April 11, 1980). Second, the State had not submitted a fully approvable regulation for the Group II VOC source category of

<sup>1</sup> The reader is referred to 48 FR 4972 and the supporting documentation for a complete discussion of the reasons. This information is available for inspection at the location listed under **ADDRESSES**.