

"supplements in GRAS" should have read "supplements is GRAS".

3. On page 837, in the table, the second entry now reading "Citric acid (scientific literature" should have read "Citric acid (scientific literature review)".

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 51

[LR-224-81]

Definition of Newly Discovered Oil; Public Hearing on Proposed Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations concerning the definition of the term "newly discovered oil" for purposes of the windfall profit tax.

DATES: The public hearing will be held on April 12, 1983, beginning at 10:00 a.m. Outlines of oral comments must be delivered or mailed by March 29, 1983.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue N.W., Washington, D.C. The outlines should be submitted to the Commissioner of Internal Revenue, Attn: CC:LR:T (LR-224-81), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Charles Hayden of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202-566-3935, not a toll-free call.

SUPPLEMENTARY INFORMATION: The subject of the public hearing is proposed regulations under section 4996 of the Internal Revenue Code of 1954. The proposed regulations appeared in the *Federal Register* for Friday, November 5, 1982 (47 FR 50306).

The rules of § 601.601(a)(3) of the Statement of Procedural Rules (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have submitted written comments within the time prescribed in the notice of proposed rulemaking and desire to present oral comments at the hearing on the proposed regulations should submit

an outline of the comments to be presented at the hearing and the time they wish to devote to each subject by March 29, 1983.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of time consumed by questions from the panel for the government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

By direction of the Commissioner of Internal Revenue.

George H. Jelly,
Director, Legislation and Regulations Division.

[FR Doc. 83-3114 Filed 2-3-83; 8:45 am]

BILLING CODE 4830-01-M

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 450]

Establishment of Russian River 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 Sonoma County, California, approximately one mile northwest of Santa Rosa, to be known as the "Russian River Valley." Included in the proposal are those areas through which flow the Russian River or some of its tributaries and where there is a significant climate effect from coastal fogs. This proposal is based upon a petition submitted by the Russian River Valley Appellation Committee consisting of twenty industry members in the area. The establishment of viticultural areas and their subsequent use as appellations of origin in wine labeling and advertising will allow wineries to better designate the specific grape growing areas where their wines come from and will enable consumer to better identify the wines they purchase.

DATE: Written comments must be received by March 21, 1983.

ADDRESS: 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. 450].

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

FOR FURTHER INFORMATION CONTACT:

James A. Hunt, 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 provide for the establishment of definite American viticultural areas and allow for their use as appellations of origin on wine labels and in wine advertisements. The American viticultural areas are listed in 27 CFR Part 9.

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.

Petition

ATF has received a petition from "The Appellation Committee" proposing a large area of approximately 150 square miles located in Sonoma County, California, one mile northwest of Santa

Rosa as a viticultural area to be known as "Russian River Valley." The proposed viticultural area includes those areas through which flow the Russian River or some of its tributaries and which there is a significant climate effect from coastal fogs. There are more than 8,000 acres of producing vineyards and twenty-seven wineries in the proposed area.

The petitioner states that the proposed viticultural area is distinguished from surrounding areas by historical reference, climate, and geographical and physical features.

a. Historical reference. Viticulture in the Russian River Valley area of Sonoma County was established in the 1860's. By 1876, wine production in the area was in excess of 500,000 gallons and planted acreage totalled approximately 7,000 acres. In a "History of Sonoma County, California," published in 1880, mention is made of the four "great valleys" comprising Sonoma, Petaluma, Santa Rosa, and the Russian River. The use of the name "Russian River Valley" on wine labels began in 1970 and is now used by four wineries in the proposed viticultural area.

B. Climate. The specific growing climate is the principle distinctive characteristic of the proposed Russian River Valley viticultural area. The area designated is a cool growing coastal area because of fog intruding up the Russian River and its tributaries during the early morning hours. The result of these coastal fog intrusions give growing temperatures that are normally Region I or cooler. This area therefore is distinguished from the warmer neighboring valleys such as Dry Creek Valley, Alexander Valley and Sonoma Valley.

The petitioner submitted detailed information on how the climate in the proposed Russian River Valley viticultural area is different from surrounding areas. The data was mostly compiled by the Office of the Sonoma County Farm Adviser. The neighboring Alexander Valley is termed "coastal warm" with a range of accumulated heat units better 2800 and 3500 as calculated according to the Winkler and Amerine formula for degree days. The proposed Russian River Valley viticultural area is termed "coastal cool" with a range of 2000 and 2800 accumulated heat units.

c. Geographical and physical features. The boundaries of the proposed Russian River Valley viticultural area may be found on ten U.S.G.S. 7.5 minute quadrangle maps. The boundary and the names of the maps, are described in proposed § 9.66.

Executive Order 12291

It has been determined that this notice of proposed rulemaking is not classified as a "major rule" within the meaning of Executive Order 12291, 48 FR 13193 (1981), because it will not have an annual effect on the economy of \$100 million dollars or more; it will not result in a major increase in cost 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 the United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

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 expected to apply to this proposed rule because the proposal, if promulgated as a final rule, is not expected to have a significant economic impact on a substantial number of small entities. Since the benefits to be derived from using a new viticultural area appellation of origin are intangible, ATF cannot conclusively determine what the economic impact will be on the affected small entities in the area. However, from the information we currently have available on the proposed Russian River Valley viticultural area, ATF does not feel that the use of this appellation of origin will have a significant economic impact on a substantial number of small entities.

Public Participation—Written Comments

ATF requests interested persons to submit comments regarding this proposed viticultural area. Although this notice proposes boundaries for the Russian River Valley viticultural area, comments concerning alternative boundaries for this viticultural area will be considered as well. ATF is also particularly interested in comments regarding the viticultural area name. Petitions have also been received for the Chalk Hill and the Green Valley viticultural areas which have boundaries totally within the proposed Russian River Valley viticultural area. ATF is interested in receiving historical or current evidence that would substantiate having Chalk Hill and Green Valley viticultural areas within the proposed Russian River Valley viticultural area or allowing the proposed Russian River Valley viticultural area to overlap both the Chalk Hill and Green Valley proposed

viticultural areas. Should the proposed Chalk Hill viticultural area be allowed both the Chalk Hill and Russian River Valley names? Should the proposed Green Valley viticultural area be allowed both the Green Valley and Russian River Valley names? Should the boundaries of the proposed Russian River Valley viticultural area be modified to eliminate overlapping in the absence of historical or current evidence? Comments regarding overlapping viticultural boundaries in general are also desired.

All pertinent comments will be considered prior to the proposal of final regulations. Comments are not considered confidential. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comments. The name of any person submitting comments is not exempt from disclosure.

Any interested person who desires an opportunity to comment orally at a public hearing on these proposed regulations should make a 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 whether a public hearing will be held.

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, Viticultural areas, Consumer protection, Wine.

Authority

Accordingly, under the authority in 27 U.S.C. 205 (49 Stat. 981, as amended), ATF 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 § 9.66 as follows:

Subpart C—Approved American Viticultural Areas

Sec.

* * * * *
9.66 Russian River Valley.

Par. 2. Subpart C is amended by adding § 9.66 to read as follows:

Subpart C—Approved American Viticultural Areas

§ 9.66 Russian River Valley.

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

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Russian River Valley viticultural area are the 1954 U.S.G.S. 7.5 minute series maps titled:

"Healdsburg Quadrangle, California"
 "Guerneville Quadrangle, California"
 "Cazadero Quadrangle, California"
 "Duncans Mills Quadrangle, California"
 "Camp Meeker Quadrangle, California"
 "Valley Ford Quadrangle, California"
 "Sebastopol Quadrangle, California"
 "Santa Rosa Quadrangle, California"
 "Mark West Springs Quadrangle, California"
 "Jimtown Quadrangle, California"

(c) *Boundaries.* The Russian River Valley viticultural area is located in Sonoma County, California.

(1) *Starting point Healdsburg map*—Healdsburg Avenue Bridge over the Russian River at Healdsburg. Proceed south along Russian River to where Foreman Lane meets the river at mouth of Dry Creek.

(2) Proceed west along Foreman Lane to where it crosses Westside Road and becomes Felta School Road.

(3) Proceed west on Felta School Road to the point where it crosses Felta Creek.

(4) Proceed 18000' up Felta Creek to its headwaters as shown on the *Guerneville map*, as "Springs."

(5) Proceed southwest in a straight line 58 degrees W 15000' more or less to the section corner common to Sections 8, 9, 16, and 7 just north of Sonoma Quicksilver Mine.

(6) Proceed due north along section line to the point where it intersects Sweetwater Springs Road.

(7) Proceed southwest and south along Sweetwater Springs Road to where it becomes Armstrong Woods Road then into the town of Guerneville, where it intersects California Hwy 116.

(8) Proceed west along California Hwy 116 through the *Cazadero map* and onto the *Duncans Mills map* to Monte Rio where it intersects the Bohemian Hwy.

(9) Proceed south along the Bohemian Hwy onto the *Camp Meeker map* and then the *Valley Ford map* to the town of Freestone where it intersects the Bodega Road.

(10) Proceed east along the Bodega Road onto the *Sebastopol map* to the city of Sebastopol where it becomes California Hwy 12 then along California

Hwy 12 to its intersection with Wright Road.

(11) Proceed north along Wright Road to where it becomes Fulton Road and into the town Fulton to where it intersects River Road.

(12) Proceed east along River Road to its intersection with Mark West Springs Road.

(13) Proceed north east along Mark West Springs Road through the *Santa Rosa map* and onto the *Mark West map* to where it becomes Porter Creek Road and onto its intersection with Franz Valley Road.

(14) Proceed north along Franz Valley Road to the northerly most crossing of Franz Creek.

(15) Proceed west along Franz Creek until it intersects the line separating Section 21 and Section 22.

(16) Proceed South on this line separating Sections 21 and 22 to the corner common to Sections 21 and 22 and Sections 27 and 28.

(17) Proceed west from the common corner of Sections 21 and 22 and 27 and 28 and in a straight line to the peak of Chalk Hill on the *Healdsburg map*.

(18) Proceed west from the peak of Chalk Hill in a straight line to the point where Brooks Creek joins the Russian River.

(19) Proceed north west in a straight line 8000' to a peak marked 772' elv. on the *Jimtown map*.

(20) Proceed north west in a straight line from hill top 772' elv. to hill top 596' elv.

(21) Proceed north west in a straight line from hill top 596' elv. to hill top 516' elv.

(22) Proceed north west in a straight line from hill top 516' elv. to hill top 530' elv.

(23) Proceed west in a straight line from hill top 530' elv. to hill top 447' elv.

(24) Proceed west in a straight line from hill top 447' elv. to the point where Alexander Valley road meets Healdsburg Avenue.

(25) Proceed south along Healdsburg Avenue through the city of Healdsburg on the *Healdsburg map* to the point where it crosses the Russian River at the point of beginning.

Approved: January 28, 1983.

W. T. Drake,
 Acting Director.

[FR Doc. 83-3109 Filed 2-3-83; 8:45 am]

BILLING CODE 4810-31-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL 2269-2]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: On March 12, 1982 (47 FR 10813), EPA conditionally approved the Marion County, Indiana State Implementation Plan (SIP) for sulfur dioxide (SO₂), including stack height increases for three emissions sources: Indianapolis Power and Light Company's (IPL) Stout Generating Station, National Starch and Chemicals Company and Detroit Diesel Allison's Plant #8. Subsequently, IPL filed a Petition for Review of this rulemaking action in the U.S. Court of Appeals for the Seventh Circuit (Case No. 82-1738). As a result of IPL's Petition, EPA has reviewed the rulemaking record and determined that the stack height increases were not formally adopted by the State of Indiana, as part of its SO₂ control strategy for Marion County. EPA, therefore, is proposing to rescind its approval of the stack height increases for IPL's Stout Generating Station, the National Starch and Chemicals Plant and Detroit Diesel Allison Plant #8.

DATE: Comments on this proposed action must be received by April 5, 1983.

ADDRESSES: Copies of the materials relating to this rulemaking are available for inspection at the following addresses:

Air Programs Branch (5AP-11), U.S. Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604
 Indiana Air Pollution Control Division, Indiana State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana 46206.

Written comments should be sent to: Gary Gulezian, Chief, Regulatory Analysis Section, Air Programs Branch (5AP-11), Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Robert B. Miller, Air Programs Branch, Environmental Protection Agency, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, (312) 886-8031.

SUPPLEMENTARY INFORMATION: Under Section 107 of the Clean Air Act (CAA), EPA has designated certain areas in