

proposed. Accordingly, a regulatory flexibility analysis is not required.

Executive Order 12866

It has been determined that this proposed regulation is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this proposal is not subject to the analysis required by this Executive Order.

Drafting Information

The author of this document is Marsha D. Baker, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects in 27 CFR Part 9

Administrative practices and procedures, Consumer protection, Viticultural areas, and Wine.

Authority and Issuance

Title 27, Code of Federal Regulations, Part 9, American Viticultural Areas, is proposed to be amended as follows:

PART 9—AMERICAN VITICULTURAL AREAS

Paragraph 1. The authority citation for Part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

Subpart C—Approved American Viticultural Areas

Par. 2. Subpart C is amended by adding § 9.162 to read as follows:

* * * * *

§ 9.162 Santa Rita Hills.

- (a) Name. The name of the viticultural area described in this section is "Santa Rita Hills."
- (b) Approved maps. The appropriate maps for determining the boundary of the Santa Rita Hills viticultural area are five (5) U.S.G.S. Quadrangle 7.5 Minute Series maps titled:
 - (1) "Lompoc, Calif.," edition of 1959 (photorevised in 1982).
 - (2) "Lompoc Hills, Calif.," edition of 1959 (photinspected 1971).
 - (3) "Los Alamos, Calif.," edition of 1959.
 - (4) "Santa Rosa Hills, Calif.," edition of 1959 (photinspected 1978).
 - (5) "Solvang, Calif.," edition of 1959 (photorevised 1982).
- (c) Boundary. The "Santa Rita Hills" viticultural area is located within Santa Barbara County, California. The boundary is as follows:
 - (1) The beginning point is found on the Solvang, California U.S.G.S. Quadrangle map at an unnamed hilltop, elevation 1600 feet, in section 27, T.6N., R. 32W, on the Solvang, Calif., Quadrangle U.S.G.S. map.

- (2) Then proceed north and slightly west 2.3 miles to an unnamed hilltop elevation 1174 feet, Section 15, T.6N., R. 32W.

- (3) Proceed west and slightly north 1.85 miles to an unnamed hilltop elevation 899 feet within the heart of the Santa Rosa Land Grant, T.7N., R. 32W, on the Santa Rosa Hills, Calif., Quadrangle U.S.G.S. map.

- (4) Proceed north approximately 2 miles to an unnamed hilltop elevation 1063 feet within the northeastern part of the Santa Rosa Land Grant, T.7N, R. 32W, on the Los Alamos, Calif., Quadrangle U.S.G.S. map.

- (5) Proceed northwest 1.1 miles to an unnamed hilltop elevation 961 feet. Section 29, T.7N., R. 32W.

- (6) Proceed north and slightly east 1.1 miles to an unnamed elevation 1443 feet. Section 20, T.7N., R. 32W.

- (7) Proceed west 1.4 miles to an unnamed hilltop elevation 1479 feet. Section 24, T.7N., R. 33W.

- (8) Proceed north 1.2 miles to an unnamed hilltop elevation 1705 feet. Section 13, T.7N., R. 33W.

- (9) Proceed northwest approximately 2 miles to an unnamed hilltop elevation 1543. Section 10, T.7N., R. 33W.

- (10) Proceed west and slightly south 1.6 miles to an unnamed hilltop elevation 935 feet within the northern section of the Santa Rosa Land Grant. T.7N., R. 33W.

- (11) Proceed south by southwest 1.5 miles to an unnamed hilltop elevation 605 feet in the northern section of the Santa Rosa Land Grant. T.7N., R. 33W.

- (12) Proceed west by southwest approximately 2 miles to the point where California Highway 246 intersects with the 200-foot elevation contour line comprising the western border of the Santa Rita Hills, within the Santa Rosa Land Grant. T.7N., R. 34W, on the Lompoc, Calif., Quadrangle U.S.G.S. map.

- (13) Proceed following the 200 foot elevation contour line south along the western border of the Santa Rita Hills to an extreme southern tip of the 200 foot elevation contour that is .6 miles due west of an unnamed hilltop 361 feet in elevation in the Canada de Salispuedes Land Grant. T.6N., R. 34W.

- (14) Proceed southeast 2.35 miles to an unnamed hilltop elevation 1070 feet. Section 18, T.6N., R. 33W, on the Lompoc Hills, Calif., Quadrangle U.S.G.S. map.

- (15) Proceed east and slightly south 1.95 miles to an unnamed hilltop elevation 921 feet. Section 16, T.6N., R. 33W, on the Santa Rosa Hills, Calif., Quadrangle U.S.G.S. map.

- (16) Proceed east by southeast 1.35 miles to an unnamed hilltop elevation 1307 feet. Section: on intersection

between Sections 22 and 23, T.6N., R. 33W.

- (17) Proceed east 2.35 miles to an unnamed hilltop elevation 1507 feet in the southern area of the Santa Rosa Land Grant. T.6N., 32W.

- (18) Proceed east by southeast 2.1 miles to an unnamed hilltop elevation 1279 feet in the southern area of the Santa Rosa Land Grant. T.6N., 32W.

- (19) Then proceed east by southeast 1.45 miles to the point of the beginning.

Approved: September 3, 1998.

John W. Magaw,

Director.

[FR Doc. 98-24417 Filed 9-10-98; 8:45 am]

BILLING CODE 4810-31-P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 904

[SPATS No. AR-032-FOR]

Arkansas Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing and withdrawal of proposed amendment.

SUMMARY: OSM is announcing the withdrawal of a previously proposed amendment and the receipt of a new amendment to the Arkansas regulatory program (Arkansas program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Arkansas is replacing its previously proposed amendment with a new amendment. Both amendments pertain to revegetation success standards. We announced receipt of Arkansas' previously proposed amendment in the January 9, 1998, **Federal Register** (63 FR 1396). In the new amendment, Arkansas proposes to revise its regulations and to add policy guidelines for determining Phase III revegetation success for areas being restored to various land uses. Arkansas intends to revise its program to be consistent with the corresponding Federal regulations.

This document gives the times and locations that the Arkansas program and new amendment to that program are available for public inspection, the comment period during which interested persons may submit written comments on the proposed amendment, and the procedures that will be followed

regarding the public hearing, if one is requested.

DATES: We will accept written comments until 4:00 p.m., c.d.t. on October 13, 1998. Upon request, we will hold a public hearing on the proposed amendment on October 6, 1998. We will accept requests to speak at the hearing until 4:00 p.m., c.d.t. on September 28, 1998.

ADDRESSES: You should mail or hand deliver written comments and requests to speak at the hearing to Michael C. Wolfrom, Director, Tulsa Field Office, at the address listed below.

You may review copies of the Arkansas program, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the proposed amendment by contacting OSM's Tulsa Field Office.

Michael C. Wolfrom, Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6547, Telephone: (918) 581-6430.

Arkansas Department of Pollution Control and Ecology, Surface Mining and Reclamation Division, 8001 National Drive, Little Rock, Arkansas 72219-8913, Telephone (501) 682-0744.

FOR FURTHER INFORMATION CONTACT:

Michael C. Wolfrom, Director, Tulsa Field Office. Telephone: (918) 581-6430. Internet: mwolfrom@mcrgw.osmre.gov.

SUPPLEMENTARY INFORMATION:

I. Background on the Arkansas Program

On November 21, 1980, the Secretary of the Interior conditionally approved the Arkansas program. You can find background information on the Arkansas program, including the Secretary's findings, the disposition of comments, and the conditions of approval in the November 21, 1980, **Federal Register** (45 FR 77003). You can find information on the removal of the conditions in the January 22, 1982, **Federal Register** (47 FR 3108). You can find later actions concerning the Arkansas program at 30 CFR 904.12, 904.15, and 904.16.

II. Withdrawal of Proposed Amendment

By way of a letter dated November 24, 1997 (Administrative Record No. AR-560), Arkansas sent us a proposed amendment to its program in

accordance with SMCRA. Arkansas proposed to amend the Arkansas Surface Coal Mining and Reclamation Code (ASCMRC) to include revegetation success standards at section 816.116.

We announced receipt of the proposed amendment in the January 9, 1998, **Federal Register** (63 FR 1396) and invited public comment on its adequacy. The public comment period ended February 9, 1998. On February 11, 1998, we notified Arkansas of deficiencies in its amendment. By way of a letter dated August 27, 1998 (Administrative Record No. AR-562), Arkansas sent us a new amendment. The new amendment replaces Arkansas' amendment dated November 24, 1997. Therefore, we are withdrawing the proposed amendment announced in the January 9, 1998 **Federal Register**.

III. Description of the Proposed Amendment

By way of a letter dated August 27, 1998 (Administrative Record No. AR-562), Arkansas sent us a new amendment to its program in accordance with SMCRA. The proposed amendment responds to our November 26, 1985, and October 14, 1997, letters (Administrative Record Nos. AR-332 and AR-559.02, respectively) that we sent to Arkansas in accordance with 30 CFR 732.17(c). The amendment also includes changes made at Arkansas' own initiative. Arkansas proposes to amend the Arkansas Surface Coal Mining and Reclamation Code and to add revegetation success standard guidelines to its program. The full text of the proposed program amendment that Arkansas submitted is available for public inspection at the locations listed above under **ADDRESSES**. Below is a brief discussion of the proposed amendment.

1. ASCMRC Section 701.5 Definition of Land Use

Arkansas is removing and reserving paragraph (c). Paragraph (c) defined the land use category of "grazingland."

2. ASCMRC Section 701.5 Definition of Renewal Resource Lands

Arkansas is revising the definition of "Renewal Resource Lands" by correcting a typographical error and removing a reference to the land use category of "grazingland."

3. ASCMRC Section 816.116(b)(1) Revegetation Success Standards for Areas Developed for Use as Pasture Land

Arkansas proposes to amend section 816.116(b)(1) by removing the reference to the land use category of "grazingland." Arkansas also proposes

to replace the general phrase "such other success standards approved by the Department" with language that requires ground cover and production of living plants on the revegetated area to comply with the criteria contained in its Phase III Revegetation Success Standards for Pasture and Previously Mined Areas.

4. ASCMRC Section 816.116(b)(2) Revegetation Success Standards for Areas Developed for Use as Cropland

Arkansas proposes to amend section 816.116(b)(2) by replacing the general phrase "such other success standards approved by the Department" with language that requires crop production on the revegetated area to comply with the criteria contained in its Phase III Revegetation Success Standards for Cropland.

5. ASCMRC Section 816.116(b)(3)(iv) Revegetation Success Standards for Areas To Be Developed for Fish and Wildlife Habitat, Recreation, Shelter Belts, or Forest Products

Arkansas is adding a new paragraph (b)(3)(iv) that requires vegetation success for these areas to comply with the criteria contained in its Phase III Revegetation Success Standards for Forest Products or its Phase III Revegetation Success Standards for Recreation and Wildlife Habitat.

6. ASCMRC Section 816.116(b)(4) Revegetation Success Standards for Areas To Be Developed for Industrial, Commercial, or Residential Use

Arkansas proposes to amend section 816.116(b)(4) to require that vegetative ground cover comply with the criteria contained in its Phase III Revegetation Success Standards for Industrial, Commercial, and Residential Revegetation.

7. ASCMRC Section 816.116(b)(5) Revegetation Success for Areas Previously Disturbed by Mining

Arkansas proposes to revise subsection 816.116(b)(5) to require that vegetative ground cover comply with the criteria contained in its Phase III Revegetation Success Standards for Pasture and Previously Mined Areas.

8. Phase III Revegetation Success Standards for Pasture and Previously Mined Areas

Arkansas is adding policy guidelines for pasture land use areas and previously mined areas. This policy describes the criteria and procedures for determining Phase III ground cover and production success for areas being restored to pasture and for areas that

were previously mined. It provides general revegetation requirements and success standards and measurement frequency for ground cover and forage production. It also includes sampling procedures and techniques, data submission and analysis criteria, and mitigation plan requirements.

9. Phase III Revegetation Success Standards for Cropland

Arkansas is adding policy guidelines for cropland. This policy describes the criteria and procedures for determining Phase III production success standards for areas being restored to cropland. It provides success standards and measurement frequency for ground cover and crop production. It also includes sampling procedures and techniques, data submission and analysis criteria, and mitigation plan requirements.

10. Phase III Revegetation Success Standards for Forest Products

Arkansas is adding policy guidelines for forest land use areas. This policy describes the criteria and procedures for determining Phase III ground cover and tree and shrub stocking success for areas being restored to forest. It provides general revegetation requirements and success standards and measurement frequency for ground cover and tree and shrub stocking rates. It also includes sampling procedures and techniques, data submission and analysis criteria, and mitigation plan requirements.

11. Phase III Revegetation Success Standards for Recreation and Wildlife Habitat

Arkansas is adding policy guidelines for recreation and wildlife habitat land use areas. This policy describes the criteria and procedures for determining Phase III success for areas being restored to recreation and wildlife habitat. It provides success standards and measurement frequency for ground cover and tree and shrub stocking. It also includes sampling procedures and techniques, data analysis criteria, and mitigation plan requirements.

12. Phase III Success Standards for Industrial/Commercial and Residential Revegetation

Arkansas is adding policy guidelines for industrial/commercial or residential land use areas. This policy describes the criteria and procedures for determining Phase III ground cover success for areas being restored to an industrial/commercial or residential land use. It provides general revegetation requirements and success standards and measurement frequency for ground

cover. It also includes sampling procedures and techniques, data submission and analysis criteria, and mitigation plan requirements.

IV. Public Comment Procedures

According to the provisions of 30 CFR 732.17(h), we are seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is approved, it will become part of the Arkansas program.

Written Comments

Your written comments should be specific and should pertain only to the issues proposed in this rulemaking. You should explain the reason for any recommended change. We may not consider in the final rulemaking or include in the Administrative Record any comments we receive after the close of the comment period (see **DATES**) or at locations other than the Tulsa Field Office.

Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., c.d.t. on September 28, 1998. We will arrange the location and time of the hearing with those persons requesting the hearing. If you are disabled and need special accommodations to attend a public hearing, contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The hearing will not be held if no one requests an opportunity to speak at the public hearing.

You should file a written statement at the time you request the hearing. This will allow us to prepare adequate responses and appropriate questions. The public hearing will continue on the specified date until all persons scheduled to speak have been heard. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. If you wish to meet with us to discuss the proposed amendment, request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of

meetings at the locations listed under **ADDRESSES**. We also make a written summary of each meeting a part of the Administrative Record.

V. Procedural Determinations

Executive Order 12866

The Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review) exempts this rule from review.

Executive Order 12988

The Department of the Interior conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

This rule does not require an environmental impact statement since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a

significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

Unfunded Mandates

OSM determined and certifies under the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 904

Intergovernmental relations, Surface mining, Underground mining.

Dated: September 3, 1998.

Charles E. Sandberg,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

[FR Doc. 98-24380 Filed 9-10-98; 8:45 am]

BILLING CODE 4310-05-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 86

[FRL-6159-9]

Optional Certification Streamlining Procedures for Light-Duty Vehicles, Light-Duty Trucks, and Heavy-Duty Engines for Original Equipment Manufacturers and for Aftermarket Conversion Manufacturers

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of public comment period.

SUMMARY: The U.S. Environmental Protection Agency (EPA) is extending the public comment period on the Notice of Proposed Rulemaking (NPRM), which proposes optional certification procedures for light-duty vehicles, light duty trucks, and heavy-duty engines that meet Clean-Fuel Vehicle requirements as well as for certain gaseous-fueled vehicles certified to EPA's Tier 1 standards. The NPRM was published in the **Federal Register** on July 20, 1998 (63 FR 38767). The purpose of this document is to extend the comment period from August 19, 1998 to October 13, 1998, to allow commenters additional time to respond to the NPRM.

The document provided an opportunity for a public hearing, if

requested by August 19, 1998. No request for a hearing was made and, therefore, no public hearing will be scheduled for this proposal.

DATES: EPA will accept comments on the NPRM until October 13, 1998.

ADDRESSES: Comments should be submitted in duplicate to the EPA Air & Radiation Docket #A-97-27, Room 1500-M (Mail Code 6102), 401 M Street SW., Washington, D.C. 20460. Copies of information relevant to this NPRM are available for inspection in public docket A-97-27 at the above address, between the hours of 8:00 a.m. to 5:30 p.m. Monday through Friday.

FOR FURTHER INFORMATION CONTACT: For information concerning the NPRM, contact Clifford Tyree, Sr. Project Manager, Vehicle Programs and Compliance Division, U.S. Environmental Protection Agency, 2000 Traverwood, Ann Arbor, MI 48105, Phone (734) 214-4310, E-mail: tyree.clifford@epa.gov.

Dated: September 4, 1998.

Robert Perciasepe,

Assistant Administrator, Air and Radiation.

[FR Doc. 98-24476 Filed 9-10-98; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-300710; FRL-6026-8]

RIN 2070-AB78

Azoxystrobin; Pesticide Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This is a proposed regulation to establish a temporary tolerance for 1 year for the combined residues of azoxystrobin [methyl (E)-2-{2-[6-(2-cyanophenoxy)pyrimidin-4-yl]oxyphenyl}-3-methoxyacrylate] and its Z isomer in or on potatoes. This action is in response to Wisconsin potato growers and University extension specialists, Zeneca Ag Products and EPA's combined efforts to generate the information necessary for registration of the reduced risk pesticide, azoxystrobin, on late blight and early blight of potatoes. This proposed temporary tolerance supports a non-crop destruct experimental use permit (EUP) under section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act authorizing use of azoxystrobin on potatoes in Wisconsin. This regulation proposes to establish a maximum

permissible level for residues of azoxystrobin in this food commodity pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act, as amended by the Food Quality Protection Act of 1996.

DATES: Comments must be received on or before September 28, 1998.

ADDRESSES: By mail, submit written comments in triplicate to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, deliver comments to: Rm. 119, CM #2, 1921 Jefferson Davis Highway, Arlington, VA.

Comments and data may also be submitted electronically to: opp-docket@epamail.epa.gov. Follow the instructions under Unit VII. of this document. No Confidential Business Information (CBI) should be submitted through e-mail.

Information submitted as a comment concerning this document may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential will be included in the public docket by EPA without prior notice. The public docket is available for public inspection in Rm. 119 at the Virginia address given above, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: John Bazuin, Registration Division 7505C, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Crystal Mall #2, 1921 Jefferson Davis Hwy., Arlington, VA, (703) 305-7381, e-mail: bazuin.john@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA, in cooperation with Wisconsin potato growers, University extension specialists, and Zeneca Ag Products, Inc., and pursuant to section 408(e) and (r) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e) and (r), is proposing to establish a temporary tolerance for 1 year for the combined residues of the fungicide azoxystrobin and its Z isomer, in or on potatoes at 0.03 parts per million (ppm).