government and the States, or on the distribution of power and responsibilities among the various levels of government.

The policies contained in this proposed rule merely require that HUD determine whether pre-eviction court hearings required by the local jurisdiction provide the basic elements of due process as further defined by HUD regulation. Those housing authorities situated in jurisdictions for which HUD has made such a due process determination are permitted to bypass HUD-mandated administrative hearings and to rely exclusively on the local courts.

This proposed rule would provide that HUD is not required to use 24 CFR part 10's notice and comment procedures for the issuance of due process determinations. This proposed rule would effect no changes in the current relationships between the Federal government, the States and their political subdivisions.

C. Impact on the Family

The General Counsel, as the Designated Official under Executive Order 12606, *The Family*, has determined that this proposed rule will not have potential for significant impact on family formation, maintenance, and general well-being, and, thus, is not subject to review under this order. No significant change in existing HUD policies or programs will result from promulgation of this proposed rule, as those policies and programs relate to family concerns.

D. Regulatory Flexibility Act

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605 (b)) has reviewed and approved this proposed rule, and in so doing certifies that this proposed rule will not have a significant impact on a substantial number of small entities. This proposed rule would merely provide for HUD's issuance of due process determinations without public notice and comment, and would not have any meaningful economic impact on any entity.

E. Regulatory Agenda

This proposed rule was listed as item 1370 in HUD's Semiannual Agenda of Regulations published on May 8, 1995 (60 FR 23368, 23375) in accordance with Executive Order 12866 and the Regulatory Flexibility Act.

F. Executive Order 12866

This proposed rule was reviewed by the Office of Management and Budget under Executive Order 12866, Regulatory Planning and Review. Any changes made to the proposed rule as a result of that review are clearly identified in the docket file, which is available for public inspection in the Office of the Department's Rules Docket Clerk, Room 10276, 451 Seventh St., S.W., Washington, DC, 20410.

List of Subjects

24 CFR Part 10

Administrative practice and procedure.

24 CFR Part 966

Grant programs—housing and community development, Public housing.

Accordingly, 24 CFR parts 10 and 966 are proposed to be amended as follows:

PART 10—RULEMAKING: POLICY AND PROCEDURES

1. The authority citation for part 10 would be revised to read as follows:

Authority: 42 U.S.C. 3535(d).

2. Section 10.3 would be amended by adding a new paragraph (c) to read as follows:

§ 10.3 Applicability.

* * * * *

(c) This part is not applicable to a determination by HUD under 24 CFR part 966 (public housing) or 24 CFR part 905 (Indian housing) that the law of a jurisdiction requires that, prior to eviction, a tenant be given a hearing in court which provides the basic elements of due process (''due process determination'').

PART 966—LEASE AND GRIEVANCE PROCEDURES

3. The authority citation for part 966 would be revised to read as follows:

Authority: 42 U.S.C. 1437a, 1437d, 1437d(k), (1), and (n), and 3535(d).

4. In § 966.4, paragraph (l)(4) would be revised, to read as follows:

§ 966.4 Lease requirements.

* * * * *

(l) * * *

(4) *How tenant is evicted.* The PHA may evict the tenant from the unit either:

(i) By bringing a court action, or;

(ii) By bringing an administrative action if law of the jurisdiction permits eviction by administrative action, after a due process administrative hearing, and without a court determination of the rights and liabilities of the parties. In order to evict without bringing a court action, the PHA must afford the tenant the opportunity for a pre-eviction hearing in accordance with the PHA grievance procedure.

* * * * *

5. In § 966.51, paragraph (a)(2) would be amended by redesignating paragraph (a)(2)(ii) as paragraph (a)(2)(iv) and by adding new paragraphs (a)(2)(ii) and (a)(2)(iii), to read as follows:

§ 966.51 Applicability.

(a) * * *

(2) * * *

(ii) The issuance of a due process determination by HUD is not subject to 24 CFR part 10, and HUD is not required to use notice and comment rulemaking procedures in considering or issuing a due process determination.

(iii) For guidance of the public, HUD will publish in the **Federal Register** a notice listing the judicial eviction procedures for which HUD has issued a due process determination. HUD will make available for public inspection and copying a copy of the legal analysis on which the determinations are based.

* * * * *

Dated: February 14, 1995.

Henry G. Cisneros,

Secretary.

[FR Doc. 95–12461 Filed 5–19–95; 8:45 am]

BILLING CODE 4210–32–P

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 9

[Notice No. 8121]

RIN 1512–AA07

Puget Sound Viticultural Area (94F–019P)

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

ACTION: Notice of proposed rulemaking.

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF), has received a petition for the establishment of a viticultural area in the State of Washington to be known as ''Puget Sound.'' This proposal is the result of a petition submitted by Gerard and Jo Ann Bentryn, Owners-Winemakers of Bainbridge Island Vineyards.

DATES: Written comments must be received by July 6, 1995.

ADDRESSES: Send written comments to: Chief, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091–0221 (Attn: Notice No. 812). Copies of the petition,

the proposed regulations, the appropriate maps, and written comments will be available for public inspection during normal business hours at: ATF Public Reading Room, Office of Public Affairs and Disclosure, Room 6480, 650 Massachusetts Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: David W. Brokaw, Wine, Beer and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927–8230.

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 definitive viticultural areas. The regulations 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 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 geographic features, the boundaries of which have been delineated in Subpart C of Part 9.

Section 4.25a(e)(2), Title 27, CFR, 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 (US.G.S.) maps of the largest applicable scale, and;

(e) A copy (or copies) of the appropriate U.S.G.S. map(s) with the proposed boundaries prominently marked.

Petition

ATF has received a petition from Gerard and Jo Ann Bentryn of Bainbridge Island Vineyards & Winery in Bainbridge Island, Washington, proposing to establish a new viticultural area within the State of Washington to be known as ''Puget Sound.'' Puget Sound (or the ''Sound'') is an inlet of the Pacific Ocean in northwestern Washington, extending about 100 miles south from Admiralty Inlet and Juan de Fuca Strait to Olympia. The proposed viticultural area lies within the land basin surrounding the Sound. Eight letters of support from wineries and vineyards located within the proposed area were included with the petition. These letters of support were from: Mount Baker Vineyards, Whidbey Island Winery, Lopez Island Vineyards Inc., E.B. Foote Winery, Blue Apple Vineyard, Molly's Vineyard, Coolen Wine Cellar, and Johnson Creek Winery/Alice's Restaurant.

The proposed Puget Sound viticultural area is located in the northwestern portion of Washington State. The entire Puget Sound watershed contains 13,100 square miles of land, 150 square miles of fresh water, and 2,500 square miles of saltwater. The proposed Puget Sound viticultural area contains approximately 55% of the watershed's land area and water or 7,150 square miles of land and 1,500 square miles of water for a total area of 8,650 square miles. It has a maximum length of 190 miles from north to south and 60 miles from east to west, although it is most often less than 45 miles wide.

Evidence That the Name of the Area is Locally or Nationally Known

The name ''Puget Sound'' was established in 1791 by Captain George Vancouver when he named, explored, and mapped the area while in service to the British Admiralty. His maps and those of subsequent explorers, settlers and government agencies show the Puget Sound area with the countryside drained by rivers flowing into Puget Sound. Numerous references exist indicating the general use of the name ''Puget Sound'' to refer to the petitioned area. The petitioners included copies of title pages of various publications, guide and tour book references, public telephone book listings, and Federal and State agency maps, to illustrate the use of the name. They also submitted an excerpt from, ''Touring the Washington Wine Country,'' 1993, published by the Washington Wine Commission. This publication discusses grape growing in western Washington and states that, ''[t]he expansive Puget Sound basin offers a temperate climate that rarely suffers from prolonged freezing weather in the winter and quite often enjoys a long and warm summer growing season.''

Historical or Current Evidence That the Boundaries of the Viticultural Area Are as Specified in the Petition

The proposed viticultural area is located on the land mass surrounding Puget Sound and know as the Puget Sound basin. The petitioners explained that there are no exacting and commonly understood boundaries for the basin. The basin boundaries, for example, can extend up to the crests of the Olympic and Cascade mountain ranges to include the entire watershed. However, individuals in western Washington State commonly refer to the lowland areas surrounding the Sound as the Puget Sound basin. It is these lowland areas that the petitioners feel are suited for viticulture.

The petitioners stated that, ''Puget Sound has boulders determined absolutely by the forces of nature, and recognized by common cultural use. We merely used those public roads that most closely fit within those natural boundaries of terminal moraine [accumulation of boundaries, stones, or other debris carried and deposited at the edges of the farthest reaches of a glacier's advance], rainfall lines (isohyets), and temperature to draw enforceable borders.'' [definition added] The petitioners also state that, ''[t]he proposed viticultural area is smaller than the basin because not all of the basin is suitable for viticulture. Areas with elevations greater than 600 feet are generally too wet or too cold in this region so they have been excluded.''

Evidence Relating to the Geographical Features (Climate, Soil, Elevation, Physical Features, etc.) Which Distinguish Viticultural Features of the Proposed Area From Surrounding Areas

Climate

The climate of Puget Sound is well differentiated from that of surrounding areas. The Olympic Mountains to the west and the Cascade Mountains to the east protect the region from the cool wet influence of the Pacific Ocean and the extreme summer and winter temperatures of eastern Washington. The Strait of Juan de Fuca and associated waterways separate Puget Sound from the cooler summer areas to the north. Foothills to the south of the proposed Puget Sound viticultural area are the limit of the area influenced by the moderating effect of the waters of the Sound. Both summer and winter

temperatures are significantly cooler in the hills and mountains to the west, south, and east.

The western, eastern and southern boundaries of the proposed Puget Sound viticultural area closely follow the line formed by a growing season of 180 days and the 60 inch isohyet of annual precipitation. All areas within the proposed viticultural area below 600 feet in elevation have a 180 day or longer growing season with 60 inches or less of annual rainfall, and 15 inches or less of rainfall in the months of April to October (inclusive).

Areas outside of, but adjacent to, the proposed viticultural area to the west, south, and east have a growing season of generally less than 180 days, with more than 60 inches of annual rainfall, and more than 15 inches of rainfall in the months of April to October (inclusive). Examples of weather recording stations surrounding the Puget Sound region are as follows: To the west is Forks, with a growing season of 175 days and an annual precipitation of 118 inches (38 inches April to October). To the southeast is Paradise Ranger Station (Mount Rainier National Park), with a growing season of 50 days and an annual precipitation of 106 inches (39 inches April to October). To the east is Diablo Dam with a growing season of 170 days and an annual precipitation of 72 inches (23 inches from April to October). To the northeast is Heather Meadows Recreational Area (Mt. Baker National Forest) with a growing season of 150 days and an annual precipitation of 110 inches (44 inches from April to October).

The northerly border of the proposed viticultural area closely conforms to the temperature boundary of areas experiencing a mean high temperature in the warmest month (July) of 72 degrees Fahrenheit or greater. Cool air from the Pacific Ocean moves east through the Strait of Juan de Fuca during the growing season limiting the reliable ripening of winegrapes in the areas west of the Elwha River and outside the line formed by the western boundaries of Clallam, San Juan, and Whatcom Counties and the northern boundary of Whatcom County.

Example of areas to the northwest of the proposed viticultural area with mean high temperatures in the warmest month which are lower than 72 degrees Fahrenheit are: Forks, Washington, 71 degrees F; Clallum Bay, Washington, 67 degrees F; Victoria, British Columbia, 68 degrees F; and Sidney, British Columbia, 67 degrees F.

Degree Days

Total degree days as measured by the scale developed by Winkler and Amerine of the University of California (Davis) range between 1300 at the northern border, to 2200 in the south. Typical readings are: Friday Harbor 1380, Blaine 1480, Sequim 1310, Port Townsend 1480, Mt. Vernon 1530, Coupeville 1360, Monroe 1820, Bothell 1520, Kent 1940, Seattle (U of W) 2160, Bremerton 1810, Vashon 1730, Grapeview 2010, Puyallup 1770, Tacoma 1940, and Olympia 2160. There is a significant temperature variation from north to south. According to the petitioner, this temperature variation is within a range that will allow the same types of grapes to be grown throughout the proposed area.

Rainfall

Rainfall in the proposed Puget Sound viticultural area is substantially less than in surrounding areas. It ranges from 17 inches annually in the north to 60 inches in the south. Typical amounts are: Friday Harbor 28″, Blaine 35″, Sequim 17″, Port Townsend 18″, Mt. Vernon 32″, Coupeville 18″, Monroe 47″, Bothell 40″, Kent 38″, Seattle (U of W) 35″, Bremerton 39″, Vashon 47″, Grapeview 53″, Puyallup 41″, Tacoma 37″, and Olympia 52″. Growing season rainfall ranges from 8 inches in the north to 15 inches in the south. Outside of the proposed boundaries, the rainfall ranges from 70 to 220 inches annually.

Overall, the proposed Puget Sound viticultural area can be characterized as having a growing season of over 180 days, annual degree day averages between 1300 and 2200, and annual rainfall of 60 inches or less.

Soils

Soils in the proposed Puget Sound viticultural area are completely unlike those of the surrounding upland areas in that they are the result of the advance and withdrawal of the Vashon glaciation. This most recent glaciation (10,000 years ago) coincided at its limits with the eastern, southern, and southwestern boundaries of the proposed viticultural area. The resultant soils are primarily silty to sandy topsoils with scattered small to moderate rounded stones. This is typical of post glacial soils in lowland areas. Areas outside the proposed viticultural area to the west, south and east, were not covered by ice during the Vashon glaciation. Consequently, soils in surrounding areas have entirely different origins and genesis. The primary impact on viticultural conditions by the glaciation of the proposed Puget Sound viticultural area was the development of a semi-permeable cemented subsoil at depths generally from one to ten feet. This subsoil was created by the pressure of one to three thousand feet of overlying ice. The subsoil acts as a storage vehicle for winter rains and allows deep rooted vines to survive the late-summer soil water deficit without irrigation. The surrounding areas which were not glaciated do not share this comparative advantage. The semi-permeable cemented subsoil is the most significant soil factor relative to viticulture in the area.

Topography and Geographical Features

The Puget Sound basin is a large lowland surrounding bodies of salt water called in government reports ''Puget Sound'' or ''Puget Sound and Adjacent Waters.'' These waters comprise Puget Sound, a long, wide ocean inlet. The basin is cut by many rivers flowing into the Sound. Low rolling hills formed by the deposit and erosion of advancing and retreating glaciers are cut by ravines and stream channels. The dominating natural features are the sound itself and the surrounding mountains. The Olympic mountain range forms the western boundary of the Puget Sound basin. These mountains intercept moist maritime Pacific air and account for the relatively low annual precipitation. The Cascade mountain range forms the eastern boundary of the Puget Sound basin. These mountains protect the basin from the extremely cold winters and hot summers of eastern Washington. Elevations in the basin are primarily between sea-level and 1,000 feet. Isolated hills of up to 4,000 feet occur primarily in the northeast but none of the existing vineyards is above 600 feet in elevation.

Viticulture

The petitioners state that neither vinifera nor labrusca vines are native to the area; however, they are now grown throughout the basin. In 1872, Lambert Evans established a vineyard on Stretch Island in southern Puget Sound. He sold the fruit in Seattle. In the 1890's a viticulturalist from the east coast named Adam Eckert brought new grape varieties and planted more vineyards on the island. The first bonded winery in Washington State was established there in 1933 by Charles Somers. Known as the St. Charles Winery, it reached a capacity of 100,000 gallons. Viticulture spread throughout the Puget Sound basin as evidenced by the annual reports of the Washington State Department of Agriculture. These

primarily labrusca plantings were gradually supplanted in most of the basin by vinifera plantings from the 1950's to the present. The Washington State Department of Agriculture report entitled, ''Washington Agriculture,'' 1960, reported 2 small areas of grape cultivation outside of Yakima Valley; one of them being ''in western Washington in Kitsap county. There along the shores of Puget Sound, grapes have grown satisfactorily for many years.'' The 1993 publication, ''Touring the Washington Wine Country,'' which is published by the Washington Wine Commission states that, ''Small vineyards flourish on Puget Sound's islands . . .'' There are now over 50 acres of vineyards in the basin and 25 bonded wineries.

Proposed Boundaries

The boundaries of the proposed Puget Sound viticultural area may be found on four 1:250,000 scale U.S.G.S. maps titled: Hoquiam, Washington (1974); Seattle, Washington (1974); Wenatchee, Washington (1971); Victoria, B.C., Can., Wash., U.S. (1974); one 1:25,000 scale map titled: Auburn, Washington (1983); and three 1:24,000 scale maps titled: Buckley, Washington (1993); Cumberland, Washington (1993); and Enumclaw, Washington (1993).

Public Participation—Written Comments

ATF requests comments from all interested persons. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practical to do so. However, assurance of consideration can only be given to comments received on or before the closing date.

ATF will not recognize any submitted material as confidential and 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 comments. The name of the person submitting a comment is not exempt from disclosure.

Comments may be submitted by facsimile transmission to (202) 927–8602, provided the comments: (1) are legible; (2) are 8½″ × 11″ in size, (3) contain a written signature, and (4) are three pages or less in length. This limitation is necessary to assure reasonable access to the equipment. Comments sent by FAX in excess of three pages will not be accepted. Receipt of FAX transmittals will not be acknowledged. Facsimile transmitted comments will be treated as originals.

Any person who desires an opportunity to comment orally at a public hearing on the proposed regulation should submit his or her request, in writing, to the Director within the 45-day comment period. The Director, however, reserves the right to determine, in light of all circumstances, whether a public hearing will be held.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Pub. L. 96–511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 C.F.R. Part 1320, do not apply to this notice because no requirement to collect information is proposed.

Regulatory Flexibility Act

It is hereby certified that this proposed regulation will not have a significant impact on a substantial number of small entities. The establishment of a viticultural area is neither an endorsement nor approval by ATF of the quality of wine produced in the area, but rather an identification of an area that is distinct from surrounding areas. ATF believes that the establishment of viticultural areas merely allows wineries to more accurately describe the origin of their wines to consumers, and helps consumers identify the wines they purchase. Thus, any benefit derived from the use of a viticultural area name is the result of the proprietor's own efforts and consumer acceptance of wines from that region.

Accordingly, a regulatory flexibility analysis is not required because the proposal, if promulgated as a final rule, is not expected (1) to have significant secondary, or incidental effects on a substantial number of small entities; or (2) to impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Executive Order 12866

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

Drafting Information

The principal author of this document is David W. Brokaw, Wine, Beer, and Spirits Regulations Branch, 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 § 9.151 to read as follows:

§ 9.151 Puget Sound.

(a) *Name.* The name of the viticultural area described in this section is ''Puget Sound.''

(b) *Approved maps.* The appropriate maps for determining the boundary of the Puget Sound viticultural area are four 1:250,000 scale U.S.G.S. topographical maps, one 1:25,000 scale topographic map, and three 1:24,000 scale topographic maps. They are titled:

(1) Hoquiam, Washington, 1958 revised 1974 (1:250,000).

(2) Seattle, Washington, 1958 revised 1974 (1:250,000).

(3) Wenatchee, Washington, 1957 revised 1971 (1:250,000).

(4) Victoria, B.C., Can., Wash., U.S., 1957 revised 1974 (1:250,000).

(5) Auburn, Washington, 1983 (1:25,000).

(6) Buckley, Washington, 1993 (1:24,000).

(7) Cumberland, Washington, 1993 (1:24,000).

(8) Enumclaw, Washington, 1993 (1:24,000).

(c) *Boundary.* The Puget Sound viticultural area is located in the State of Washington. The boundaries of the Puget Sound viticultural area, using landmarks and points of reference found on appropriate U.S.G.S. maps, follow.

(1) Beginning where the Whatcom county line comes closest to an unnamed secondary road (referred to in the petition as Silver Lake Road) on the U.S.G.S. map ''Victoria,'' T41N/R6E;

(2) Then south along Silver Lake Road approximately 5.5 miles to its intersection with State Highway 542, T39N/R5E;

(3) Then west and then southwest along State Highway 542 approximately 11 miles to its intersection with State Highway 9, T38N/R5E;

(4) Then south along State Highway 9 approximately 44 miles to its intersection with an unnamed secondary road (referred to in the petition as Burn Road) at the town of Arlington, T31N/R5E;

(5) Then south, southeast along Burn Road approximately 11 miles to its intersection with State Highway 92, T30N/R6E;

(6) Then south along State Highway 92 approximately 3 miles to its intersection with an unnamed light duty road (referred to in the petition as Machias Hartford Road), T29N/R6E;

(7) Then south along Machias Hartford Road approximately 4 miles to its intersection with an unnamed secondary road (referred to in the petition as Lake Roesiger Road), on the U.S.G.S. map ''Wenatchee,'' T29N/R7E;

(8) Then east along Lake Roesiger Road approximately 3.5 miles to its intersection with an unnamed secondary road (referred to in the petition as Woods Creek Road), T29N/R7E;

(9) Then south along Woods Creek Road approximately 10.5 miles to its intersection with U.S. Highway 2 in the town of Monroe, T27N/R7E;

(10) Then west along U.S. Highway 2 approximately ½ mile to its intersection with State Highway 203, T27N/R6E;

(11) Then south along State Highway 203 approximately 24 miles to its intersection with an unnamed secondary road (referred to in the petition as Preston-Fall City Road), at the town of Fall City, T24N/R7E;

(12) Then southwest along Preston-Fall City Road approximately 4 miles to its intersection with Interstate Highway 90 at the town of Preston, T24N/R7E;

(13) Then east along Interstate Highway 90 approximately 3 miles to its intersection with State Highway 18, T23N/R7E;

(14) Then southwest along State Highway 18 approximately 7 miles to its intersection with an unnamed secondary road (referred to in the petition as 276th Avenue SE), T23N/R6E;

(15) Then south along 276th Avenue SE approximately 5 miles to its intersection with State Highway 516 at the town of Georgetown, T22N/R6E;

(16) Then west along State Highway 516 approximately 2 miles to its intersection with State Highway 169 at the town of Summit on the U.S.G.S. map, ''Seattle,'' (shown in greater detail on the U.S.G.S. map, ''Auburn''), T22N/R6E;

(17) Then south along State Highway 169 approximately 11.5 miles to its intersection with State Highway 410 at the town of Enumclaw on the U.S.G.S. map, ''Wenatchee,'' (shown in greater detail on the U.S.G.S. map, ''Enumclaw''), T20N/R6E;

(18) Then southwest approximately 5 miles along State Highway 410 until its intersection with State Highway 165 on the U.S.G.S. map, ''Seattle,'' (shown in greater detail on the U.S.G.S. map, ''Buckley''), T19N/R6E;

(19) Then southwest on State Highway 165 until its intersection with State Highway 162 at the town of Cascade Junction on the U.S.G.S. map, ''Seattle'' (shown in greater detail on the U.S.G.S. Map, ''Buckley''), T19N/R6E;

(20) Then southwest along State Highway 162 approximately 8 miles to its intersection with an unnamed secondary road (referred to in the petition as Orville Road E.), T19N/R5E;

(21) Then south along Orville Road E., approximately 8 miles to its intersection with the CMSTP&P railroad at the town of Kapowsin, on the U.S.G.S. map, ''Hoquiam,'' T17N/R5E;

(22) Then south along the CMSTP&P railroad approximately 17 miles to where it crosses the Pierce County line at the town of Elbe, T15N/R5E;

(23) Then west along the Pierce County line approximately 1 mile to the eastern tip of Thurston County, T15N/R5E;

(24) Then west along the Thurston County line approximately 38 miles to where it crosses Interstate Highway 5, T15N/R2W;

(25) Then north along Interstate Highway 5 approximately 18 miles to its intersection with U.S. Highway 101 at the town of Tumwater on the U.S.G.S. map ''Seattle,'' T18N/R2W;

(26) Then northwest along U.S. Highway 101 approximately 18 miles to its intersection with State Highway 3 at the town of Shelton, T20N/R3W;

(27) Then northeast along State Highway 3 approximately 24 miles to where it crosses the Kitsap County line, T23N/R1W;

(28) Then north along the Kitsap County line approximately 3 miles to the point where it turns west, T23N/R1W;

(29) Then west along the Kitsap County line approximately 11 miles to the point where it turns north, T23N/R3W;

(30) Then continuing west across Hood Canal approximately 1 mile to join with U.S. Highway 101 just south of the mouth of an unnamed creek (referred to in the petition as Jorsted Creek), T23N/R3W;

(31) Then north along U.S. Highway 101 approximately 40 miles to the point where it turns west at the town of Gardiner on the U.S.G.S. map ''Victoria,'' T30N/R2W;

(32) Then west along U.S. Highway 101 approximately 32 miles to where it crosses the Elwha River, T30N/R7W;

(33) Then north along the Elwha River approximately 6 miles to its mouth, T31N/R7W;

(34) Then continuing north across the Strait of Juan de Fuca approximately 5 miles to the Clallam County line, T32N/R7W;

(35) Then northeast along the Clallam County line approximately 14 miles to the southwestern tip of San Juan County, T32N/R4W;

(36) Then northeast along the San Juan County line approximately 51 miles to the northern tip of San Juan County, T38N/R3W;

(37) Then northwest along the Whatcom County line approximately 19 miles to the western tip of Whatcom County, T41N/R5W;

(38) Then east along the Whatcom County line approximately 58 miles to the beginning.

Signed: May 3, 1995.

Daniel R. Black,

Acting Director.

[FR Doc. 95–12410 Filed 5–19–95; 8:45 am]

BILLING CODE 4810–31–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[IN001; FRL–5209–6]

Clean Air Act Proposed Interim Approval of Operating Permits Program; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed interim approval.

SUMMARY: The EPA proposes interim approval of the operating permits program submitted by Indiana for the purpose of complying with Federal requirements which mandate that States develop, and submit to EPA, programs for issuing operating permits to all major stationary sources, and to certain other sources.

DATES: Comments on this proposed action must be received in writing by June 21, 1995. Comments should be addressed to the contact indicated below.

ADDRESSES: Copies of the State's submittal and other supporting information used in developing the proposed interim approval are available for inspection during normal business hours at the following location: EPA Region 5, 77 West Jackson Boulevard, AR–18J, Chicago, Illinois 60604. Please