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 this 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.

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, 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 rulemaking because no requirement to collect information is proposed.

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, Wine.

Authority and Issuance

Title 27, Code of Federal Regulations, Part 9, American Viticultural Areas, is 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 § 9.153 to read as follows:

* * * * *

§ 9.153 Redwood Valley.

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

(b) *Approved maps.* The appropriate maps for determining the boundary of the Redwood Valley viticultural area are four Quadrangle 7.5 minute series 1:24,000 scale U.S.G.S. topographical maps. They are titled:

(1) ''Redwood Valley, Calif.'' 1960, photorevised 1975.

(2) ''Ukiah, Calif.'' 1958, photorevised 1975.

(3) ''Laughlin Range, Calif.'' 1991.

(4) ''Orrs Springs, California, provisional edition'' 1991.

(c) *Boundary.* The Redwood Valley viticultural area is located in the east central interior portion of Mendocino County, California. The boundaries of the Redwood Valley viticultural area, using landmarks and points of reference found on appropriate U.S.G.S. maps, are:

(1) The beginning point is the intersection of State Highway 20 with the eastern boundary of Section 13, T16N/R12W located in the extreme northeast portion of the U.S.G.S. map, ''Ukiah, Calif.'';

(2) Then north along the east boundary line of Sections 12 and 1 to the northeast corner of Section 1, T16N/R12W on the U.S.G.S. map, ''Redwood Valley, Calif.'';

(3) Then west along the northern boundary line of Section 1 to the northwest corner of Section 1, T16N/R12W;

(4) Then north along the east boundary line of sections 35, 26, 23, 14, 11, and 2 to the northeast corner of Section 2, T17N/R12W;

(5) Then west along the northern boundary of Sections 2, 3, 4, 5, and 6 to the northwest corner of Section 6, T17N/R12W;

(6) Then 10 degrees southwest cutting diagonally across Sections 1, 12, 13 ,24, 25, and 36 to a point at the northwest corner of Section 1, T16N/R13W on the U.S.G.S. map, ''Laughlin, Range, Calif.'';

(7) Then south along the western boundary line of Sections 1 and 12 to the southwest corner of Section 12, T16N/R13W;

(8) Then 13 degrees southeast across Sections 13, 18, and 17 to the intersection of State Highway 20 and U.S. Highway 101, T16N/R12W on the U.S.G.S. map, Ukiah, Calif.''; and

(9) Then easterly along a line following State Highway 20 back to the beginning point at the eastern boundary of Section 13, T16N/R12W located in the extreme northeast portion of the U.S.G.S. map ''Ukiah, Calif.''

Signed: November 8, 1996.

John W. Magaw,

Director.

Approved: November 22, 1996.

Dennis M. O'Connell,

Acting Deputy Assistant Secretary (Regulatory, Tariff, and Trade Enforcement).

[FR Doc. 96–32422 Filed 12–20–96; 8:45 am]

BILLING CODE 4810–31–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CO24–1–5701a, CO25–1–5700a, CO26–1–5702a; FRL–5664–3]

Approval and Promulgation of Air Quality Implementation Plans; Colorado; 1990 Base Year Carbon Monoxide Emission Inventories for Colorado

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is approving the 1990 base year carbon monoxide (CO) emission inventories for Colorado Springs, Denver/Longmont, and Fort Collins that were submitted by the State to satisfy certain requirements of the Clean Air Act (CAA), as amended in 1990.

DATES: This final rule will be effective February 21, 1997 unless adverse or critical comments are received by January 22, 1997. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be addressed to: Richard R. Long, Director, Air Program (8P2–A), United States Environmental Protection Agency, Region 8, 999 18th Street, Suite 500, Denver, Colorado 80202–2466.

Copies of the documents relevant to this action are available for public inspection between 8:00 a.m. and 4:00 p.m., Monday through Friday at the following office: United States Environmental Protection Agency, Region 8, Air Program, 999 18th Street, Suite 500, Denver, Colorado 80202–2466.

FOR FURTHER INFORMATION CONTACT: Tim Russ, Air Program (8P2–A), United States Environmental Protection Agency, Region 8, 999 18th Street, Suite 500, Denver, Colorado 80202–2466 ph. (303) 312–6479.

SUPPLEMENTARY INFORMATION: Section 110(a)(2)(H)(i) of the CAA provides the State the opportunity to update its State Implementation Plan (SIP) as needed or to address new statutory requirements. The State is utilizing this authority to include the Colorado Springs, Denver/Longmont, and Fort Collins 1990 base year CO emission inventories as part of the SIP.

I. Background to the Action

As required by the CAA, States have the responsibility to inventory emissions contributing to NAAQS nonattainment, to track these emissions

over time, and to ensure that control strategies are being implemented that reduce emissions and move areas towards attainment.

The CAA required CO nonattainment areas classified as moderate or serious to submit a 1990 base year inventory of actual CO emissions that occurred in the 1990 CO season, by November 15, 1992. Moderate and serious CO nonattainment areas are also required to submit a three-year periodic inventory. The first periodic inventory, which must represent actual CO season emissions for 1993 was to be submitted no later than September 30, 1995. A periodic inventory is due every three years thereafter until the area is redesignated to attainment. Moderate CO nonattainment areas with a design value of 12.7 ppm CO or more were required to submit a plan by November 15, 1992, that demonstrates attainment of the CO NAAQS by December 31, 1995.

To prepare the attainment demonstration, a 1990 base year and projected modeling inventories are needed. The 1990 base year inventory is the primary inventory from which the periodic and modeling inventories are derived. Further information on these inventories and their purpose can be found in the document ''Emission Inventory Requirements for Carbon Monoxide State Implementation Plans,'' U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, North Carolina, dated March, 1991.

The air quality planning requirements for CO nonattainment areas are set out in sections 172(c), 182 (a)(1), (a)(5), and (a)(7) of Title I of the CAA; special planning requirements for Denver are provided in section 187(a)(2)(B). EPA previously issued a General Preamble describing EPA's preliminary views on how EPA intended to review SIP revisions submitted under Title I of the CAA, including requirements for the preparation of the 1990 base year inventory (57 FR 13529, April 16, 1992, and 57 FR 18070, April 28, 1992). Because EPA is describing its interpretations in this action only in broad terms, the reader should refer to the General Preamble for a more detailed discussion of the interpretations of Title I advanced in this action and its supporting rationale.

Those States containing moderate and serious carbon monoxide nonattainment areas were required under Section 187(a)(1) of the CAA to submit by November 15, 1992, a comprehensive, accurate, and current inventory of actual CO season emissions from all sources for each nonattainment area (see also 57 FR 13530, April 16, 1992). Stationary point sources, stationary area sources, on-road mobile, and non-road mobile sources of carbon monoxide (CO) were to be included in each inventory. This inventory for calendar year 1990 was denoted as the base year inventory. The inventory was to address actual CO emissions for the area during the peak CO season. The peak CO season should reflect the months when peak CO concentrations occur. For areas where winter is the peak CO season, as is the case for Colorado Springs, Denver/Longmont, and Fort Collins, the 1990 base year inventory was to include the period November 1989 through January 1990. Available guidance for preparing emission inventories was provided in the General Preamble (57 FR 13498, April 16, 1992).

II. Analysis of the State's Submittal

Section 110(k) of the Act sets out provisions governing EPA's action on plan submissions of the 1990 base year CO emission inventory based on whether or not the inventory satisfies the requirements of Section 187(a)(1) and Section 172(c) (see also, 57 FR 13565–66, April 16, 1992). EPA is approving the CO 1990 base year emission inventories for Colorado Springs, Denver/Longmont, and Fort Collins as submitted to EPA on December 31, 1992 (with revisions for Colorado Springs and Fort Collins, dated March 23, 1995, and revisions for Denver/Longmont, dated July 11, 1994, and October 21, 1994), based on EPA's review findings.

The following describes the review procedures associated with determining the acceptability of a 1990 base year emission inventory and discusses the levels of acceptance or disapproval that can result from the findings of the review process.

A. Procedural Background

The CAA requires States to observe certain procedural requirements in developing SIP revisions for submittal to EPA. Section 110(a)(2) of the CAA requires that each SIP revision (including emission inventories) be adopted after going through a reasonable notice and public hearing process prior to being submitted by a State to EPA.[1] CO nonattainment areas with design values greater than 12.7 ppm (i.e., Metro Denver) were required to submit the entire SIP revision (1990 base year emissions inventory, attainment demonstration, and control strategies) by November 15, 1992. CO areas with design values of 12.7 ppm and below (i.e., Colorado Springs and Fort Collins) were required to submit a 1990 base year emissions inventory by November 15, 1992.

The State of Colorado held a public hearing on November 19, 1992, directly after which the three CO inventories were adopted by the Colorado Air Quality Control Commission (AQCC). The Governor submitted the 1990 base year inventories to EPA by a letter dated December 31, 1992. Supplemental revisions to the Colorado Springs and Fort Collins inventories were submitted by Thomas Getz, Director, Air Pollution Control Division, by a letter dated March 23, 1995. Revisions to the Denver/Longmont inventory were adopted on June 16, 1994, (in conjunction with the Denver CO SIP revision) and were submitted by the Governor to EPA by a letter dated July 11, 1994. Additional revisions to the Denver/Longmont inventory were submitted by Thomas Getz by a letter dated October 21, 1994.

Colorado's December 31, 1992, CO emission inventories submittal was reviewed by EPA and found to be complete on March 5, 1993.

B. Review of Colorado's 1990 Base Year SIP CO Inventories

EPA's Level I, II, and III review process checklists are used to determine if all components of a CO base year inventory are present and approvable. EPA's detailed Level I and II review procedures can be found in the following document: ''Quality Review Guidelines for 1990 Base Year Emission Inventories,'' U.S. Environmental Protection Agency, Office of Air Quality Planning and Standards, Research Triangle Park, NC, July 27, 1992. The Level III review procedures are specified in a memorandum from J. David Mobley, Chief, Emissions Inventory Branch, to Air Branch Chiefs, Regions I–X, ''Final Emission Inventory Level III Acceptance Critera,'' October 7, 1992 and revised in a memorandum from John Seitz to the Regional Air Directors, dated June 24, 1993.[2] EPA's review also evaluates the level of supporting documentation provided by the State and assesses whether the emission calculations were developed, and data

[1] See, Memorandum from John Calcagni, Director, Air Quality Management Division, and William G. Laxton, Director, Technical Support Division, to Regional Air Division Directors, Region I–X, ''Public Hearing Requirements for 1990 Base-Year Emission Inventories for Ozone and Carbon Monoxide Nonattainment Areas,'' September 29, 1992.

[2] Memorandum from John S. Seitz, Director, Office of Air Quality Planning and Standards, to Regional Air Division Directors, Region I–X, ''Emission Inventory Issues,'' June 24, 1993.

quality assured, according to current EPA guidance.

The Level III review process is outlined below and consists of nine requirements that a CO base year inventory must include. For a base year CO emission inventory to be acceptable, it must pass all of the following acceptance criteria:

Note: For all information that follows—Colorado Springs inventory refers to the March 23, 1995, version; the Denver/Longmont inventory refers to the July 11, 1994, version; and the Fort Collins inventory refers to the March 23, 1995, version.

1. An approved Inventory Preparation Plan (IPP) was provided and the Quality Assurance (QA) program contained in the IPP was performed and its implementation documented.

Analysis: Colorado's IPP was approved by EPA on March 13, 1992. The IPP's QA program requirements were addressed in Section 5 of the Colorado Springs inventory, in Section 5 of the Denver/Longmont inventory, and in Section 5 of the Fort Collins inventory.

2. Adequate documentation was provided that enabled the reviewer to determine the emission estimation procedures and the data sources used to develop the inventory.

Analysis: This requirement was addressed in Sections 2 through 4 and Appendices 2 through 9 in each of the three CO inventories.

3. The point source inventory must be complete.

Analysis: This requirement was addressed in Section 4.1 and Appendix 6 of the Colorado Springs and Denver/Longmont inventories. There are no CO major point sources (equal to or greater than 100 tons per year of CO) located in the Fort Collins nonattainment area.

4. Point source emissions were calculated according to the current EPA guidance.

Analysis: This requirement was addressed in Section 4.1 and Appendix 6 of the Colorado Springs and Denver/Longmont inventories. There are no CO major point sources (equal to or greater than 100 tons per year of CO) located in the Fort Collins nonattainment area.

5. The area source inventory must be complete.

Analysis: This requirement was addressed in Section 4.5 and Appendices 7 through 9 of the Colorado Springs and Fort Collins inventories, and Section 4.1 and Appendices 7 through 9 of the Denver/Longmont inventory.

6. The area source emissions must have been prepared or calculated according to the current EPA guidance.

Analysis: This requirement was addressed in Section 4.5 and Appendices 7 through 9 of the Colorado Springs and Fort Collins inventories, and Section 4.1 and Appendices 7 through 9 of the Denver/Longmont inventory.

7. The method (e.g., HPMS or a network transportation planning model) used to develop VMT estimates must follow EPA guidance, which is detailed in the document, ''Procedures for Emission Inventory Preparation, Volume IV: Mobile Sources'', U.S. Environmental Protection Agency, Office of Mobile Sources and Office of Air Quality Planning and Standards, Ann Arbor, Michigan, and Research Triangle Park, North Carolina, December 1992. The VMT development methods were adequately described and documented in the inventory report.

Analysis: This requirement was addressed in Section 2 and Appendix 2 in each of the three inventories.

8. The MOBILE model was correctly used to produce emission factors for each of the vehicle classes.

Analysis: This requirement was addressed in Section 2 and Appendix 2 in each of the three inventories.

9. Non-road mobile emissions estimates were prepared according to current EPA guidance for all of the source categories.

Analysis: This requirement was addressed in Section 3 and Appendices 3 through 5 in each of the three inventories.

The 1990 base year CO emissions from point sources, area sources, on-road mobile sources, and non-road mobile sources for Colorado Springs, Denver/Longmont, and Fort Collins are summarized in the following table:

CARBON MONOXIDE SEASONAL EMISSIONS IN TONS PER DAY

Non-attainment area	Point source emissions*	Area source emissions	On-road mobile emissions	Non-road mobile emissions	Total emissions
Colorado Springs	1.09	29.49	250.80	34.70	316.08
Denver/Longmont	13.37	72.10	1441.97	153.23	1680.67
Fort Collins	N/A	7.54	49.99	8.96	66.49

*Major CO point sources (i.e., CO emissions equal to or greater than 100 tons per year).

III. Final Action

EPA is approving the carbon monoxide 1990 base year emission inventories for Colorado Springs, Denver/Longmont, and Fort Collins.

All supporting calculations and documentation for these three 1990 carbon monoxide base year inventories are contained in the Technical Support Document (TSD) for this action.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comments. However, in a separate document in this issue of the Federal Register, EPA is proposing to approve the SIP revision should adverse or critical comments be filed. This action will be effective February 21, 1997 unless, by January 22, 1997, adverse or critical comments are received.

If EPA receives such comments, this action will be withdrawn before the effective date by publishing a subsequent notice that will withdraw the final action. All public comments received will then be addressed in a subsequent final rule based on this action serving as a proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time. If no such comments are received, the public is advised that this action will be effective February 21, 1997.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any State Implementation Plan. Each request for revision to any State Implementation Plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

IV. Administrative Requirements

A. Executive Order 12866

This action has been classified as a Table 3 action for signature by the

Regional administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214–2225), as revised by a July 10, 1995 memorandum from Mary Nichols, Assistant Administrator for Air and Radiation. The Office of Management and Budget (OMB) has exempted this regulatory action from E.O. 12866 review.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et. seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under Section 110 and Subchapter I, part D of the Clean Air Act do not create any new requirements, but simply approve requirements that the State is already imposing.

Therefore, because the Federal SIP-approval does not impose any new requirements, the Administrator certifies that it does not have significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the CAA, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The CAA forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* v. *U.S. EPA*, 427 U.S. 246, 256–66 (1976); 42 U.S.C. 7410(a)(2).

C. Unfunded Mandates

Under Section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rules that include a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under Section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

D. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a ''major rule'' as defined by 5 U.S.C 804(2).

E. Petitions for Judicial Review

Under section 307(b)(1) of the CAA, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by February 21, 1997. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2) of the CAA).

Executive Order 12866

The Office of Management and Budget has exempted this rule from the requirements of Section 6 of Executive Order 12866.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: November 12, 1996.

Jack W. McGraw,

Acting Regional Administrator.

40 CFR Part 52, is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401–7671q.

Subpart G—Colorado

2. Section 52.348 is added to subpart G to read as follows:

§ 52.348 Emission inventories.

The Governor of the State of Colorado submitted the 1990 carbon monoxide base year emission inventories for the Colorado Springs, Denver/Longmont, and Fort Collins nonattainment areas on December 31, 1992, as a revision to the State Implementation Plan (SIP). The Governor submitted revisions to the Colorado Springs and Fort Collins inventories by a letter dated March 23, 1995. The Governor submitted revisions to the Denver/Longmont inventory by letters dated July 11, 1994, and October 21, 1994. The inventories address emissions from point, area, on-road mobile, and non-road sources. These 1990 base year carbon monoxide inventories satisfy the requirements of section 187(a)(1) of the Clean Air Act for each of these nonattainment areas.

[FR Doc. 96–32222 Filed 12–20–96; 8:45 am]

BILLING CODE 6560–50–P

40 CFR Part 52

[IL144–1a; FRL 5648–8]

Approval and Promulgation of Implementation Plans; Illinois

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: On January 10, 1996, the State of Illinois submitted a State Implementation Plan (SIP) revision request to the EPA which grants a variance to Rexam Medical Packaging Inc. facility located in Mundelein, Lake County, Illinois (Rexam). This variance extends the date by which certain flexographic printing presses operated by Rexam must comply with Illinois' Volatile Organic Material (VOM) Reasonably Available Control Technology (RACT) rules. This rulemaking action approves, through direct final, this SIP revision request; the rationale for this approval is set forth in **SUPPLEMENTARY INFORMATION**. Elsewhere in this Federal Register, EPA is proposing approval and soliciting comment on this direct final action; if adverse comments are received, EPA will withdraw the direct final and address the comments received in a new