

The Department of Commerce has requested that the Commission also continue to collect the same selected 4 data items regarding natural gas companies (line items 3, 8 and 10 of Table 2 and line item 4 of Table 3, of Appendix B) as were requested for the electric utilities. The Commission continues to believe that the Monthly Reports are the most appropriate vehicles with which to collect the data requirements for the Department of Commerce.

The Energy Information Administration has requested that the reporting period for Form No. 11 be shortened from the current requirement of 40 days at the end of the reported month to 20 days for the same reasons cited above in the discussion of Form No. 5. In response to their request and in order to permit public comment to aid the Commission in evaluating the practicality of this suggestion, the Commission has included this reduced time period in the proposed rule.

III. Comment Procedures

The Commission invites interested persons to submit written comments on this proposal. Copies of all comments will be furnished to the Energy Information Administration for its use. The Commission specifically requests that commenters address the following questions:

1. Do the proposed revisions or eliminations of required data affect any Commission or State regulatory functions?

2. Is there any reason for continued collection of the data for the purposes of another Federal agency? Suggestions for the continued collection of data which has been proposed for elimination from the present Forms No. 5 and No. 11 should identify the proper agency and the purpose for collection of the data.

3. Comments are requested on the practicality of meeting the new proposed filing deadline.

Comments should be submitted to the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 and should refer to Docket No. RM80-17. An original and 14 copies should be filed. All comments received prior to 4:30 p.m. EST, January 21, 1980, will be considered by the Commission prior to promulgation of final regulations. Pursuant to 44 U.S.C. 3501-3511, these proposed revisions will be considered by the Office of Management and Budget for ultimate clearance. Interested persons wishing to have their comments considered during this clearance process should submit copies of their comments to the Commission to the Clearance

Office of Regulatory Policy and Reports Management Divisions, Office of Management Division, Office of Management and Budget, Washington, D.C. 20503. All written submissions will be placed in the public file which has been established in this docket and which is available for public inspection during regular business hours in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426.

(Natural Gas Act, as amended, 15 U.S.C. 717-717w; Federal Power Act, as amended, 16 U.S.C. 792-828c; Department of Energy Organization Act, Pub. 42 U.S.C. 7101-7352; E.O. 12009, 42 FR 46267 (September 15, 1977).)

In consideration of the foregoing, the Commission proposes to revise Form No. 5, Monthly Statement of Electric Operating Revenue and Income, prescribed by § 141.25, Chapter I, Title 18 of the Code of Federal Regulations and Form No. 11, Natural Gas Pipeline Company Monthly Statement, prescribed by section 260.3, Chapter I, Title 18 of the Code of Federal Regulations as set forth in Attachment A and B, hereto.

In addition, in consideration of the foregoing, the Commission proposes to revise Parts 141 and 260 of Chapter I, Title 18 of the Code of Federal Regulations, as set forth below.⁴

By direction of the Commission.

Kenneth F. Plumb,
Secretary.

1. Section 141.25 is revised to read as follows:

§ 141.25 FERC Form No. 5, Electric Utility Company Monthly Statement.

(a) This form, which is applicable to the electric utility companies designated therein, is designed to obtain on a monthly basis information concerning sales of electric energy and certain other selected items of income and plant.

(b)(1) *Who must file.* Each privately and publicly owned electric utility, as designated in the FERC No. 5, shall prepare and file with the Commission for the month beginning January 1, 1980 and for each month thereafter an original and 2 copies of the FERC Form No. 5.

(2) *When to file.* Such reports shall be filed within 20 days after the end of the reported month and shall be signed by the Chief Accounting Officer of the reporting company, but are not required to be under oath.

⁴Copies of these forms are available from the Commission's Division of Public Information, as attachments to the "Notice of Proposed Rulemaking".

2. Section 260.3 is revised to read as follows:

§ 260.3 FERC Form No. 11, Natural Gas Pipeline Company Monthly Statement.

(a) This form, which is applicable to natural gas companies designated therein, is designed to obtain on a monthly basis information concerning selected revenues, income statements, and other items, as well as details of operation and maintenance expenses.

(b)(1) *Who must file.* Each natural gas company, as defined in the Natural Gas Act, whose combined gas sold for resale and gas transported or stored for a fee exceeded 50 million Mcf at 14.73 psia (60° F) in the previous calendar year, shall prepare and file with the Commission for the month beginning January 1, 1980 and for each month thereafter an original and 2 copies of the FERC Form No. 11.

(2) *When to file.* Such reports shall be filed within 20 days after the end of the reported month and shall be signed by the Chief Accounting Officer of the reporting company, but are not required to be made under oath.

[FR Doc. 79-39597 Filed 12-31-79; 8:45 am]

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DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 5

[Notice No. 332]

Grape Brandy; Advance Notice of Proposed Rulemaking

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

ACTION: Advance notice of proposed rulemaking.

SUMMARY: ATF is considering whether standards of identity (types) for "varietal grape brandy," "vintage grape brandy," and "vintage-varietal brandy" should be established. These designations would be used for labeling and advertising purposes, allowing such terms as "Pinot Noir Brandy," "Grape Brandy 1963," and "Flame Tokay Brandy 1979" to be added to the present labeling designations of "brandy" and "grape brandy." ATF wishes to gather information from consumers and industry members on the desirability and feasibility of producing and marketing these products.

DATES: Comments must be received on or before April 1, 1980.

ADDRESS: Send comments on this advance notice of proposed rulemaking to:

Director, Bureau of Alcohol, Tobacco and Firearms, Post Office Box 385, Washington, DC 20044.

Attention: Chief, Regulations and Procedures Division.
(Notice No. 332)

FOR FURTHER INFORMATION CONTACT: A. N. Stickney, (202-566-7626).

SUMMARY INFORMATION:

Background

Petition. ATF has been petitioned to amend the regulations to permit the production and sale of "varietal," "vintage," and "vintage-varietal" grape brandies. By adding these designations, the petitioners feel they would be able to expand the market for brandy and to offer consumers a wider choice of brandies.

Present Regulations. The standard of identity for brandy is set forth in 27 CFR 5.22(d). In general, brandies are distillate products produced from the fermented juice, mash, or wine of fruit, or from residue material. These products must possess the taste, aroma, and characteristics generally attributed to the product. In addition to the general identity, brandy is further broken down into types (for example, "fruit brandy," "Cognac," "marc brandy," and the like). Brandy derived from grapes falls under the "fruit brandy" type and can only be designated as "grape brandy" or "brandy". Other fruit brandies derived from one variety of fruit are designated by the word "brandy" but have to be qualified by the name of the fruit (for example, "apricot brandy").

Discussion. Under the Federal Alcohol Administration Act (FAA Act), the Director is authorized to establish standards of identity (class and type) which provide "adequate information as to the identity and quality of the product" and at the same time to "prohibit deception of the consumer with respect to such products or the quality of the product" [and] prohibit "such statements relating to age, manufacturing processes, analyses, guarantees, and scientific or irrelevant matters [that would] be likely to mislead the consumer".

Since the standard of identity for grape brandy has been in effect, ATF has denied requests to use labels with a term such as "Cabernet Sauvignon Brandy," "Catawba Brandy 1972," or "Grape Brandy 1972", because the brandy must be labeled (1) "grape brandy," (2) "brandy," or (3) "brandy" immediately followed by a truthful and

adequate statement of composition if the brandy does not conform to any of the established standards for brandy. ATF has held that the process of distillation would destroy any distinctive varietal characteristics which are detectable in wine and will continue to do so until sufficient test data can confirm or refute this position.

ATF wishes to obtain advice and analytical data from the alcoholic beverage industry and to receive consumers' views as to whether "varietal," "vintage," and "vintage-varietal" grape brandies are products distinct enough to require standards of identity. If information is received, as a result of this advance notice of proposed rulemaking, that demonstrates these grape brandy products to be in keeping with the intent of the FAA Act, ATF may amend 27 CFR Part 5 to designate grape brandy as a separate type from "fruit brandy" and to qualify a grape brandy by the name of the variety of the grape. ATF may also consider the possibility of allowing grape brandy, to be defined as an alcohol distillate made 100 percent from grapes, to be recognized as a vintage product. In this case, "vintage grape brandy" and "vintage-varietal brandy" could be established and used in labeling such products.

Public Participation

Comments. This advance notice of proposed rulemaking is being issued, because we find that ATF resources and reasonable outside inquiry do not provide sufficient information to identify the best course of action regarding any proposal on standards of identity for "varietal and vintage brandy". We solicit comments of two kinds. Comments to the questions in group A are requested from concerned consumers. Comments and specific data from questions in group B are being requested from interested industry members. Comments, however, are not restricted to any one group of questions.

Industry members are also being invited to submit "varietal and vintage brandy" samples. ATF needs to gather a wide sampling of "varietal and vintage" brandies for organoleptic examination and laboratory analysis. We also need from interested industry members conclusive analytical data to determine an appropriate standard of identity.

Procedure. Interested persons may submit written comments or data to the Director, Bureau of Alcohol, Tobacco and Firearms, Post Office Box 385, Washington, DC 20044, Attention: Chief, Regulations and Procedures Division, (Notice No. 332), on or before April 1, 1980. Written communications should be

identified by the notice number (Notice No. 332).

All communications received during the 90-day comment period will be carefully considered. In light of the information received, the advance notice may be withdrawn or a notice of proposed rulemaking may be issued.

Disclosure of Comments

Copies of written comments or data are available for public inspection in the ATF Reading Room, Room 4408, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.

ATF will not recognize any material in comments designated as confidential or as not to be disclosed; and any material that 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.

Questions

Following is a list of specific questions to be addressed. (To aid ATF in considering each comment, clearly identify the specific questions to which each comment is addressed.)

A. Consumer Consideration

(1) Does a grape brandy designation as "Concord Brandy" convey the impression that only Concord grapes are used in the brandy product and that other grape varieties are not present?

(2) Does a product labeled "Cabernet Sauvignon Brandy 1972" convey the impression that only Cabernet Sauvignon grapes grown in 1972 and no other grape or vintage crop are present in the brandy product?

(3) Likewise, does a product labeled "Grape Brandy 1978" convey the impression that the year 1978 is significant information?

(4) Do "varietal grape brandies" convey an impression of products more closely associated with a particular class and type of distilled spirits or with a particular class and type of wine?

(5) If it is commonly held that brandy is traditionally viewed as a product which requires aging in a wooden cask before it is designated as brandy, would "vintage-varietal grape brandies" and "vintage grape brandies" convey an impression that the harvest year of the grape(s) is more significant information than the number of years the brandies were allowed to age in a wooden cask?

(6) Is the vintage year of the grape and/or exact age of the brandy important information or merely

technical information likely to confuse and mislead?

(7) Is a wider selection of brandy products desirable?

B. Industry Consideration

(1) What facts show the need for establishing new standards of identity for grape brandies—specifically, "varietal," "vintage," and "vintage-varietal" brandies?

(2) What additional facts, studies, surveys, and tests are needed to support the proposal?

(3) What facts, personal observations, etcetera could demonstrate the possible inadequacies of the proposal?

(4) What impact would categorizing grape brandies as a separate type from fruit brandies have on the grape growing, wine, and brandy industries?

(5) Should vintage year claims be allowed for any brandy?

(6) Should age statements be allowed for any brandy in addition to or in lieu of vintage year claims?

(7) Should the aging of grape brandy be at not less than four years rather than the present two-year minimum? Should a special provision be established for "varietal grape brandies" aged at least eight years?

(8) What recordkeeping and accountability requirements are necessary? Would they pose an undue administrative burden on the alcoholic beverage industry and ATF?

(9) Which "varietal grape brandies," after distillation and aging, are likely to possess the taste, aroma, and characteristics generally attributed to the variety of the grape?

(10) What procedures, samples at barrel proof, and conditions are necessary to conduct a joint experimental study with ATF? Consideration should be given as to (a) whether "varietal grape brandies" should be designated lower distillation proof than "blended" grape brandies; and (b) as to whether distillation proof should be eliminated and substituted by a distinction based on esters contents or some other measurement which the ATF National Laboratory would consider enforceable and meaningful.

(11) What regulations, if any, have been issued by foreign countries on varietal and/or vintage brandy? What kind of certification on exports and imports would be needed to verify varietal and vintage claims on labels?

C. Submission of Samples

Any proprietor desiring to submit "varietal and vintage brandy" samples to ATF should submit a written notice of intent to the Director, Bureau of Alcohol, Tobacco and Firearms, Post Office Box

385, Washington, DC 20044, Attention: Chief, Regulations and Procedures Division (Notice No. 332). Indicate, too, what varietal grapes will be used. Written notices of intent must be received during the 90-day comment period.

Authority

This advance notice of proposed rulemaking is issued under the authority of 27 U.S.C. 205 (49 Stat. 981).

Signed: November 16, 1979.

G. R. Dickerson,
Director.

Approved: November 26, 1979.

Richard J. Davis,
Assistant Secretary (Enforcement and Operations).

[FR Doc. 79-39928 Filed 12-31-79; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL 1381-8]

Regulatory Agenda

AGENCY: Environmental Protection Agency.

ACTION: Delay in Publication of Regulatory Agenda.

SUMMARY: This notice announces a delay in the publication of the Environmental Protection Agency's regulatory agenda.

I originally planned to publish the Environmental Protection Agency's sixth Regulatory Agenda in December of 1979. I now have revised the schedule. EPA will publish its next Agenda in February of 1980.

FOR FURTHER INFORMATION CONTACT:

David Sahr, 755-2693.

Henry E. Beal,

Director, Standards and Regulations Division.

[FR Doc. 79-39936 Filed 12-31-79; 8:45 am]

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40 CFR Part 52

[FRL 1381-7]

Implementation Plan Revision for a Nonattainment Area in the State of Arizona; Receipt/Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Receipt and Availability.

SUMMARY: The purpose of this notice is to announce receipt of a revision to the

Arizona State Implementation Plan (SIP) and to invite public comment. The Nonattainment Area Plan (NAP) for Total Suspended Particulates for the Maricopa County Urban Planning Area has been received from the Arizona State Department of Health Services. The plan was submitted to EPA in accordance with the requirements of Part D of The Clean Air Act, as amended in 1977, "Plan Requirements for Nonattainment Areas," and is available for public inspection at the addresses below. A notice of proposed rulemaking discussing this plan will be published in the Federal Register at a later date.

The period for submittal of public comments will end not less than 60 days from this date and not less than 30 days from the published date of EPA's Notice of Proposed Rulemaking.

ADDRESSES: Copies of the SIP revision are available for inspection during normal business hours at the following locations:

Air and Hazardous Materials Division (A-4-2), Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, CA 94105.

Public Information Reference Unit, Environmental Protection Agency, 401 "M" Street, S.W., Room 2404, Washington, D.C. 20404.

Arizona State Department of Health Services, 1740 West Adams Street, Phoenix, AZ 85007.

Maricopa Association of Governments, 1820 West Washington, Phoenix, AZ 85007.

FOR FURTHER INFORMATION CONTACT:

Douglas Grano, Chief, Regulatory Section, Air Technical Branch, Air and Hazardous Materials Division, Environmental Protection Agency, Region IX, 215 Fremont Street, San Francisco, CA 94105, (415) 556-2938.

SUPPLEMENTARY INFORMATION: New provisions of the Clean Air Act, enacted in August 1977, Pub. L. No. 95-95, require states to revise their SIP's for all areas that do not attain the National Ambient Air Quality Standards (NAAQS). The amendments required each state to submit to the Administrator a list of the NAAQS attainment status for all areas within the state. The Administrator promulgated these lists, with certain modifications, on March 3, 1978 (43 FR 8962), March 19, 1979 (44 FR 16388) and April 10, 1979 (44 FR 21261). State and local governments were required by January 1, 1979 to develop, adopt, and submit to EPA revisions to their SIP's which provide for attainment of the NAAQS as expeditiously as practicable. The Maricopa county area has been designated nonattainment for carbon monoxide, ozone, and total suspended particulates.

The Governor's designee submitted the Maricopa County Urban Planning Area NAP for Total Suspended Particulates (TSP) to EPA on November 8, 1979. The initial NAP for Carbon Monoxide and Ozone for Maricopa County was submitted on February 23, 1979 and a revision to that plan was submitted on July 3, 1979. Notices of proposed rulemaking were published in the *Federal Register* on June 11, 1979 and October 30, 1979 for the Carbon Monoxide and Ozone plan submittals.

EPA is now reviewing the TSP plan for conformance with the requirements of Part D of the Clean Air Act, as amended. Following EPA's review of the plan, a notice of proposed rulemaking will be published in the *Federal Register* that will provide a description of the proposed SIP revision, summarize the Part D requirements, identify the major issues in the proposed revision, and suggest corrections. An additional 30 days will be provided for public comments at that time.

(Sections 110, 129, 171 to 178, and 301(a) of the Clean Air Act, as amended (42 U.S.C. 7410, 7429, 7501 to 7508, and 7601(a)).

Dated: December 18, 1979.

Sheila M. Prindiville,
Acting Regional Administrator.

[FR Doc. 79-39941 Filed 12-31-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Parts 410, 425, 429 and 454

[FRL 1383-7]

Textile Mills Point Source Category, Leather Tanning and Finishing Point Source Category, Timber Products Processing Point Source Category, Gum and Wood Chemicals Point Source Category, Effluent Guidelines and Standards; Hearing

AGENCY: Environmental Protection Agency.

ACTION: Public Hearing.

SUMMARY: Notice is hereby given of a hearing open to the public to discuss and receive comments on pretreatment regulations proposed in the *Federal Register* as follows:

Proposal date	Category
July 2, 1979 (40FR38746)	Leather tanning and finishing.
October 29, 1979 (40FR62204)	Textile mills.
October 31, 1979 (40FR62810)	Timber products processing.
November 29, 1979 (40FR68710)	Gum and wood chemicals.

DATES: A public hearing has been scheduled for the following date and place: February 15, 1980—Washington, D.C.

ADDRESS: The public hearing will be held at the following address: Hall of

States, Skyline Inn, South Capitol and I Streets, SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Jaye Swanson, Project Officer for Public Participation, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460. (202) 426-2560

Anyone wishing to make an oral statement and submit written testimony at the hearing should indicate so in writing to the above address, including which session of the hearing they plan to attend.

SUPPLEMENTARY INFORMATION:

Registration for the hearing will be held from 8:30 to 9:00 AM. Oral testimony will be presented as follows: 9:30 to 11:30 AM—Textile Mills, 11:30 AM to 2:15 PM—Leather Tanning and Finishing, 2:45 to 4:15 PM—Timber Products Processing and 4:15 to 6:00 PM—Gum and Wood Chemicals. Following the registration period there will be a brief presentation by an EPA official covering the development of effluent limitations and standards under the Clean Water Act of 1977. Also, opportunity will be given throughout the day for audience participants to submit written questions to the Presiding Officer. These questions will be addressed during the question and answer sessions which will conclude the presentations of oral testimony for each category.

A court recorder will be present at the public hearing. Official transcripts will be available at cost.

Dated: December 28, 1979.

Sweep T. Davis,
Assistant Administrator for Water and Waste Management.

[FR Doc. 79-39930 Filed 12-31-79; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 429

[FRL 1383-1]

Timber Products Processing Point Source Category Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of Comment Period.

SUMMARY: On October 31, 1979, EPA proposed regulations under the Clean Water Act to limit effluent discharges to waters of the United States and the introduction of pollutants into publicly owned treatment works from facilities engaged in timber products processing operations (44 FR 62810-62846). EPA is

extending the period for comment on the proposed regulations from December 31, 1979, until February 15, 1980, because of delays in the availability of the support documents.

DATES: Comments on the proposed regulations for the timber products processing industry (44 FR 62810) must be submitted to EPA by February 15, 1980.

ADDRESS: Send comments to: Mr. Richard E. Williams, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, Attention: Docket Clerk, Proposed TIMBER. The supporting information and all comments on this proposal will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (Rear) PM-213. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Richard Williams (202) 426-2554.

SUPPLEMENTARY INFORMATION: On October 31, 1979, EPA proposed regulations to limit effluent discharges to waters of the United States and the introduction of pollutants into publicly owned treatment works from facilities engaged in timber products processing operations (44 FR 62810-62846). The October 31 notice stated that comments on the proposal were to be submitted on or before December 31, 1979.

Because of delays in printing of the technical and economic documents, the documents were not generally available to the public until December 14, 1979. Therefore, the comment period has been extended to allow the public adequate time to review and comment on the proposed regulations. All comments must be submitted by February 15, 1980.

Dated: December 18, 1979.

Sweep T. Davis,
Assistant Administrator for Water and Waste Management.

[FR Doc. 79-39940 Filed 12-31-79; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

42 CFR Part 2

Confidentiality of Alcohol and Drug Abuse Patient Records

AGENCY: Public Health Service, HEW.

ACTION: Notice of Decision to Develop Regulations.