aged in wood for a period of not less than two years and barreled at not less than 100 degrees proof shall be deemed wine spirits for the purposes of this part.

(b) *Nonbeverage wine.* Spirits authorized for use in the production of wine and wine products which are to be rendered unfit for beverage use shall be spirits as defined in Part 19 of this chapter.

(c) *Storage.* The spirits received by the proprietor will be locked in a secure room or locker on the bonded premises. Wine spirits will be segregated from other spirits. Spirits will remain in original packages in the storeroom until withdrawn for use.

(Sec. 201, Pub. L. 85–859, 72 Stat. 1382, as amended, 1833, as amended (26 U.S.C. 5373, 5382))

PART 240—[AMENDED]

Par. 6. In addition to the amendments set forth above, Title 27, Code of Federal Regulations, Part 240, is amended by striking the term "wine spirits" where it appears in the titles and texts of the following sections and inserting in its place the word "spirits": §§ 240.140, 240.142, 240.143, 240.160, 240.161, 240.162, 240.163, 240.166, 240.167, 240.168, 240.169, 240.174, 240.198, 240.208, 240.221, 240.250, 240.253, 240.273, 240.320, 240.321, 240.821, 240.822, 240.823, 240.824, 240.825, 240.826, 240.827, 240.828, 240.830, 240.831, 240.832, 240.835, 240.836, 240.838, 240.840, 240.841, 240.850, 240.851, 240.852, 240.853, 240.855, 240.857, 240.858, 240.859, 240.880, 240.881, 240.904, 240.908.

Signed: September 6, 1984.

W.T. Drake,

Acting Director.

Approved: October 10, 1984.

John M. Walker, Jr.,

Assistant Secretary (Enforcement and Operations).

[FR Doc. 84–27839 Filed 10–22–84; 8:45 am]

BILLING CODE 4810–31–M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 199

[DOD 6010.8–R, Amdt. No. 29]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Amendment of Ambulance Service Coverage

AGENCY: Office of the Secretary, DOD.

ACTION: Amendment of final rule.

SUMMARY: This final rule will amend DOD 6010–8–R which implements the civilian Health and Medical Program of the Uniformed Services. The rule will revise the definition of "ambulance," remove the $100 allowable charge ceiling used to distinguish between local and long-distance ambulance service, and expand coverage for transfer to a Uniformed Service Medical Treatment Facility (USMTF). Elimination of the monetary limit, together with the expanded coverage, will make the ambulance service benefit more responsive to patients' needs and consistent with present day economic realities.

DATE: This amendment is effective October 23, 1984.

FOR FURTHER INFORMATION CONTACT: David E. Bennett, Policy Branch, OCHAMPUS, Aurora, Colorado 80045, Telephone (303)–361–3537.

SUPPLEMENTARY INFORMATION: In FR Doc. 77–7834, appearing in the **Federal Register** on April 4, 1977 (42 FR 17972), the Office of the Secretary of Defense published its regulation, DOD 6010.8–R "Implementation of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)," as Part 199 of this title.

In FR Doc. 84–11237 appearing in the **Federal Register** on April 26, 1984 (49 FR 17976), the Office of the Secretary of Defense published for public comment a proposed amendment eliminating the $100 ceiling currently used to distinguish between local and long distance ambulance service and expanding coverage for transfers to Uniformed Service Medical Treatment Facilities (USMTF). Public comments were to be submitted by May 25, 1984.

All comments supported the proposed rulemaking; however, there were several editorial suggestions which were accepted and incorporated into this rule.

While the $100 ceiling has been effective in eliminating payment for ambulance service provided for reasons other than medical necessity, it also has penalized those beneficiaries whose ambulance services were medically necessary but which exceeded the $100 limitation for local service and failed to meet the criteria for long distance service. Due to rising ambulance service charges and varying service rates around the country, it is inappropriate to place a monetary limitation as the dividing element between local and long-distance ambulance service. Beneficiaries residing within the general service area of a hospital or in a geographic area that has a high cost of living index should not be penalized financially because of residence.

Allowable charge or cost methodology is the most equitable means of adjudicating ambulance claims. Information from ambulance companies in each service area will be used in the development of prevailing charge screens. Established criteria in the Regulation together with the provisions of the final amendment will prevent payment of ambulance services provided for other than medical necessity. Approval will still depend on such criteria as medical necessity, closest appropriate facility, least costly, accessibility, and others.

This amendment also expands ambulance coverage to include transfers to a USMTF. Benefits would be available for emergency transfers from a beneficiary's place of residence, accident scene, or other location, and transfers to a USMTF after treatment at, or admission to, a civilian hospital. However, payment would be made only when the ambulance is ordered by other than USMTF personnel. This would be consistent with the current military health care trend to provide maximum care services. It would also reduce CHAMPUS utilization and promote cost containment.

List of Subjects in 32 CFR Part 199

Health insurance, Military personnel, Handicapped.

Accordingly, 32 CFR, Chapter I, is amended to read as follows:

PART 199—IMPLEMENTATION OF THE CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES

Section 199.8 is amended by revising the "ambulance" definition to read as follows:

§ 199.8 Definitions.

* * * * *

(b) * * *

Ambulance. A specially designed vehicle for transporting the sick or injured that contains a stretcher, linens, first aid supplies, oxygen equipment, and such lifesaving equipment required by state and local law, and that is staffed by personnel trained to provide first aid treatment.

* * * * *

Section 199.10 is amended by revising paragraph (d)(3)(v) to read as follows:

§ 199.10 Basic program benefits.

* * * * *

(d) * * *

(3) * * *

(v) *Ambulance.* Civilian ambulance service to, from, and between hospitals is covered when medically necessary in connection with otherwise covered services and supplies and a covered medical condition. Ambulance service also is covered for transfers to a Uniformed Service Medical Treatment Facility (USMTF). For the purpose of CHAMPUS payment, ambulance service is always an outpatient service (including in connection with maternity care).

(*a*) Ambulance service is covered for emergency transfers from a beneficiary's place of residence, accident scene, or other location to a USMTF, and for transfers to a USMTF after treatment at, or admission to, a civilian hospital, if ordered by other than a representative of the USMTF.

(*b*) Ambulance service cannot be used instead of taxi service and is not payable when the patient's condition would have permitted use of regular private transportation; nor is it payable when transport or transfer of a patient is primarily for the purpose of having the patient nearer to home, family, friends, or personal physician. Except as described in paragraph (d)(3)(v)(*a*), of this section, transport must be to closest appropriate facility by the least costly means.

(*c*) Vehicles such as medicabs or ambicabs function primarily as public passenger conveyances transporting patients to and from their medical appointments. No actual medical care is provided to the patients in transit. These types of vehicles do not qualify for benefits for the purpose of CHAMPUS payment.

(*d*) Ambulance services by other than land vehicles (such as a boat or airplane) may be considered only when the pickup point is inaccessible by a land vehicle, or when great distance or other obstacles are involved in transporting the patient to the nearest hospital with appropriate facilities and the patient's medical condition warrants speedy admission or is such that transfer by other means is contraindicated.

* * * * *

(10 U.S.C. 1079; 5 U.S.C. 301)

Dated: October 12, 1984.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense..

[FR Doc. 84-27857 Filed 10-22-84; 8:45 am]

BILLING CODE 3810-01-M

32 CFR Part 199

[DoD 6010.8-R, Amdt. No. 28]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Postmastectomy Reconstructive Breast Surgery

AGENCY: Office of the Secretary, DoD.

ACTION: Amendment of final rule, correction.

SUMMARY: This document corrects the amendment of Final Rule for postmastectomy reconstructive breast surgery provisions of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) which was published September 28, 1984 [49 FR 38265].

FOR FURTHER INFORMATION CONTACT: Patricia H. Means (202-697-4111).

Accordingly, the Department of Defense is correcting [DoD 6010.8-R] to read as follows: [DoD 6010.8-R, Amdt. No. 28].

Dated: October 16, 1984.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 84-27856 Filed 10-22-84; 8:45 am]

BILLING CODE 3810-01-M

32 CFR Part 199

[DoD 6010.8-R, Amdt. No. 27]

Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Treatment of Mental Disorders

AGENCY: Office of the Secretary, DoD.

ACTION: Amendment of final rule, correction.

SUMMARY: This document corrects the amendment number for DoD 6010.8-R contained in the amendment of the Final Rule for the treatment of mental disorders provisions of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) which was published September 14, 1984 [49 FR 36087].

FOR FURTHER INFORMATION CONTACT: Patricia H. Means (202-697-4111).

Accordingly, the Department of Defense is correcting [DoD 6010.8-R, Amdt. No. 28] to read as follows: [DoD 6010.8-R, Amdt. No. 27].

Dated: October 12, 1984.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 84-27855 Filed 10-22-84; 8:45 am]

BILLING CODE 3810-01-M

VETERANS ADMINISTRATION

38 CFR Part 36

Loan Guaranty; To Revise the Occupancy Requirements for Home Improvement and Refinancing Loans.

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: The VA (Veterans Administration) is amending its regulations to allow, on home improvement and refinancing loans, the waiver of the requirement that veterans be personally occupying the property at the time the loan is closed and instead certify that they intend to occupy the property after the completion of major repairs, alterations, or improvements. Under the current regulations, veterans wishing to make major improvements to their homes, that preclude occupancy, have not been able to obtain a VA loan. The amended regulations will permit those veterans to certify that they intend to occupy the property as their home after the improvements are made; and, as a result of the amended regulations, more veterans will be able to use their loan guaranty benefits.

EFFECTIVE DATE: These regulations are effective November 23, 1985.

FOR FURTHER INFORMATION CONTACT: Mr. George D. Moerman, Assistant Director for Loan Policy (264), Loan Guaranty Service, Veterans Administration, Washington, D.C. 20420, (202) 389-3042.

SUPPLEMENTARY INFORMATION: On April 19, 1984, the VA published in the Federal Register (49 FR 15573) proposed amendments to 38 CFR 36.4303, 36.4306, 36.4507, and 36.4519, Loan Guaranty regulations. Public comments were requested on the proposal to modify the occupancy requirements on home improvement and refinancing loans in which extensive alterations, repairs, or improvements to the property make occupancy impractical while the work is being done to the property. No public comments were received during the comment period and the amended regulations are now being published as final.

The modified occupancy requirements will only apply to conventionally constructed homes. No similar changes are being made to the VA regulations governing manufactured homes. Because of the nature of manufactured homes, it is not likely that any alterations, repairs, or improvements would be extensive enough to require the veteran to vacate the property. The amendments will also not apply to VA-interest rate reduction refinancing loans since that type of loan is strictly to reduce the interest rate of an existing VA loan and no monies go to the veteran.

The Administrator hereby certificates these amended regulations will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. Pursuant to 5 U.S.C. 605(b), these regulations are exempt from the initial and final regulatory analysis requirements of sections 603 and 604. The regulations will have no impact on small private and nonprofit organizations and small government jurisdictions and should have a minor but beneficial economic impact upon small businesses participating in the loan guaranty program.

The amended regulations have been reviewed pursuant to Executive Order 12291, Federal Regulation, and have been found to been found to be nonmajor regulation changes. The amendments will provide the opportunity for more veterans to obtain VA-guaranteed or insured loans.

The regulations will not impact on the public or private sectors as major rules. They will not have an annual effect on the economy of $100 million or more, cause a major increase in costs or prices for consumers, individual industries, or other significant adverse effects on competition, employment, investment, productivity, innovative, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

(Catalog of Federal Domestic Assistance Program number, 64.114)

These amendments are promulgated under authority granted the Administrator by sections 210(c), 1803(c) and 1804(c) of title 38, United States Code.

List of Subjects in 38 CFR Part 36

Condominiums, Handicapped, Housing Loan programs—housing and community development, Manufactured homes, Veterans.

Dated: October 4, 1984.

By direction of the Administrator.

Everett Alvarez, Jr.,

Deputy Administrator.

PART 36—[AMENDED]

38 CFR Part 36, LOAN GUARANTY, is amended as follows:

1. Section 36.4303 is amended by revising paragraph (f) to read as follows:

§ 36.4303 Reporting requirements.

* * * * *

(f) Evidence of a guaranty will be issued by the Administrator by appropriate endorsement on the note or other instrument evidencing the obligation, or be a separate certificate at the option of the lender. Notice of credit to an insurance account will be given to the lender. Unused certificates of eligibility issued prior to March 1, 1946, are void. No certificate of commitment shall be issued and no loan shall be guaranteed or insured unless the lender, the veteran, and the loan are shown to be eligible. Evidence of guaranty or insurance will not be issued on any loan for the purchase or construction of residential property unless the veteran certifies, in such form as the Administrator shall prescibe, that the veteran intends to occupy the property as the veteran's home. Guaranty or insurance evidence will not be issued on any loan for the alteration, improvement, or repair of any residential property or on a refinancing loan unles the veteran certifies that the veteran presently occupies the property as the veteran's home. An exception to this is if the home improvement or refinancing loan is for extensive changes to the property which will prevent the veteran from occupying the property while the work is being completed. In such case the veteran must certify that he or she intends to occupy or to reoccupy the property as his or her home upon completion of the substantial improvements or repairs. All of the mentioned certifications must take place at the time of loan application and closing except in the case of loan automatically guaranteed, in which case veterans shall make the required certifications only at the time the loan is closed. (38 U.S.C. 1802(c), 1804(c))

* * * * *

2. In § 36.4306, the introductory portion of paragraph (a) and paragraph (c) are revised to read as follows:

§ 36.4306 Refinancing of mortgage or other lien indebtedness.

(a) Any loan for the purpose of refinancing (38 U.S.C. 1810(a)(5)) an existing mortgage loan or other indebtedness secured by a lien of record on a dwelling or farm residence owned and occupied or to be reoccupied if the refinancing loan is for the completion of major alterations, repairs, or improvements to the property, by an eligible veteran as the veteran's home shall be eligible for guaranty in an amount not to exceed sixty (60) percent of the loan amount or $27,500, whichever is less, provided that—(38 U.S.C 1810(c));

* * * * *

(c) Nothing shall preclude guaranty of a loan to an eligible veteran having home loan guaranty entitlement to refinance under the provisions of 38 U.S.C. 1810(a)(5) a VA guaranteed or insured (or direct) mortgage loan made to him or her which is outstanding on the dwelling or farm residence owned and occupied or to be reoccupied after the completion of major alterations, repairs, or improvements to the property, by the veteran as a home. (38 U.S.C. 1810(c))

* * * * *

3. In § 36.4507, paragraph (c) is revised to read as follows:

§ 36.4507 Refinancing of mortgage or other lien indebtedness.

* * * * *

(c) Nothing shall preclude making a loan pursuant to the provisions of 38 U.S.C. 1810(a)(5) to an eligible veteran having home loan guaranty entitlement to refinance a loan previously guaranteed insured or made by the Administrator which is outstanding on the dwelling or farm residence owned and occupied or to be reoccupied after the completion of major alterations, repairs, or improvements to the property, by the veteran as the veteran's home. (38 U.S.C. 1810(c))

* * * * *

4. In § 36.4519, paragraphs (a), (5), and (6) are revised as follows:

§ 36.4519 Eligible purposes and reasonable value requirements.

(a) * * *

(4) To repair, alter, or improve a farm residence or other dwelling owned and occupied or to be reoccupied after the completion of major alterations, repairs, or improvements to the property, by the veteran as his or her home; (38 U.S.C. 1811(b))

(5) To make energy conservation improvements to a dwelling owned and occupied or to be occupied after the completion of major alterations, repairs, or improvements to the property, by the veteran as his or her home; (38 U.S.C. 1811(b))

(6) To refinance (38 U.S.C. 1810(a)(5)) existing mortgage loans or other lines which are secured of record on a dwelling or farm residence owned and occupied or to be reoccupied after the completion of major alterations, repairs or improvements to the property, by the veteran as the veteran's home; (38 U.S.C. 1811(b))

* * * * *

(38 U.S.C. 310(c); 1803(c))

[FR Doc. 84-27914 Filed 10-22-84; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 123

[OW-4-FRL-2695-4]

Approval of North Carolina's NPDES Program To Regulate Federal Facilities

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: On September 28, 1984, the Environmental Protection Agency (EPA) approved the State of North Carolina's request to include regulation of Federal facilities under their State water pollution permit program. Previously the State had been approved to participate in the NPDES program. This action is in accordance with the 1977 Clean Water Act amendments. It will allow the State of North Carolina to use its own water pollution control programs.

DATE: September 28, 1984.

FOR FURTHER INFORMATION CONTACT: Jim Patrick, Water Management Division, 345 Courtland Street, NE., Atlanta, Georgia 30365, (404) 881-3012.

SUPPLEMENTARY INFORMATION: In 1977 Congress amended section 313 of the Clean Water Act (33 U.S.C. 1251 *et seq.*) to authorize States to regulate Federally owned or operated facilities under their water pollution control programs. Prior to the amendment, States, including those authorized pursuant to section 402(b) of the Clean Water Act to participate in the NPDES program, were precluded from regulating Federal facilities. Therefore, EPA in approving State programs under section 402(b) reserved the authority to issue NPDES permits to Federal facilities.

With the passage of the 1977 amendments, EPA has been transferring NPDES authority over Federal facilities to approved States. Today's **Federal Register** notice is to announce the approval of the State of North Carolina's request to assume NPDES authority over Federal facilities.

List of Subjects in 40 CFR Part 123

Administrative practice and procedure, Confidential business information, Indians—lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution.

(33 U.S.C. 1251 et seq.)

Dated: September 28, 1984.

Charles R. Jeter,

Regional Administrator.

[FR Doc. 84-27230 Filed 10-22-84; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6627]

List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The date listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 457, Lanham, Maryland 20706, Phone: (800) 638-7418.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 287-0876, 500 C Street, Southwest, FEMA—Room 416, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. In the communities listed where a flood map has been published, section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance."

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 64

Flood insurance—flood plains

PART 64—[AMENDED]

Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

§ 64.6 List of Eligible Communities

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard area identified
Pennsylvania, Chester	Newlin, township of	421486	Oct. 24, 1975, Emerg., Aug. 1, 1984, Reg., Aug. 1, 1984, Susp., Sept. 6, 1984, Rein.	Nov. 1, 1974, and Aug. 6, 1976.