

lots as HUD shall determine to be appropriate to require applicability of this section in individual cases).

(2) "Improved area" means an area of at least the minimum size in which the local government is willing to accept the streets, or the water and sewage systems for maintenance, as appropriate. In the absence of local approval procedures, the term means an area of such size as HUD is willing to process.

(3) "Partially completed", with respect to an improved area, means that:

(i) The local government has accepted the plat of a subdivision or of an improved area, and the plan for its principal development elements and rights-of-way;

(ii) All government approvals to begin development and construction in the improved area have been secured;

(iii) The development or construction of the improved area's streets, water and sewage systems and utilities has proceeded to a point that precludes any major changes; and

(iv) Provisions are in place for continuous maintenance of the streets and water and sewage systems once the improved area is substantially completed.

(4) "Substantially completed", with respect to an improved area, means that:

(i) With the exception of delays approved by the local government and HUD, the improved area's principal development elements have been completed;

(ii) The local government has issued occupancy permits or their equivalent on those new dwellings being processed by HUD for mortgage insurance; and

(iii) The local government does or will accept for continuous maintenance the streets, water and sewage systems.

Where local acceptance for maintenance is not available, adequate provision for private maintenance must be demonstrated. However, with respect to private water and sewer systems, the local government must also certify that public systems are economically infeasible, or that the property is served by a system approved by the Commissioner under Title X of the National Housing Act.

(5) "Principal development elements" include without being limited to, necessary grading, streets, water and sewage systems, utilities, storm drainage, and community facilities, as well as measures and devices for the abatement of nuisances and hazards.

(c) *Procedures.* Applications for insurance to which this section applies shall be processed in accordance with procedures consistent with this section, or in accordance with such instructions

prescribed under the Direct Endorsement Program as the Commissioner may prescribe. Such procedures may provide for endorsement for insurance.

(1) Of a mortgage covering a dwelling located in an improved area in accordance with terms of a commitment issued as described in paragraph (d);

(2) Of a mortgage covering a dwelling located in a subdivision to which paragraph (e) is applicable, in accordance with the terms of a commitment issued as described in paragraph (e);

(3) Of a mortgage covering a dwelling located in a subdivision found acceptable under paragraph (f), in accordance with the terms of a commitment issued as described in paragraph (f).

(d) *Improved areas.* A commitment to insure a mortgage on a dwelling located in an improved area may be issued (or the dwelling appraised for insurance under the Direct Endorsement Program) when:

(1) The improved area is at least partially completed;

(2) There is vehicular access to the finished lot at least to a line beyond the subject site(s), and the lot and block grading are sufficiently finished to permit the appraiser to analyze the influence of adjacent areas on the subject site(s); and

(3) Compliance with applicable HUD and local requirements can be demonstrated. The commitment issued (or Direct Endorsement Program instructions prescribed) with respect to a dwelling located in an improved area appraised in accordance with this paragraph shall require that the improved area be at least substantially completed before endorsement for insurance.

(e) *Local area certification.* The Commissioner may prescribe procedures for certifying the capacity of a local jurisdiction to maintain and enforce acceptable environmental, underwriting and development standards and procedures for the analysis and approval of subdivisions and their principal development elements. A subdivision which is or will be approved by a certified jurisdiction shall not be reviewed by HUD under paragraph (f) of this section, except with regard to elements for which HUD may have conditioned the certification of the jurisdiction. Commitments for insurance of mortgages covering dwellings located in a subdivision to which this paragraph (e) applies may be issued before, during, or after subdivision development.

(f) *Subdivision analysis.* The Commissioner shall prescribe

procedures for analysis of proposed or new subdivisions by HUD for compliance with applicable HUD and local development, underwriting and environmental standards. Such analysis may be conducted (and commitments for insurance of mortgages covering dwelling located in subdivision found acceptable under such procedures may be issued) before, during, or after subdivision development. Such procedures also shall provide for acceptance by HUD, on a fully reciprocal basis, of subdivision approvals issued by the Veterans Administration and Farmers Home Administration.

(g) *Processing fee.* The developer of a subdivision shall pay a nonrefundable fee to cover the costs of processing. The fee shall be paid at the time of filing the Application for Environmental Review. The amount of the fee shall be set by, and may from time to time be changed by, notice published in the *Federal Register*. Any subsequent application involving additional lots must be accompanied by an additional fee payment. In the event the application is incomplete on its face, or is otherwise not acceptable for processing, payment will be returned with the application.

Approved by the Office of Management and Budget under OMB Control Number 2502-0327.

Dated: May 2, 1985.

Shirley McVay Wiseman,

General Deputy Assistant Secretary for Housing—Deputy Federal Housing Commissioner.

[FR Doc. 85-11577 Filed 5-13-85; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 19, 20, 22, 200, and 250

[T.D. ATF-199; Correction]

Distribution and Use of Denatured Alcohol and Rum, and Tax-Free Alcohol; Correction

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

ACTION: Final rule, Treasury decision; correction.

SUMMARY: This final rule corrects technical errors made in FR Doc. 85-5136, published in the *Federal Register* on March 6, 1985 at 50 FR 9151.

EFFECTIVE DATE: June 4, 1985.

FOR FURTHER INFORMATION CONTACT:

John A. Linthicum, FAA, Wine and Beer Branch, (202) 566-7626.

SUPPLEMENTARY INFORMATION: The Bureau of Alcohol, Tobacco and Firearms issued Treasury decision ATF-199 on March 6, 1985, amending regulations in Title 27, Code of Federal Regulations, relating to the industrial use of alcohol. In some cases, this final rule amended regulations that were published in the *Federal Register* on the previous Friday, March 1, 1985 (Treasury decision ATF-198, FR Doc. 85-4200, 50 FR 8455). None of these corrections make any substantive regulation changes and are only intended to improve the clarity of Title 27.

Authority and Issuance

This final rule is issued under the authority contained in 26 U.S.C. 7805 (68A Stat. 917). Accordingly, Title 27, Code of Federal Regulations, is amended as follows:

PART 19—DISTILLED SPIRITS PLANTS

In the middle column of page 9160, in Amendatory Paragraph 5, insert the word "[5150.9]" immediately after the words "Forms 5110.38 and 1479-A".

In the right-hand column of page 9161, in § 19.540(C)(2)(ii)(A), replace the word "nonpermittees" with the words "a nonpermittee".

PART 20—DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM

1. In the left-hand column of page 9163, in the table of sections for Part 20, revise the heading for § 20.119 by inserting the words "not less than" after the word "containing".

2. In the middle column of page 9164, in the definition of *Manufacturer or user* in § 20.11, add the word "or" immediately before the words "to recover".

3. In the middle column of page 9166, in § 20.41(b), replace the words "application of Form 5150.22" with the words "application on Form 5150.22".

4. In the right-hand column of page 9167, in § 20.50, replace the words "error or a permit" with the words "error on a permit".

5. In the right-hand column of page 9168, in § 20.57(b)(1), replace the word "successor" with the word "permittee".

6. In the right-hand column of page 9168, delete the last sentence of § 20.57(b)(2).

7. In the left-hand column of page 9169, in § 20.59(c), replace "§ 20.56" with "§ 20.57(c)".

8. In the middle column of page 9169, in § 20.60, delete the heading of paragraph (a) and delete all of paragraph (b), so that the entire section consists only of the text originally printed as paragraph (a).

9. In the middle column of page 9169, in § 20.63(a), replace "to be made a part of the written notice or the application for a new permit submitted to the regional director (compliance)" with "submitted to the Director".

10. In the left-hand column of page 9170, in the first sentence of § 20.71(d), replace "ATF F 5150.20" with "ATF F 5150.25".

11. In the left-hand column of page 9170, in § 20.71(d), add the following sentence after the first sentence of paragraph: "No bond is required if the permittee is a State, any political subdivision of a State, or the District of Columbia."

12. In the middle column of page 9170, in § 20.73(b), replace "Audit Staff, Bureau of Government Financial Operations" with "Surety Bond Branch, Financial Management Service".

13. In the middle column of page 9173, revise the heading and the first sentence of § 20.119 by inserting the words "not less than" after the word "containing".

14. In the left-hand column of page 9176, in § 20.161(c)(2), delete the words "and date of issue".

15. In the right-hand column of page 9181, in § 20.251(b), replace the word "nonpermittees" with the words "a nonpermittee".

PART 22—DISTRIBUTION AND USE OF TAX-FREE ALCOHOL

16. In the middle column of page 9188, in § 22.57(a)(4), replace the word "with—" with the word "will—".

17. In the left-hand column of page 9189, in § 22.61, delete the heading of paragraph (a) and delete all of paragraph (b), so that the entire section consists only of the text originally printed as paragraph (a).

18. In the right-hand column of page 9189, in § 22.71(b), add the following sentence after the first sentence of the paragraph: "However, no bond is required if the permittee is a State, any political subdivision of a State, or the District of Columbia."

19. In the left-hand column of page 9190, in § 22.73(b), replace "Audit Staff, Bureau of Government Financial Operations" with "Surety Bond Branch, Financial Management Service".

20. In the middle column of page 9192, in § 22.111(c)(2), delete the words "and date of issue".

21. In the middle column of page 9192, in § 22.111(c)(3), replace "Form 5150.9"

with "Form 5150.9, unless the regional director (compliance) authorizes the shipment".

22. In the right-hand column of page 9195, in § 22.172(c), replace the word "authorization" with the word "authorizing".

PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

23. In the middle column of page 9198, in § 250.36(d)(2), replace the word "manufacturers" with the word "manufactures".

24. In the right-hand column of page 9198, in § 250.191, replace the word "permittee" with the word "person".

Dated: April 29, 1985.

Stephen E. Higgins,

Director.

[FR Doc. 85-11510 Filed 5-13-85; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF LABOR**Mine Safety and Health Administration****30 CFR Parts 56 and 57****Recodification of Safety and Health Standards for Metal and Nonmetal Mines; Technical Amendments and Corrections**

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Final rule; technical amendments and corrections.

SUMMARY: This document corrects typographical errors and makes nonsubstantive technical amendments to a final rule that recodified safety and health standards for metal and nonmetal mines, published January 29, 1985 (50 FR 4048).

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, MSHA, (703) 235-1910.

SUPPLEMENTARY INFORMATION: On January 29, 1985, the Mine Safety and Health Administration (MSHA) published a recodification of the health and safety standards for metal and nonmetal mines in Title 30 of the Code of Federal Regulations (50 FR 4048). This document corrects typographical errors in that document and makes the following nonsubstantive technical amendments.

Authority citations are added to Subpart C of Part 56 and Subpart C of Part 57. These authority citations were included in the final rule published on

January 29, 1985 (50 FR 4022) which made substantive changes to the fire prevention and control standards in these subparts. They were inadvertently omitted from the recodification document (50 FR 4048).

The definition for "fire door" in § 57.2 is removed. This definition contains substantive requirements for the construction of fire doors. However, the final rule which made substantive changes to the fire prevention and control standards for underground metal and nonmetal mines (50 FR 4022) no longer uses the term "fire door." The substantive requirements for control doors may now be found in § 57.4760, which concerns ventilation control measures for shaft mines.

The word "This" is added at the beginning of paragraph (b) in §§ 56.4200 and 57.4200 to clarify MSHA's intent that the onsite fire-fighting equipment referred to in paragraph (b) is the same onsite fire-fighting equipment referred to in paragraph (a).

In the introductory paragraph to § 57.4560, reference to Subpart J, Travelways and Escapeways, is removed. "Escapeway" is a defined term under Subpart C, which includes § 57.4560; therefore, the meaning of escapeway is clear without a cross-reference to Subpart J.

This document also corrects two other cross-reference citations: § 57.4057, "30 CFR 18.65" is corrected to read "30 CFR 18.64"; and Table C-3, Control Door Construction, in § 57.4760, "30 CFR 57.5031" is corrected to read "30 CFR 57.8531".

List of Subjects in 30 CFR Parts 56 and 57

Mine safety and health.

Dated: May 2, 1985.

David A. Zegeer,

Assistant Secretary for Mine Safety and Health.

The following technical amendments and corrections are made in FR Doc. 85-1866 beginning on page 4048 in the issue of Tuesday, January 29, 1985:

PART 56—SAFETY AND HEALTH STANDARDS—SURFACE METAL AND NONMETAL MINES

1. On page 4059, column 3, immediately below the subpart heading for Subpart C—Fire Prevention and Control, an authority citation is added. The authority citation reads as follows:

Authority: Sec. 101, Federal Mine Safety and Health Act of 1977, Pub. L. 95-173 as amended by Pub. L. 95-164, 91 Stat. 1291 (30 U.S.C. 811).

2. On page 4060, middle of column 2, the introductory text of paragraph (b) in § 56.4200 is revised to read as follows:

§ 56.4200 General requirements.

(b) This onsite firefighting equipment shall be—

3. On page 4078, middle of column 2, under § 56.19018, the words "close position" are corrected to read "closed position".

PART 57—SAFETY AND HEALTH STANDARDS—UNDERGROUND METAL AND NONMETAL MINES

§ 57.2 [Corrected]

1. On page 4087, under § 57.2, in column 3, the definition of "Fire door" is removed.

2. On page 4090, column 1, immediately below the subpart heading for Subpart C—Fire Prevention and Control, an authority citation is added. The authority citation reads as follows:

Authority: Sec. 101, Federal Mine Safety and Health Act of 1977, Pub. L. 95-173 as amended by Pub. L. 95-164, 91 Stat. 1291 (30 U.S.C. 811).

§ 57.4057 [Corrected]

3. On page 4090, top of column 3, under § 57.4057, "30 CFR 18.65" is corrected to read "30 CFR 18.64".

4. On page 4091, bottom of column 1, the introductory text of paragraph (b) in § 57.4200 is revised to read as follows:

§ 57.4200 General requirements.

(b) This onsite firefighting equipment shall be—

5. On page 4094, top of column 2, § 57.4560 is amended by revising the introductory text to read as follows:

§ 57.4560 Mine entrances.

For at least 200 feet inside the mine portal or collar timber used for ground support in intake openings and in exhaust openings that are designated as escapeways shall be—

6. On page 4095, in Table C-3, in the column under the heading "Minimum required construction," "30 CFR 57.5031" is corrected to read "30 CFR 57.8531". [FR Doc. 85-11553 Filed 5-13-85; 8:45 am]

BILLING CODE 4510-43-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972; Amendment

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Secretary of the Navy has determined that USS DAHLGREN (DDG 43) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with certain provisions of the 72 COLREGS without interfering with its special function as a naval destroyer. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: April 30, 1985.

FOR FURTHER INFORMATION CONTACT: Captain Richard J. McCarthy, JAGC, U.S. Navy Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332-2400, Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605 and Executive Order 11964, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Secretary of the Navy has certified that USS DAHLGREN (DDG 43) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS: Rule 21(a), regarding the arc of visibility of its forward masthead light, and Annex I, section 3(a), regarding the location of the forward masthead light in the forward quarter of the ship and the horizontal distance between the forward and after masthead lights. Full compliance with the above-mentioned 72 COLREGS provisions would interfere with the special functions and purposes of the ship. The Secretary of the Navy has also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and