

lease and management, conservation easement acquisition and management, habitat restoration and improvements, installation of water control devices, riparian fencing, and similar wildlife conservation actions.

Location: The Vancouver Lowlands Wildlife Mitigation Project is located along the western border of Clark County, extending north and west of the City of Vancouver, Washington. It consists of approximately 2123 hectares (5245 acres) of riparian, wetland, and pasture habitat along the Columbia River floodplain. The Columbia River borders the southern and western boundaries of the project area. Major riparian and wetland features of the area include the Columbia River; Vancouver Lake; Lake River; Buckmire and Matthew Sloughs; Shillapoo Lakebed; and Post Office, Round, Green, Curtis, and Campbell Lakes. Several smaller wetlands occur throughout the project area. Land ownership within the project area includes Washington Department of Wildlife, Clark County, Port of Vancouver, Washington Department of Natural Resources, and several private landowners.

Process to Date: A Draft Environmental Assessment was published in March 1995. Since that time, it has been determined that the project area lies within a Cultural Resource District containing a large number of identified cultural resource sites. Therefore, this notice announces BPA's intention to prepare an EIS to evaluate and disclose the environmental effects of funding the proposed wildlife management strategy.

Alternatives Proposed for Consideration: Alternatives to be considered in the Vancouver Lowlands Wildlife Mitigation EIS would include alternative management strategies for improving existing State-owned properties and/or acquisition lands, including wildlife habitat management/improvement, access and/or recreation management, operation and maintenance, and cultural resource management. The EIS would also consider a No Action alternative, i.e., BPA would not fund the acquisition of land or the improvement of wildlife habitat within the Vancouver Lowlands area.

Identification of Environmental Issues: The environmental issues associated with the proposed wildlife mitigation activities include changes in land use, vegetation patterns, wildlife populations, and water use and quality. Additional environmental issues concern protection of historic and cultural resources, recreational

opportunities, and introduction of herbicides into the environment.

Maps and further information are available from BPA at the address above.

Issued in Portland, Oregon, on March 7, 1996.

Randall W. Hardy,

Administrator and Chief Executive Officer.

[FR Doc. 96-6575 Filed 3-18-96; 8:45 am]

BILLING CODE 6540-01-P

Office of Energy Efficiency and Renewable Energy

[Case No. F-085]

Energy Conservation Program for Consumer Products: Granting of the Application for Interim Waiver and Publishing of the Petition for Waiver of Inter-City Products Corporation From the DOE Furnace Test Procedure

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Notice.

SUMMARY: Today's notice grants an Interim Waiver to Inter-City Products Corporation (Inter-City) from the existing Department of Energy (DOE or Department) test procedure regarding blower time delay for the company's NUGM, NUG9, NCGM, GUK, GUM and GCK series furnaces.

Today's notice also publishes a "Petition for Waiver" from Inter-City. Inter-City's Petition for Waiver requests DOE to grant relief from the DOE furnace test procedure relating to the blower time delay specification. Inter-City seeks to test using a blower delay time of 30 seconds for its NUGM, NUG9, NCGM, GUK, GUM and GCK series furnaces instead of the specified 1.5-minute delay between burner on-time and blower on-time. The Department is soliciting comments, data, and information respecting the Petition for Waiver.

DATE: DOE will accept comments, data, and information not later than April 18, 1996.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Codes and Standards, Case No. F-085, Mail Stop EE-43, Room 1J-018, Forestall Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-7140.

FOR FURTHER INFORMATION CONTACT:

Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forestall Building, 1000 Independence Avenue, SW.,

Washington, DC 20585-0121, (202) 586-9138.

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forestall Building, 1000 Independence Avenue, SW., Washington, DC 20585-0103, (202) 586-9507.

SUPPLEMENTARY INFORMATION: The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at Title 10 CFR Part 430, Subpart B.

The Department amended the test procedure rules to provide for a waiver process by adding Section 430.27 to Title 10 CFR Part 430. 45 FR 64108, September 26, 1980. Subsequently, DOE amended the waiver process to allow the Assistant Secretary for Energy Efficiency and Renewable Energy (Assistant Secretary) to grant an Interim Waiver from test procedure requirements to manufacturers that have petitioned DOE for a waiver of such prescribed test procedures. Title 10 CFR Part 430, Section 430.27(a)(2).

The waiver process allows the Assistant Secretary to waive temporarily test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures, or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

An Interim Waiver will be granted if it is determined that the applicant will experience economic hardship if the Application for Interim Waiver is denied, if it appears likely that the Petition for Waiver will be granted, and/or the Assistant Secretary determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the Petition for Waiver. Title 10 CFR Part 430, Section 430.27 (g). An Interim Waiver remains in effect for a period of 180

days or until DOE issues its determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

On January 8, 1996, Inter-City filed an Application for Interim Waiver and a Petition for Waiver regarding blower time delay. Inter-City's Application seeks an Interim Waiver from the DOE test provisions that require a 1.5-minute time delay between the ignition of the burner and starting of the circulating air blower. Instead, Inter-City requests the allowance to test using a 30-second blower time delay when testing its NUGM, NUG9, NCGM, GUK, GUM and GCK series furnaces. Inter-City states that the 30-second delay is indicative of how these furnaces actually operate. Such a delay results in an improvement in AFUE of an average 0.4 to 0.6 percent. Since current DOE test procedures do not address this variable blower time delay, Inter-City asks that the Interim Waiver be granted.

The Department has published a Notice of Proposed Rulemaking on August 23, 1993, (58 FR 44583) to amend the furnace test procedure, which addresses the above issue.

Previous Petitions for Waiver for this type of time blower delay control have been granted by DOE to Coleman Company, 50 FR 2710, January 18, 1985; Magic Chef Company, 50 FR 41553, October 11, 1985; Rheem Manufacturing Company, 53 FR 48574, December 1, 1988, 56 FR 2920, January 25, 1991, 57 FR 10166, March 24, 1992, 57 FR 34560, August 5, 1992; 59 FR 30577, June 14, 1994, and 59 FR 55470, November 7, 1994; Trane Company, 54 FR 19226, May 4, 1989, 56 FR 6021, February 14, 1991, 57 FR 10167, March 24, 1992, 57 FR 22222, May 27, 1992, 58 FR 68138, December 23, 1993, and 60 FR 62835, December 7, 1995; Lennox Industries, 55 FR 50224, December 5, 1990, 57 FR 49700, November 3, 1992, 58 FR 68136, December 23, 1993, and 58 FR 68137, December 23, 1993; Inter-City Products Corporation, 55 FR 51487, December 14, 1990, and 56 FR 63945, December 6, 1991; DMO Industries, 56 FR 4622, February 5, 1991, and 59 FR 30579, June 14, 1994; Heil-Quaker Corporation, 56 FR 6019, February 14, 1991; Carrier Corporation, 56 FR 6018, February 14, 1991, 57 FR 38830, August 27, 1992, 58 FR 68131, December 23, 1993, 58 FR 68133, December 23, 1993, 59 FR 14394, March 28, 1994, and 60 FR 62832, December 7, 1995; Amana Refrigeration Inc., 56 FR 27958, June 18, 1991, 56 FR 63940, December 6, 1991, 57 FR 23392, June 3, 1992, and 58 FR 68130, December 23, 1993; Snyder General Corporation, 56 FR 54960, September 9,

1991; Goodman Manufacturing Corporation, 56 FR 51713, October 15, 1991, 57 FR 27970, June 23, 1992 and 59 FR 12586, March 17, 1994; The Ducane Company Inc., 56 FR 63943, December 6, 1991, 57 FR 10163, March 24, 1992, and 58 FR 68134, December 23, 1993; Armstrong Air Conditioning, Inc., 57 FR 899, January 9, 1992, 57 FR 10160, March 24, 1992, 57 FR 10161, March 24, 1992, 57 FR 39193, August 28, 1992, 57 FR 54230, November 17, 1992, and 59 FR 30575, June 14, 1994; Thermo Products, Inc., 57 FR 903, January 9, 1992; Consolidated Industries Corporation, 57 FR 22220, May 27, 1992; Evcon Industries, Inc., 57 FR 47847, October 20, 1992, and 59 FR 46968, September 13, 1994; Bard Manufacturing Company, 57 FR 53733, November 12, 1992, and 59 FR 30578, June 14, 1994; and York International Corporation, 59 FR 46969, September 13, 1994, 60 FR 100, January 3, 1995, 60 FR 62834, December 7, 1995, and 60 FR 62837, December 7, 1995.

Thus, it appears likely that this Petition for Waiver for blower time delay will be granted. In those instances where the likely success of the Petition for Waiver has been demonstrated based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.

Therefore, based on the above, DOE is granting Inter-City an Interim Waiver for its NUGM, NUG9, NCGM, GUK, GUM and GCK series furnaces. Inter-City shall be permitted to test its NUGM, NUG9, NCGM, GUK, GUM and GCK series furnaces on the basis of the test procedures specified in Title 10 CFR Part 430, Subpart B, Appendix N, with the modification set forth below:

(i) Section 3.0 in Appendix N is deleted and replaced with the following paragraph:

3.0 Test Procedure. Testing and measurements shall be as specified in Section 9 in ANSI/ASHRAE 103-82 with the exception of Sections 9.2.2, 9.3.1, and 9.3.2, and the inclusion of the following additional procedures:

(ii) Add a new paragraph 3.10 in Appendix N as follows:

3.10 Gas- and Oil-Fueled Central Furnaces. After equilibrium conditions are achieved following the cool-down test and the required measurements performed, turn on the furnace and measure the flue gas temperature, using the thermocouple grid described above, at 0.5 and 2.5 minutes after the main burner(s) comes on. After the burner start-up, delay the blower start-up by 1.5 minutes (t-) unless: (1) The furnace employs a single motor to drive the

power burner and the indoor air circulation blower, in which case the burner and blower shall be started together; or (2) the furnace is designed to operate using an unvarying delay time that is other than 1.5 minutes, in which case the fan control shall be permitted to start the blower; or (3) the delay time results in the activation of a temperature safety device which shuts off the burner, in which case the fan control shall be permitted to start the blower. In the latter case, if the fan control is adjustable, set it to start the blower at the highest temperature. If the fan control is permitted to start the blower, measure time delay (t-) using a stop watch. Record the measured temperatures. During the heat-up test for oil-fueled furnaces, maintain the draft in the flue pipe within ± 0.01 inch of water column of the manufacturer's recommended on-period draft.

This Interim Waiver is based upon the presumed validity of statements and all allegations submitted by the company. This Interim Waiver may be removed or modified at any time upon a determination that the factual basis underlying the Application is incorrect.

The Interim Waiver shall remain in effect for a period of 180 days or until DOE acts on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180-day period, if necessary.

Inter-City's Petition for Waiver requests DOE to grant relief from the DOE furnace test procedure relating to the blower time delay specification. Inter-City seeks to test using a blower delay time of 30 seconds for its NUGM, NUG9, NCGM, GUK, GUM and GCK series furnaces instead of the specified 1.5-minute delay between burner on-time and blower on-time. Pursuant to paragraph (b) of Title 10 CFR Part 430.27, DOE is hereby publishing the "Petition for Waiver" in its entirety. The Petition contains no confidential information. The Department solicits comments, data, and information respecting the Petition.

Issued in Washington, DC March 7, 1996.
Christine A. Ervin,
Assistant Secretary, Energy Efficiency and Renewable Energy.
January 8, 1995.
Ms. Christine A. Ervin
Assistant Secretary for Conservation and Renewable Energy
U.S. Department of Energy
Forrestal Building
1000 Independence Ave. SW.
Washington, DC 20585
Subject: Petition For Waiver and Application for Interim Waiver

Dear Assistant Secretary: Petition for waiver and application for interim waiver is requested pursuant to 10 CFR Part 430.27.

Waiver is requested from the test procedures for measuring the energy consumption of furnaces which are found in Appendix N of Subpart B of 10 CFR Part 430. Presently this section requires a 1.5 minute delay between burner ignition and start of the circulating blower.

Inter-City Products Corporation (USA) is requesting to use 30 seconds delay instead of the present 1.5 minutes. Furnace Series NUGM, NUG9, NCGM, GUK, GUM and GCK use an electronic timed blower control delay set at 30 seconds. Test results show an average .4 to .6 percent improvement in the AFUE.

We are confident that this interim and final waiver will be issued since this request is similar to our previous waivers issued at 55 FR 51487 and 56 FR 63945.

Please contact if you have any questions or need any additional information.

Thanks,

Gary K. Strebe,

Sr. Codes Administration Engineer.

[FR Doc. 96-6568 Filed 3-18-96; 8:45 am]

BILLING CODE 6450-01-P

[Case No. CW-003]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver From the Clothes Washer Test Procedure to Miele Appliance Inc.

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Decision and Order.

SUMMARY: Notice is given of the Decision and Order [Case No. CW-003] granting a Waiver to Miele Appliance Inc. (Miele) from the existing Department of Energy (DOE or Department) test procedure for clothes washers. The Department is granting Miele a Waiver from the Department's test procedures for the company's clothes washer models W1903, W1918, and W1930.

FOR FURTHER INFORMATION CONTACT:

P. Marc LaFrance, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585-0121, (202) 586-8423.

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585-0121, (202) 586-9507.

SUPPLEMENTARY INFORMATION: In accordance with 10 CFR 430.27(j),

notice is hereby given of the issuance of the Decision and Order as set forth below. In the Decision and Order, Miele has been granted a Waiver for its clothes washer models W1903, W1918, and W1930, with the following design features that differ from those covered by the existing clothes washer test procedure: an internal electrical heater for heating wash water, a continuously variable wash water temperature control, 208/240 volt electrical power supply, and machine-controlled water fill capability.

Issued in Washington, DC, March 7, 1996.
Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

Background

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, as amended, 42 USC 6291 et seq., which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including clothes washers. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. These test procedures appear at 10 CFR Part 430, Subpart B.

DOE amended the prescribed test procedures by adding 10 CFR 430.27 on September 26, 1980, creating the waiver process. (45 FR 64108). The waiver process allows the Assistant Secretary to temporarily waive the test procedures for a particular basic model when a petitioner shows that the basic model contains one or more design characteristics which prevent testing according to the prescribed test procedures or when the prescribed test procedures may evaluate the basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Waivers generally remain in effect until final test procedure amendments become effective, resolving the problem that is the subject of the waiver.

In accordance with § 430.27 of 10 CFR Part 430, Miele filed a Petition for Waiver and an Application for Interim Waiver on June 2, 1995, regarding its clothes washer models W1903, W1918, and W1930, with the following design features that differ from those covered by the existing clothes washer test procedure: an internal electrical heater for heating wash water, a continuously variable wash water temperature

control, a 208/240 volt electrical power supply, and a machine-controlled water fill capability. On August 10, 1995, Miele was granted an Interim Waiver, and on August 16, 1995, Miele's Petition for Waiver was published in the Federal Register. (60 FR 42553).

Comments were received from the Whirlpool Corporation (Whirlpool). The comments received were sent to Miele for its rebuttal. The Department consulted with the Federal Trade Commission (FTC) concerning the Miele petition. The FTC did not have any objections to the issuance of a waiver to Miele.

Assertions and Determinations

Externally Heated Water

Whirlpool commented that two of Miele's clothes washers have cold and hot water inlets and that these clothes washers should be tested with a hot water supply instead of just a cold water supply, as granted by the Interim Waiver, because consumer's will use external hot water as much as possible to minimize clothes washer operating time. Miele stated that it agreed with Whirlpool in principle, although there are no equations or usage factors currently available that can accommodate a machine that uses both externally heated water in tandem with internal heaters. Furthermore, Miele stated "since the DOE cold water procedure is more stringent than that proposed by Whirlpool, the test procedure [as recommended] in the Petition for Waiver will not produce artificially low energy consumption values." (Miele, letter to DOE dated October 2, 1995).

The Department agrees with Miele that testing a water-heating clothes washer with only a cold water supply will be a more rigorous test because in the current test procedure externally heated water assumes 100 percent efficiency for the water heater, whereas in practice no electric resistance heater is 100 percent efficient. In addition, while the clothes washer is receiving the externally heated water from the water heater, heat will be dissipated into the thermal mass of the clothes washer which then will require the internal heater to maintain the desired temperature.

The current test procedure requires nonwater-heating clothes washers to use externally heated water whose energy consumption is calculated using a 90 °F temperature rise. The Interim Waiver granted to Miele uses cold water and measures energy consumption based on specified clothes washer water bath temperatures. When a hot wash is