

restoration, waste management, and related activities.

Tentative Agenda.

May Meeting Topics

The Hanford Advisory Board will receive information on and discuss issues related to: the Tri-Party Agreement (TPA) Community Relations Plan, DOE budget issues, the status of M-33 negotiations, strategic planning, the Tank Waste Remediation System (TWRS) Draft Environmental Impact Statement, the status of TWRS privatization, TWRS TPA change packet, and the TWRS request for proposal.

Public Participation

The meeting is open to the public. Written statements may be filed with the Committee either before or after the meeting. Individuals who wish to make oral statements pertaining to agenda items should contact Jon Yerxa's office at the address or telephone number listed above. Requests must be received 5 days prior to the meeting and reasonable provision will be made to include the presentation in the agenda. The Designated Federal Official is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Each individual wishing to make public comment will be provided a maximum of 5 minutes to present their comments. Due to programmatic issues that had to be resolved, the Federal Register notice is being published less than fifteen days before the date of the meeting.

Minutes

The minutes of this meeting will be available for public review and copying at the Freedom of Information Public Reading Room, 1E-190, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585 between 9:00 a.m. and 4 p.m., Monday-Friday, except Federal holidays. Minutes will also be available by writing to Jon Yerxa, Department of Energy Richland Operations Office, P.O. Box 550, Richland, WA 99352, or by calling him at (509) 376-9628.

Issued at Washington, DC on April 17, 1996.

Gail Cephas,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 96-9946 Filed 4-22-96; 8:45 am]

BILLING CODE 6450-01-P

Office of Fossil Energy

National Coal Council; Notice of Open Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770), notice is hereby given of the following meeting:

Name: National Coal Council.
Date and Time: Thursday, May 16, 1996, 9:00 a.m.

Place: Ritz-Carlton Washington, 2100 Massachusetts Avenue, N.W., Washington, D.C.

Contact: Margie D. Biggerstaff, U.S. Department of Energy, Office of Fossil Energy (FE-5), Washington, D.C. 20585; Telephone: 202/586-3867.

Purpose of the Council: To provide advice, information, and recommendations to the Secretary of Energy on matters relating to coal and coal industry issues.

Tentative Agenda

- Call to order and opening remarks by Joseph Craft III, Chairman of the National Coal Council.
- Approval of final agenda.
- Remarks by the Honorable Hazel R. O'Leary, Secretary of Energy.
- Remarks by the Honorable Elizabeth Ann Moler, Chairman, Federal Energy Regulatory Commission. (Invited)
- Remarks by the Honorable Bob Armstrong, Assistant Secretary for Land and Minerals Management, Department of the Interior. (Invited)
- Remarks by the Honorable Fred J. Hansen, Deputy Administrator, Environmental Protection Agency. (Invited)
- Report of the Coal Policy Committee.
- Administrative matters.
- Election of 1996-97 Officers.
- Discussion of any other business properly brought before the Council.
- Public comment—10-minute rule.
- Adjournment.

Public Participation: The meeting is open to the public. The Chairman of the Council is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Council will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements pertaining to agenda items should contact Margie D. Biggerstaff at the address or telephone number listed above. Requests must be received at least five days prior to the meeting and reasonable provisions will be made to include the presentation on the agenda.

Transcript: Available for public review and copying at the Public Reading Room, Room 1E-190, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C., between 9:00 a.m. and 4:00 p.m., Monday through Friday, except Federal holidays.

Issued at Washington, D.C., on April 17, 1996.

Gail Cephas,

Acting Deputy Advisory Committee Management Officer.

[FR Doc. 96-9942 Filed 4-22-96; 8:45 am]

BILLING CODE 6450-01-P

PLD Advanced Automatic Systems, Inc.

AGENCY: Department of Energy, Office of the General Counsel.

ACTION: Notice of Intent to Grant Exclusive Patent License.

SUMMARY: Notice is hereby given of an intent to grant to PLD Advanced Automation Systems, Inc., of Rockledge, Florida, an exclusive license to practice the invention described in U.S. Patent No. 4,942,339, entitled "Intense, Steady State, Electron Beam Generator." The invention is owned by the United States of America, as represented by the Department of Energy (DOE). The proposed license will be exclusive for a specified duration, subject to a license and other rights retained by the U.S. Government, and other terms and conditions to be negotiated. DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. § 209(c), unless within 60 days of this notice the Assistant General Counsel for Technology Transfer and Intellectual Property, Department of Energy, Washington, D.C. 20585, receives in writing any of the following, together with supporting documents:

- (i) A statement from any person setting forth reasons why it would not be in the best interests of the United States to grant the proposed license; or
- (ii) An application for a nonexclusive license to the invention, in which applicant states that he has already brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

DATES: Written comments or nonexclusive license applications are to be received at the address listed below no later than June 24, 1996.

ADDRESSES: Office of Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

FOR FURTHER INFORMATION: Robert J. Marchick, Office of the Assistant General Counsel for Technology Transfer and Intellectual Property, U.S. Department of Energy, Forrestal Building, Room 6F-067, 1000 Independence Avenue, Washington, D.C. 20585; Telephone (202) 586-4792.

SUPPLEMENTARY INFORMATION: 35 U.S.C. 309(c) provides the Department with authority to grant exclusive or partially exclusive licenses in Department-owned inventions, where a determination can be made, among other things, that the desired practical application of the invention has not been achieved, or is not likely expeditiously to be achieved, under a nonexclusive license. The statute and implementing regulations (37 C.F.R. 404) require that the necessary determinations be made after public notice and opportunity for filing written objections.

PLD Advanced Automation Systems, Inc., of Rockledge, Florida, has applied for an exclusive license to practice the invention embodied in U.S. Patent No. 4,942,339, and has a plan for commercialization of the invention.

The proposed license will be exclusive as defined above, subject to a license and other rights retained by the U.S. Government, and subject to a negotiated royalty. The Department will review all timely written responses to this notice, and will grant the license if, after expiration of the 60-day notice period, and after consideration of written responses to this notice, a determination is made, in accordance with 35 U.S.C. 209(c), that the license grant is in the public interest.

Issued in Washington, D.C., on April 16, 1996.

Agnes P. Dover,

Deputy General Counsel for Technology Transfer and Procurement.

[FR Doc. 96-9943 Filed 4-22-96; 8:45 am]

BILLING CODE 6450-01-P

Office of Energy Efficiency and Renewable Energy

[Case No. DH-005]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver From the Vented Home Heating Equipment Test Procedure to Superior Fireplace Company

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. DH-005) granting a Waiver to Superior Fireplace Company (Superior) from the existing Department of Energy (DOE or Department) test procedure for vented home heating equipment. The Department is granting Superior's Petition for Waiver regarding pilot light

energy consumption for manually controlled heaters in the calculation of Annual Fuel Utilization Efficiency (AFUE), and calculation procedure for weighted average steady state efficiency for manually controlled heaters with various input rates for its models GI-3821, DSH-36T, DVH-33R, DVH-33T, DVA-33R, and DVA-33T manually controlled vented heaters.

FOR FURTHER INFORMATION CONTACT:

William W. Hui, 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) 586-9145

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

SUPPLEMENTARY INFORMATION: In accordance with Title 10 CFR 430.27(j), notice is hereby given of the issuance of the Decision and Order as set out below. In the Decision and Order, Superior has been granted a Waiver for its models GI-3821, DSH-36T, DVH-33R, DVH-33T, DVA-33R, and DVA-33T manually controlled vented heaters, permitting the company to use an alternate test method in determining AFUE.

Issued in Washington, DC, on April 4, 1996.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

Decision and Order, Department of Energy, Office of Energy Efficiency and Renewable Energy

In the Matter of: Superior Fireplace Company (Case No. DH-005)

Background

The Energy Conservation Program for Consumer Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act, Public Law 94-163, 89 Stat. 917, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including vented home heating equipment. 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 prescribed test procedures by adding

Title 10 CFR 430.27 to create a waiver process. 45 FR 64108, September 26, 1980. Thereafter, DOE further amended its appliance test procedure 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. 51 FR 42823, November 26, 1986.

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.

Superior filed a "Petition for Waiver" dated August 30, 1995, a second letter, dated November 30, 1995, which requested modification to the minimum fuel input rate of the vented heaters previously submitted for consideration, and a third letter dated January 12, 1996, which provided a list of companies that make similar products, confidential product performance data, and amending the list of models submitted for consideration in the August 30, 1995, Waiver request, in accordance with section 430.27 of Title 10 CFR Part 430. The Department published in the Federal Register on February 14, 1996, Superior's Petition and solicited comments, data and information respecting the Petition. 61 FR 5755, February 14, 1996. Superior also filed an "Application for Interim Waiver" under section 430.27(b)(2), which DOE granted on February 1, 1996. 61 FR 5755, February 14, 1996.

No comments were received concerning either the "Petition for Waiver" or the "Interim Waiver." The Department consulted with The Federal Trade Commission (FTC) concerning the Superior Petition. The FTC did not have any objections to the issuance of the waiver to Superior.

Assertions and Determinations

Superior's Petition seeks a waiver from the DOE test provisions regarding (a) pilot light energy consumption for manually controlled heaters in the calculation of AFUE and (b) calculation procedure for weighted average steady