Information Resources Group publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment at the address specified above. Copies of the requests are available from Patrick J. Sherrill at the address specified above.

Dated: April 18, 1996.

Gloria Parker,

Director, Information Resources Group.

Office of Elementary and Secondary Education

Type of Review: New.

Title: Even Start Family Literacy Program Women's Prison Project.

Frequency: One Time.

Affected Public: Business or other for-profit; Not-for-profit institutions, State, local or Tribal Gov't, SEAs and LEAs.

Annual Reporting and Recordkeeping Burden:

Responses: 100.

Burden Hours: 1,500.

Abstract: The Even Start Family Literacy Program Women's Prison Project is designed such that the grantee will operate a family literacy project in a prison that houses women and their preschool-aged children.

[FR Doc. 96–10042 Filed 4–23–96;8:45 am]

BILLING CODE 4000–01–P

[CFDA No.: 84.314A]

Even Start Statewide Family Literacy Initiative Grants; Notice Extending the Application Deadline Date for New Even Start Statewide Family Literacy Initiative Grant Awards With Fiscal Year (FY) 1995 Funds

SUMMARY: The Secretary extends the deadline date for the submission of applications for new Even Start Statewide Family Literacy Initiative grant awards with FY 1995 funds to May 31, 1996. A notice was published in the Federal Register on March 26, 1996 (61 FR 13358) specifying that the application deadline for these awards was May 10, 1996. In response to requests from the public for a longer period to prepare applications, the Department has decided to extend the application deadline.

FOR APPLICATIONS OR INFORMATION CONTACT: Patricia McKee, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 600 Independence Avenue, S.W. (4400, Portals), Washington, DC 20202–6132. Telephone (202) 260–0991. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Program Authority: 20 U.S.C. 6362(c).

Dated: April 18, 1996.

Gerald N. Tirozzi,

Assistant Secretary, Elementary and Secondary Education.

[FR Doc. 96–10010 Filed 4–23–96; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[Case No. CW–004]

Energy Conservation Program for Consumer Products: Granting of the Application for Interim Waiver and Publishing of the Petition for Waiver of General Electric Appliances From the DOE Clothes Washer Test Procedure

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

ACTION: Notice.

SUMMARY: Today's notice grants an Interim Waiver to General Electric Appliances (GEA) and publishes GEA's Petition for Waiver from the existing Department of Energy (DOE or Department) clothes washer test procedure regarding wash temperature selections and automatic water fill capability for its clothes washer model WZSE5310 (Monogram brand).

GEA seeks a waiver because its clothes washer model WZSE5310 has the following design features that differ from those covered by the existing DOE clothes washer test procedures: five wash temperatures (a cold, three warms and a hot) in a primary mode (factory preset), 34 wash temperatures in a secondary programming mode (i.e., a customizing feature), and a consumer selectable manual or automatic water fill capability. GEA seeks to test wash temperature selections by averaging the three warm wash temperatures (warm-hot/cold, warm/cold and warm-cold/cold) in the primary mode and then applying the existing test procedure Temperature Use Factors (TUFs) for a three temperature machine (hot/cold, warm/cold and cold/cold). In regard to consumer selectable water fill capability, GEA proposes to use the existing test procedure manual fill provision. DOE is soliciting comments and information regarding the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than May 24, 1996.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. CW–004, Mail Stop EE–431, Room 1J–018, Forrestal Building, 1000 Independence Avenue SW., Washington, DC, 20585–0121 (202) 586–7140.

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 20585–0103, (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), 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 Title 10 CFR Part 430, Subpart B.

DOE amended the test procedure rules to provide for a waiver process by adding § 430.27 to Title 10, CFR Part 430. (45 FR 64108, September 26, 1980). Thereafter, DOE further amended the 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 from such prescribed test procedures. (51 FR 42823, November 26, 1986).

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.

The Interim Waiver provisions, added by the 1986 amendment, allow the Assistant Secretary to grant an Interim Waiver when 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. 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 October 9, 1995, GEA filed a Petition for Waiver and an Application for Interim Waiver regarding its clothes washer model WZSE5310. The design features that differ from those covered by the existing clothes washer test procedure are: Five wash temperatures (a cold, three warms and a hot) in a factory preset primary mode, 34 wash temperature selections in a secondary programming mode which may be substituted for the factory preset temperatures, and a consumer activated choice of a manual or automatic water fill capability.

GEA proposed testing either the higher of the factory preset temperature selection or the mean of the adjustable range of the secondary programming mode temperature selections. This results in GEA seeking to test the wash temperature selections by averaging the warm wash temperatures in the primary (factory preset) mode and then applying the Temperature Use Factors (TUFs) for a three temperature machine (hot/cold, warm/cold and cold/cold) found in the existing test procedure at Section 5.3 of Appendix J to Subpart B. In regard to consumer selectable water fill capability, GEA proposes to use the existing test procedure manual fill provision.

Discussion of Comments

Wash Temperature Selections

The Department received comments about the GEA Interim Waiver Application and Petition for Waiver request from Asko Inc. (ASKO), Maytag and Admiral Products (Maytag), Speed Queen Company (Speed Queen), Whirlpool Corporation (Whirlpool) and White Consolidated Industries, Inc. (White Consolidated).[1] All commenters opposed GEA's proposed method to test the higher of the factory preset or the mean of the secondary programming mode temperature selection range. All commenters believed that the hottest setting available in the secondary programming mode (126 °F) should be tested in lieu of the hottest setting available at the factory preset (120 °F) for hot.

Some commenters proposed various methods on how to test the GEA clothes washer. Maytag believed the hottest settings available in the secondary programming mode should be tested and the warm wash temperatures averaged. Speed Queen believed that the clothes washer should be tested in the factory preset mode and in the secondary programming mode (hottest settings available), and then new TUFs should be applied to the two modes. Whirlpool believed that the Association of Home Appliance Manufacturers (AHAM) proposed test procedure[2] should be directly applied to the secondary programming mode, thus the hottest setting available and coldest setting available would be tested, along with the testing and averaging of all warm wash (intermediate) temperatures. White Consolidated believed that the AHAM test procedure should not be applied, that the hottest hot, hottest cold and either hottest middle warm or hottest higher warm of the secondary programming mode should be tested (it was unclear to the Department which one was being recommended).

GEA provided a rebuttal comment that the current test procedure requires the testing of the ''hottest setting available'' and states that ''the only 'setting' on the new Monogram machine is the main temperature selection pads on the control panel. This use of the term 'setting' is its normal and conventional meaning.'' GEA believed that there is no basis to test in the secondary programming mode and that Australian survey data indicates that the secondary programming mode is used only six percent of the time. GEA continued to say that its original proposal is preferable, but if the AHAM test procedure were to be applied to the secondary programming mode, then it believes new TUFs should be allowed.

The Department believes that the ''hottest setting available'' refers to available on the clothes washer and not any particular mode of a clothes washer because the rule language (Section 3.2.2.2) clearly states ''For automatic clothes washers set the wash/rinse temperature selector to the hottest setting available (hot/warm).'' Based on the information and comments available, if the existing test procedure is applied to the GEA clothes washer, the Department believes that the hottest setting available on the clothes washer should be tested for the hot setting. Furthermore, the Department believes this philosophy should be extended to the warm and cold wash temperature settings because this is the industry's basic interpretation[3] of the test procedure.

Concerning GEA's two intermediate warm temperatures [one warm temperature which is equally hotter than the median warm (warm-hot/cold) and one which is equally colder than the median warm (warm-cold/cold)], the Department believes that these temperature selections do not have to be tested. The Department believes that consumers are just as likely to choose the hotter warm (warm-hot/cold) as they are to choose the cooler warm (warm-cold/cold). This position has been supported by White Consolidated. Furthermore, on November 24, 1992, the Department rejected a Petition for Waiver from Maytag which had a clothes washer with intermediate warm temperatures (half hot and half warm; and half warm and half cold) and indicated that it ''could be tested using the existing test procedure by neglecting the intermediate temperature settings.'' The Department also acknowledges that

[1] Comments are available upon request at the address provided at the beginning of today's notice.

[2] On March 23, 1995, DOE published a proposed rule to amend the clothes washer test procedure. (56 FR 15330). In response to the Department's Proposed Rule, AHAM proposed a new test procedure to become effective concurrently with the anticipated future clothes washer standards. The Department supports AHAM's effort in developing a new test procedure and will address issues regarding that test procedure under the appropriate rulemaking (Docket No. EE-RM–94–230). Although a number of comments reference the proposed AHAM test procedures, the Department does not believe that it can be used to establish testing procedures for issues covered by the existing test procedures. If the issues are not covered by the existing test procedure, then the AHAM proposed test procedure may have merit.

[3] Manufacturers have voluntarily made this interpretation for temperature selections other than hot. The Department is aware of at least one manufacturer who has tested the hottest of a similarly labeled temperature selection (i.e. auto cold/cold 70/80 °F was tested in lieu of cold/cold 60 °F).

this approach will be equivalent to averaging all three warm wash temperature selections, but it will reduce the test burden. Therefore, today's Interim Waiver being granted to GEA requires that the hottest setting available of the hot/cold (126 °F), warm/cold (101 °F) and cold/cold (66 °F) temperature selections be tested in the secondary programming mode. The Department requests comments about the test method provided to GEA in the Interim Waiver and recommendations for alternatives, if appropriate, considering today's publication.

Automatic Water Fill Capability

GEA did not request a waiver from the existing test procedure to test its automatic water fill capability feature. However, Asko, Maytag, Speed Queen and Whirlpool had concerns about this feature. Maytag believed that testing in the manual mode is acceptable, as long as all rinse cycles are cold because due to the clothes washer sensing capability, additional rinse water may be added. Asko, Speed Queen and Whirlpool believed that the automatic water fill capability should be tested primarily because they believe that GEA will market the energy saving potential of the automatic water fill capability. In addition, Asko indicated that the automatic water fill feature may use more energy than the manual fill mode. Speed Queen and Whirlpool believed that the AHAM proposed test procedure should be used for the testing.

GEA rebutted that the existing test procedure requires the minimum and maximum fill settings be tested and that its machine can be tested in the manual mode with the minimum and maximum settings and a waiver was not required.

The Department agrees with GEA that its clothes washer can be tested with the existing test procedure regarding water fill. However, a second requirement for a Waiver is whether a test procedure evaluates a basic model in a manner so unrepresentative of its true energy consumption as to provide materially inaccurate comparative data. Therefore, the issues regarding GEA's clothes washer raised by the commenters have merit. GEA has stated to the Department that when applying the existing test procedure test loads and minimum and maximum usage fill factors its clothes washer uses less energy when the automatic water fill mode (as preset from the factory) is used versus the manual mode. However, the ''sensitivity'' or relative fill amounts of the automatic water fill mode can be reprogrammed in the secondary programming mode, thus resulting in an increase in energy consumption above the manual mode result.

The Department believes that the GEA clothes washer should be tested to capture both the automatic water fill mode and the manual water fill mode since both options are available to the consumer. This can be achieved by testing and averaging the two. This is consistent with the Department's historical position when actual consumer usage habits have not been known.[4] However, the programmability of the automatic water fill capability presents some difficulties. First, the Department believes that the most energy intensive mode of the automatic fill capability should be tested because this option is available to the consumer through secondary programming. However, on the other hand, to only test the most energy intensive mode of automatic fill capability which is more energy intensive than the factory preset, does not appear to be entirely fair because the consumer may also choose to set the automatic water fill mode to a lower, or less energy intensive mode than the factory preset. Therefore, on an interim basis until additional comments and hopefully statistically significant data can be provided, the Department believes that averaging of the least energy intensive and most energy intensive modes for automatic water fill capability is the best method to use to determine the energy use in the automatic water fill mode. This result shall then be averaged with the test result from the primary manual water fill mode. The Department requests comments on this test method and submission of statistically significant consumer usage data, if available.

Test Loads/Usage Factors

With regard to activating the automatic water fill capability, Whirlpool stated that GEA should use the test loads specified in the AHAM proposed test procedure. The AHAM proposed test procedure specifies larger test loads which more accurately reflects actual consumer usage habits and requires additional testing for ''average'' size loads. The Department does not agree with Whirlpool because presently one manufacturer, Asko, has been granted a Waiver (59 FR 15719, April 4, 1994) for its clothes washers with automatic water fill capability that uses the existing test procedure test loads to activate the maximum and minimum fills and uses the existing test procedure usage fill factors. Imposing larger test loads on GEA and requiring additional testing would put GEA at a competitive disadvantage because its competitors are allowed to use the requirements of the existing test procedure. Therefore, the Interim Waiver granted to GEA today uses a 3 pound test load to activate the minimum fill test with the current 0.28 usage fill factor, and a 7 pound test load to activate the maximum fill test with the current 0.72 usage fill factor. In addition, the Department has used the AHAM proposed rule language, where warranted. For example, the term ''adaptive water fill control system'' was used in lieu of ''automatic water fill capability.''

Warm Rinses

Maytag and Speed Queen expressed concerns about the GEA machine possibly having warm rinses. Speed Queen indicated that although GEA stated that the normal cycle did not have a warm rinse, it was concerned about other cycles possibly having warm rinses. Speed Queen referenced the Department's rulemaking regarding normal cycle temperature selection lockouts (Energy Conservation Program for Consumer Products, Docket No. EE-RM–93–701) and indicated that if a warm rinse was available, then it should be handled similarly to that rulemaking. Maytag was concerned about possible additional hot water use for a warm rinse during an automatic water fill function. The Department has learned that GEA's clothes washer does have a warm rinse in the wool cycle. Presently, the test procedure does not allow for testing of temperature selections in non-normal cycles, so GEA is not required to test it. However, when the rulemaking for the normal cycle temperature selection lockout (Docket No. EE-RM–93–701) is finalized, it is likely that the requirements of that rule will require GEA and other manufacturers to test warm rinses in cycles other than the normal cycle.

Justification

(a) Economic Hardship

GEA stated that it currently did not have a Monogram brand product in its home laundry line. GEA indicated that delay of the introduction of its clothes washer would also impact the introduction of its Monogram dryer.

Asko, Whirlpool and White Consolidated all provided comments about the justification GEA provided to support its Application for Interim Waiver. In regard to economic hardship, they all basically provided comments that GEA did not demonstrate economic

[4] For example, the dishwasher test procedure uses a 50 percent usage factor for unheated dry option. (42 FR 15423, March 17, 1977).

hardship. GEA rebutted indicating that the requirements of 10 CFR, Part 430, § 430.27(g) state that an Interim Waiver be granted if the applicant will experience economic hardship, or if it appears likely that the waiver will be granted, or if the waiver is desirable for public policy reasons. GEA did not provide specific rebuttal relative to economic hardship.

The Department agrees with Asko, Whirlpool and White Consolidated that GEA did not demonstrate economic hardship. The failure to sell a particular clothes washer and/or clothes dryer for a corporation the size of GEA would most likely not result in economic hardship. However, if this were to be considered further, GEA would have to provide specific data to justify that failure to sell its clothes washer would demonstrate economic hardship.

(b) Likely Approval of the Petition for Waiver

GEA indicated that the Petition for Waiver was likely to be granted because the GEA proposed test procedure conforms, as much as possible, with the industry supported AHAM proposed test procedure. Asko disagreed with GEA's assertion that its petition conforms with the AHAM proposed test procedure. Asko believed that GEA should conduct field testing per the provisions of the proposed AHAM test procedure.

The Department believes that it is likely that the Petition for Waiver (with possible modification) will be granted to GEA because its clothes washer has features that cannot be tested per the existing test procedure. Furthermore, if the features of the GEA clothes washer were not tested, then the test results of the GEA clothes washer may be materially unrepresentative of its true energy consumption. The availability of 34 wash temperature selections is different than traditional clothes washers, although the basic technology is not novel; an acceptable test procedure can be developed for it. The Department has addressed the technical issues, i.e., wash temperature selections, automatic water fill capability, test loads, and warm rinse, raised by commenters in the Interim Waiver being granted to GEA today.

Also, the Department has previously granted a Waiver to another manufacturer (Asko, as indicated above) regarding automatic water fill capability. Thus, it is likely that the Petition for Waiver will be granted to GEA. Although the Department has concerns about the secondary programming mode for automatic water fill capability, the Department is requiring testing of the most and least energy intensive condition until data and/or additional comment is received.

With regard to field testing, presently no requirement exists. However, the Department would support that effort, if it resulted in the gathering of statistically significant usage data for automatic water fill capability and the use of the secondary programming mode. The Department does acknowledge that if, in the future, a Waiver is granted to GEA, it could be changed significantly from today's Interim Waiver based on public comment or statistically significant consumer usage data, if submitted.

(c) Public Policy

GEA indicated that its clothes washer was equipped with high spin speed, up to 1000 revolutions per minute (RPM), which results in significant energy savings in the dryer. GEA also indicated that its clothes washer has automatic water fill capability which is anticipated to save energy in a consumer's home.

Asko stated that the GEA product is not revolutionary. Asko also stated that GEA's claim in its Petition is inconsistent with the GEA position presented publicly to DOE. (DOE hearing on July 12, 1995, for Docket No. EE–RM–94–230). Asko's concern is that GEA argued to DOE that remaining moisture content (RMC) should have no bearing on energy use or energy credits. Whirlpool believed GEA failed to provide a basis that its clothes washer will save energy. Furthermore, Whirlpool believed that until such time the test procedure and standards address reduced RMC, it should not be considered for granting the Petition.

GEA provided rebuttal, and stated that although it ''argued that a clothes washer energy efficiency standard based on a mandatory RMC requirement is inappropriate, it has consistently supported the energy savings benefits of reduced RMC.'' (GEA rebuttal comment of November 9, 1995, page 4). GEA also indicated that its clothes washer will achieve RMC levels of less than 40 percent which would result in approximately $20/year savings versus a clothes washer with 62 percent RMC.

The Department believes that the GEA clothes washer offers technology that has the possibility of saving significant amounts of energy. The Administration is committed to promoting energy efficient technologies, such as, clothes washers with automatic water fill capability and high spin speed. The Department has estimated that a clothes washer with 40 percent RMC will save approximately $15/year for consumers (weighted between gas and electric dryers) or approximately 40 percent of the cost to run their dryers versus a clothes washer with 62 percent RMC.[5] Although RMC provisions are not reflected in the current test procedure,[6] the Department promotes energy efficiency improvements for consumer products. In addition, the GEA clothes washer is a vertical-axis clothes washer which has a RMC level below 40 percent. The Department is not aware of any vertical-axis clothes washer with that low level of RMC. With regard to automatic water fill capability, the laundry industry has submitted shipment weighted average data to the Department indicating that the automatic water fill feature would save approximately 11 percent of the energy consumed in a clothes washer.[7]

Whirlpool expressed a concern that the GEA clothes washer may not meet the minimum energy conservation standard.[8] GEA rebutted that if its clothes washer were tested per its submitted Application, then it would exceed the minimum energy conservation standard. GEA is required to certify with the Department that its clothes washer meets the standard before it distributes the machine in commerce.

Therefore, based on the likely approval of the Petition for Waiver and for public policy reasons, the Department grants GEA an Interim Waiver from the DOE test procedures for its clothes washer model WZSE5310. GEA shall be permitted to test its clothes washer on the basis of the test procedures specified in 10 CFR Part 430, Subpart B, Appendix J, with the following modifications:

(i) Add new sections, 1.19 through 1.21 in Appendix J to read as follows:

1.19 *''Adaptive water fill control system''* refers to a clothes washer water fill control system which is capable of automatically adjusting the water fill level based on the size or weight of the test load placed in the clothes container, without allowing or requiring consumer intervention and/or actions.

1.20 *''Manual water fill control system''* refers to a clothes washer water

[5] See the Department's preliminary Engineering Analysis, comment 40 on Docket No. EE–RM–94–403. Also, 62 percent RMC represents the current industry shipment weighted average for clothes washers.

[6] The Department has proposed this, see Docket No. EE–RM–94–230.

[7] See AHAM comment No. 38, Docket No. EE–RM–94–403.

[8] The Department has imposed minimum energy conservation standards for consumer products (see 10 CFR, Part 430, Section 430.32). The Department is also presently reviewing the clothes washers standards to determine if they need to be more stringent (see Docket No. EE–RM–94–403).

fill control system which requires the consumer to determine or select the water fill level.

1.21 ''Secondary programming mode'' means an auxiliary function used to adjust temperature, water level, rinse options or other characteristics of the machine. The user must not be able to access these adjustments from the normal operating mode of the machine, and access to the secondary mode must not be necessary to operate the machine.

(ii) Section 2.8 through 2.8.2.2 in Appendix J shall be deleted and replaced with the following:

2.8 Use of test loads.

2.8.1 Top-loader-vertical-axis clothes. The top-loader clothes washer shall be tested without a test load, except for clothes washers equipped with an adaptive water fill control system. Clothes washers equipped with an adaptive water fill control system shall use a test load per section 2.8.2.

2.8.2 Front-loader and top-loader-vertical-axis with an adaptive water fill control system, clothes washers.

2.8.2.1 Standard size clothes washer. When the maximum water fill level is being tested, the test load shall be seven pounds as described in section 2.7.1. When the minimum water fill level is being tested, the test load shall be three pounds as described in section 2.7.2.

2.8.2.2 Compact size clothes washer. When either the maximum or minimum water fill levels are being tested, the test load shall be as described in section 2.7.2.

(iii) Section 3.2 in Appendix J shall be deleted and replaced with the following:

3.2 Test cycle. Establish the test conditions set forth in 2 of this Appendix. For clothes washers with both an adaptive water fill control system and a manual water fill control system, test both the manual and adaptive modes. Additionally, for clothes washers equipped with more than one adaptive water fill control selection, including clothes washers with secondary programming modes, test the selection that will result in the maximum energy consumption and the selection that will result in the minimum energy consumption.

(iv) Section 3.2.2.2 in Appendix J shall be deleted and replaced with the following:

3.2.2.2 For automatic clothes washers, set the wash/rinse temperature selector to the hottest setting available (hot/warm), including a secondary programming mode.

(v) Section 3.2.2.6 in Appendix J shall be deleted and replaced with the following:

3.2.2.6 For automatic clothes washers repeat sections 3.2.2.3, 3.2.2.4, and 3.2.2.5 for each of the other wash/rinse temperature selections available that use hot water, including a secondary programming mode. For clothes washers with multiple warm wash temperature selections, test only the median warm wash setting at the hottest temperature available. For clothes washers that have a cold wash which uses hot water, test using the hottest temperature available.

(vi) Section 4.1 in Appendix J shall be deleted and replaced with the following:

4.1 Per-cycle temperature-weighted hot water consumption for maximum and minimum water fill levels. For the manual water fill and the adaptive water fill (the maximum energy consumption adaptive water fill and the minimum energy consumption adaptive water fill, if needed), calculate for the cycle under test the per-cycle temperature weighted hot water consumption for the maximum water fill level, V_{max}, and for the minimum water fill level, V_{min}, expressed in gallons per cycle and defined as:

$$\left(V_{max}\right)_{manual} = X_1 \sum_{i=1}^{n}\left[V_i \times TUF_i\right] + X_2\left[TUF_W \times Sh_H\right] \quad \text{for manual water fill}$$

$$\left(V_{max}\right)_{adaptive} = X_1 \sum_{i=1}^{n}\left[V_i \times TUF_i\right] + X_2\left[TUF_W \times Sh_H\right] \quad \text{for adaptive water fill}$$

where:

V_i=reported hot water consumption in gallons per cycle at maximum fill for each wash/rinse TUF combination setting, as provided in section 3.2.2.

TUF_i=applicable temperature use factor in section 5 or 6.

n=number of wash/rinse TUF combination setting available to the user for the clothes washer under test.

TUF_w=temperature use factor for warm wash setting.

For clothes washers equipped with the suds-saver feature:

X_1=frequency of use without the suds-saver feature=0.86.

X_2=frequency of use with the suds-saver feature=0.14.

Sh_H=fresh make-up water measured during suds-return cycle at maximum water fill level.

For clothes washers not equipped with the suds-saver feature:

X_1=1.0

X_2=0.0

and

$$\left(V_{min}\right)_{manual} = X_1 \sum_{j=1}^{n}\left[V_j \times TUF_j\right] + X_2\left[TUF_W \times Sh_L\right] \quad \text{for manual water fill}$$

$$\left(V_{min}\right)_{adaptive} = X_1 \sum_{j=1}^{n}\left[V_j \times TUF_j\right] + X_2\left[TUF_W \times Sh_L\right] \quad \text{for adaptive water fill}$$

where:

V_j=reported hot water consumption in gallons per cycle at minimum fill for each wash/rinse TUF combination setting, as provided in section 3.3.3.

TUF_j=applicable temperature use factor in section 5 or 6.

Sh_L=fresh hot make-up water measured during suds-return cycle at minimum water fill level.
n=as defined above.
TUF_w=as defined above.
X_1=as defined above.
X_2=as defined above.

For clothes washers that have more than one adaptive water fill control selection, the $(V_{max})_{adaptive}$ (s) and $(V_{min})_{adaptive}$ (s) calculated for the maximum and the minimum energy consumption tests shall be averaged respectively, to report a single $(V_{max})_{adaptive}$ and $(V_{min})_{adaptive}$ to be used in 4.2 for additional calculations.

(vii) Section 4.2 in Appendix J shall be deleted and replaced with the following:

4.2 Total per-cycle hot water energy consumption for maximum and minimum water fill levels. Calculate the total per-cycle hot water energy consumption for the maximum water fill level, E_{max}, and for the minimum water level, E_{min}, for both the manual and adaptive fills, expressed in kilowatt-hours per cycle, as follows:

$$E_{max} = 0.5 \times \left[\left[(V_{max})_{manual} \times T \times K \times MF \right] + \left[(V_{max})_{adaptive} \times T \times K \times MF \right] \right]$$

where,
MF=Multiplying factor to account for the absence of a test load=0.94 for top-loader clothes washers that are sensor filled, 1.0 for top loader clothes washers that are time-filled, 1.0 for all front-loader clothes washers, and 1.0 for adaptive fill tests.
T=Temperature rise=90°F.
K=Water specific heat in kilowatt-hours per gallon degree F=0.0024.
$(V_{max})_{manual}$, $(V_{max})_{adaptive}$=As defined in section 4.1.

$$E_{min} = 0.5 \times \left[\left[(V_{min})_{manual} \times T \times K \times MF \right] + \left[(V_{min})_{adaptive} \times T \times K \times MF \right] \right]$$

and
where,
MF=As defined above.
T=As defined above.
K=As defined above.
$(V_{min})_{manual}$, $(V_{min})_{adaptive}$=As defined in section 4.1.

(viii) Section 4.4 in Appendix J shall be deleted and replaced with the following:

4.4 Per-cycle machine electrical energy consumption. The values recorded in section 3.3.1 are the per-cycle machine electrical energy consumptions; $M_{E\ manual}$, for a manual water fill control system; $M_{E\ adaptive}$, for an adaptive water fill control system; expressed in kilowatt-hours per cycle. The following equation shall be used to calculate the per-cycle machine electrical energy consumption, M_E, expressed in kilowatt-hours per cycle:

$$M_E = 0.5 \times \left[M_{E_{manual}} + M_{E_{adaptive}} \right]$$

For clothes washers that have more than one adaptive water fill control selection, the $M_{E\ adaptive}$ (s) reported for the maximum and the minimum energy consumption tests shall be averaged to report a single $M_{E\ adaptive}$ for the above equation.

This Interim Waiver is based upon the presumed validity of statements and all allegations submitted by GEA Appliances Inc. This Interim Waiver may be revoked 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 the Department acts on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180-day period, if necessary.

Pursuant to paragraph (b) of Title 10 CFR 430.27, DOE is hereby publishing the ''Petition for Waiver'' in its entirety. The Petition contains no confidential information. DOE would appreciate comments, data and other information regarding the Petition, discussed above.

Issued in Washington, DC April 4, 1996.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

October 9, 1995.

Assistant Secretary,
Conservation and Renewable Energy, United States Department of Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585

RE: Application for Interim Waiver and Petition for Waiver, Appendix J, Subpart B CFR part 430, Test Method for Clothes Washers with no Applicable Temperature Usage Factor

Dear Assistant Secretary: This Application for Interim Waiver and Petition for Waiver is submitted pursuant to 10 CFR 430.27, which provides for a modification of the required test method because of design characteristics preventing testing or producing data unrepresentative of a covered product's true energy consumption characteristics.

GE Appliances (GEA) is sourcing its top of the line, Monogram Brand, washer from Fisher & Paykel Industries Limited, New Zealand. The model number is WZSE5310. This product has innovative design characteristics which prevent testing it in strict accordance to the existing Appendix J test method. These design characteristics are:

—Five temperature selections in the primary wash mode including hot, warm-hot, warm, warm-cold and cold wash—all with a cold rinse. This product does not have water heating capability and achieves the five temperatures by adjustment of the hot/cold mix ratio. A warm rinse option is not available in the normal cycle.
—A secondary programming mode which the consumer can access to adjust the factory preset temperatures of the five settings in the primary wash mode. In all, the consumer has a choice of 34 wash temperatures.

<-----(COLDER) SECONDARY PROGRAMMING MODE (HOTTER)--> ADJUSTMENT TEMPERATURES (F)

Wash temp. setting					Factory Pre-set (except cold setting)			
Hot	112	114	116	118	120	122	124	126
Warm-hot	97	99	101	103	105	107	109	111
Warm	87	89	91	93	95	97	99	101
Warm-cold	77	79	81	83	85	87	89	91
Cold:								
Cold water only*		54	56	58	60	62	64	66

*Factory Preset for COLD setting.

This request for waiver is submitted because (1) The combination of five pre-set temperature selections—all with a cold water rinse—are incompatible with any of the TUF tables in Section 4 of the regulations; and (2) the requirement of section 3.2.2.6 that we test all temperature selections that use hot water is unduly burdensome. Instead, we propose modified regulations that will allow for a conservative testing protocol appropriate to this product that is also in accordance with the negotiated AHAM proposed rule.

GEA proposes an Interim Waiver and Waiver to allow testing of the machine per Appendix J with the following modifications:

Add the following definition to the test procedure:

1.19 ''Secondary programming mode'' means an auxiliary function used to adjust temperature, water level, rinse options or other characteristics of the machine. The user must not be able to access these adjustments from the normal operating mode of the machine, and access to the secondary mode must not be necessary to operate the machine.

Change section 3.2.2.6 of the test procedure as follows:

3.2.2.6 For automatic clothes washers repeat 3.2.2.3, 3.2.2.4, and 3.2.2.5 for each of the other wash/rinse temperature selections available that use hot water except: 1) if wash temperature selections are uniformly distributed, by temperature, between ''hot wash'' and ''cold wash'', the reportable values to be used for the warm water wash setting shall be the arithmetic average of hot and cold selections measurements of 2) if wash temperature selections are non-uniformly distributed, by temperature, between ''hot wash'' and ''cold wash'', test all intermediate wash temperature selections and average the results to obtain the reportable warm wash values. For semi-automatic clothes washers. . .

For model WZSE5310 this would mean using Alternate II from the three temperature selection TUF table, section 5.3 of Appendix J Hot/Cold, Warm/Cold, Cold/Cold, and using the average of the three warm settings on the machine for Warm/Cold. This also conforms with the new test procedure proposed by AHAM section 3.5.1. (The warm setting is the default wash temperature for all cycles.)

Change section 3.5 of the test procedure as follows:

3.5.2.1 If the wash temperature offered in the normal operating mode of the machine can be further adjusted in a secondary programming mode, the higher of the factory preset temperature or the mean of the adjustable range shall be used for testing.

For model WZSE5310 this means using the factory preset temperatures for the Hot and Warm settings and 60F for the Cold setting for testing.

The table above shows the possible temperature settings for the machine (approximate bath water temperatures). To achieve the temperatures to the right and left of the factory preset temperatures on the table, the user must read the owners' guide to learn how to enter a secondary programming mode and make a special effort to enter this mode and change the temperatures. We feel strongly that this secondary programming mode will be used very infrequently because an Australia consumer survey of 202 users showed that only about 6% of those consumers ever entered this mode to adjust temperatures. There is no U.S. consumer data showing how many consumers will enter the secondary programming mode and the frequency that the consumers will adjust the temperatures. Lacking this data, it is logical to assume that if consumers make the effort to enter the secondary mode, it is equally or more likely that the consumer will adjust the temperature down, saving energy, as it is that the consumer will raise the temperature. This is especially true since there are 4 downward adjustments and only 3 upward adjustments possible. The owners' guide will also inform the consumer that adjusting the temperature downward will save energy. Thus, we believe that the most representative wash temperatures are the factory preset temperatures.

GEA requests immediate relief by grant of the proposed Interim Waiver, justified by the following reasons:

Economic Hardship—GEA currently has no Monogram brand product in its home laundry product line. Delay of introduction of the this product will not allow GE to complete its product line. Since a Monogram dryer will be introduced with this product, its introduction would also be delayed.

Likely Approval of Waiver—The Petition for Waiver is likely to be granted because the test procedure proposed conforms as much as possible with the new test procedure supported by AHAM. This new AHAM test procedure is likely to be adopted.

Public Policy Merits-GE's Monogram washers are designed to efficiently extract more water from wet clothes by a high speed spin cycle, up to 1000 RPM. Such water extraction is many times more energy efficient than drying the same amount of water. This innovation in clothes washer design does not affect the test method for clothes washers, but does result in increased total energy savings. GE's new washer is also factory preset to an auto water fill level. The machine senses the clothes load and uses only the amount of water necessary to clean the clothes. Because a manual High/Medium/Low water fill level is also available, we will test the machine using the manual water levels per the test procedure. However, the auto water fill feature is expected to show actual energy savings for the consumer.

Thank you for considering this petition.

Lee Bishop,

Senior Counsel Product Safety/Regulatory.

Jane Ransdell,

Energy Standards Engineer.

[FR Doc. 96–9950 Filed 4–23–96; 8:45 am]

BILLING CODE 6450–01–P

Federal Energy Regulatory Commission

[Docket No. CP96–320–000]

Columbia Gas Transmission Corporation; Notice of Request Under Blanket Authorization

April 18, 1996.

Take notice that on April 15, 1996, Columbia Gas Transmission Corporation (Columbia), P.O. Box 1273, Charleston, West Virginia, 25325–1273, filed in Docket No. CP96–320–000 a request pursuant to Sections 157.205, and 157.216(b) of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.216) for approval to abandon in place approximately 0.7 mile of its 20-inch transmission line, Line KA, and five points of delivery to Mountaineer Gas Company (Mountaineer) for service to mainline customers, under the blanket certificate issued in Docket No. CP83–76–000, pursuant to Section 7(c) of the Natural Gas Act (NGA), all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Columbia States that the facilities for which it seeks abandonment were