

Williams, Mark H.
 Willis, John W.
 Wilmot, Edwin L.
 Wisenbaker Jr., William
 Wooley, John C.
 Yuan-Soo Hoo, Camille C.

Issued in Washington, DC.

Archer L. Durham,

Assistant Secretary for Human Resources and Administration.

[FR Doc. 96-26161 Filed 10-10-96; 8:45 am]

BILLING CODE 6450-01-P

Office of Energy Efficiency and Renewable Energy

[Case No. DH-007]

Energy Conservation Program for Consumer Products: Granting of the Application for Interim Waiver and Publishing of the Petition for Waiver of HEAT-N-GLO Fireplace Products, Inc. From the DOE Vented Home Heating Equipment Test Procedure

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

ACTION: Notice.

SUMMARY: Today's notice grants an Interim Waiver to HEAT-N-GLO Fireplace Products, Inc. (HEAT-N-GLO) from the existing Department of Energy (DOE or Department) test procedure regarding pilot light energy consumption for its model AT-SUPREME, BAY-GDV, BAY-STOVE, DVT-INSERT, DVT-STOVE, R5500RH, SL-3000, SL-32S, TOWNSEND I, TOWNSEND II, and 6000XLS vented heaters.

Today's notice also publishes a "Petition for Waiver" from HEAT-N-GLO. HEAT-N-GLO's Petition for Waiver requests DOE to grant relief from the DOE vented home heating equipment test procedure relating to the use of pilot light energy consumption in calculating the Annual Fuel Utilization Efficiency (AFUE). Specifically, HEAT-N-GLO seeks to delete the required pilot light measurement (Q_p) in the calculation of AFUE when the pilot is off. The Department is soliciting comments, data, and information respecting the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than November 12, 1996.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. DH-007, Mail Stop EE-43, Room 1J-018, Forrestal Building, 1000 Independence Avenue, S.W., Washington, DC 20585-0121, (202) 586-7140.

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: 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 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 informed 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 § 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, § 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, § 430.27(g). An Interim Waiver remains in effect for a period of 180 days, or until DOE issues a determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

On August 13, 1996, HEAT-N-GLO filed an Application for Interim Waiver and a Petition for Waiver regarding pilot light energy consumption.

HEAT-N-GLO seeks an Interim Waiver from the DOE test provisions in section 3.5 of Title 10 CFR Part 430, Subpart B, Appendix O, that requires measurement of energy input rate of the pilot light (Q_p), and the use of this data in section 4.2.6 for the calculation of AFUE, where:

$$AFUE = \frac{(4400\eta_{ss}\eta_u Q_{in-max})}{(4400\eta_{ss} Q_{in-max} + 2.5(4600)\eta_u Q_p)}$$

Instead, HEAT-N-GLO requests that it be allowed to delete Q_p and accordingly, the $(2.5(4600)\eta_u Q_p)$ term in the calculation of AFUE. HEAT-N-GLO states that instructions to turn off the transient pilot by the user when the heater is not in use are in the User Instruction Manual and on a label adjacent to the gas control valve. Therefore, the additional energy savings that result when the pilot is turned off ($Q_p = 0$) should be credited. Since the current DOE test procedure does not address pilot light energy savings, HEAT-N-GLO asks that the Interim Waiver be granted.

Previous Petitions for Waiver to exclude the pilot light energy input term in the calculation of AFUE for home heating equipment with a manual transient pilot control have been granted by DOE to Appalachian Stove and Fabricators, Inc., 56 FR 51711, October 15, 1991; Valor Incorporated, 56 FR 51714, October 15, 1991; CFM International Inc., 61 FR 17287, April 19, 1996; Vermont Castings, Inc., 61 FR 17290, April 19, 1996; and Superior Fireplace Company, 61 FR 17885, April 23, 1996.

Thus, it appears likely that HEAT-N-GLO's Petition for Waiver for pilot light for home heating equipment 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 HEAT-N-GLO an Interim

Waiver for its model AT-SUPREME, BAY-GDV, BAY-STOVE, DVT-INSERT, DVT-STOVE, R5500RH, SL-3000, SL-32S, TOWNSEND I, TOWNSEND II, and 6000XLS vented heaters. HEAT-N-GLO shall be permitted to test its model AT-SUPREME, BAY-GDV, BAY-STOVE, DVT-INSERT, DVT-STOVE, R5500RH, SL-3000, SL-32S, TOWNSEND I, TOWNSEND II, and 6000XLS vented heaters on the basis of the test procedures specified in Title 10 CFR Part 430, Subpart B, Appendix O, with the modifications set forth below:

(i) Delete paragraph 3.5 of Appendix O.

(ii) Delete paragraph 4.2.6 of Appendix O and replace with the following paragraph:

4.2.6 Annual Fuel Utilization Efficiency. For manually controlled vented heaters, calculate the Annual Fuel Utilization Efficiency (AFUE) as a percent and defined as:

$AFUE = Nu$

where:

Nu = as defined in section 4.2.5 of this appendix.

(iii) With the exception of the modification set forth above, HEAT-N-GLO shall comply in all respects with the procedures specified in Appendix O of Title 10 CFR Part 430, Subpart B.

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.

This Interim Waiver is effective on the date of issuance by the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy. 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.

HEAT-N-GLO's Petition for Waiver requests DOE to grant relief from the DOE vented home heating equipment relating to the pilot light. Specifically, HEAT-N-GLO seeks to exclude the pilot light energy consumption in the calculation of AFUE.

Pursuant to paragraph (b) of Title 10 CFR Part 430.27, the Department 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 October 7, 1996.
Christine A. Ervin,
Assistant Secretary, Energy Efficiency and Renewable Energy.

Heat-N-Glo Quality Fireplace Products Since 1975

August 13, 1996.

The Honorable Christine Ervin,
Assistant Secretary of Energy Efficiency & Renewable Energy, United States Department of Energy, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585

Subject: Petition for Waiver to Title 10 Code of Federal Regulations 430.27

Dear Secretary Ervin: This is a Petition for Waiver from test procedures appearing in 10 CFR, part 430, subpart B, Appendix O—Uniform Test Method for Measuring the Energy Consumption of Vented Home Heating Equipment. The sections for which this waiver is requested are detailed in section 3.5—Pilot Light Measurement; and section 4.2.6—Annual Fuel Utilization Efficiency (AFUE). These sections require the measurement of energy input to the pilot light and the inclusion of this data in the calculation of AFUE for the appliance even when the pilot light is turned off and not consuming any energy.

We are requesting this Waiver for our appliance models: AT-SUPREME, BAY-GDV, BAY-STOVE, DVT-INSERT, DVT-STOVE, R5500RH, SL-3000, SL-32S, TOWNSEND I, TOWNSEND II, AND 6000XLS.

The combination gas control valves used on these appliances can be manually turned off when the heater is not in use. In the "OFF" position, both the main burner and the pilot light are extinguished. When the gas control is set to the "ON" position, the main burner and the pilot light are operating. The appliance Instruction Manual and a label adjacent to the gas control valve will require the user to turn the gas control valve to the "OFF" position when the heater is not in use.

Requiring the inclusion of pilot energy input in the AFUE calculations does not allow for the additional energy savings realized when the pilot light is turned off. We request that the requirement of including the term involving the pilot energy consumption be waived from the AFUE calculation for our heaters noted above. These models meet the conditions described in the previous paragraph.

Waivers for deleting pilot energy consumption in AFUE calculations have previously been granted by U.S.D.o.E. to other manufacturers. We are requesting U.S.D.o.E. grant Heat-N-Glo Fireplace Products, Inc. this same waiver.

Please contact us with any questions, comments, and requirements for additional information we can provide. Thank you for your help in this matter.

Sincerely,

Chuck Hansen,
Tech. Services—Engineering.

Gregg Achman,
Manager, Design Engineering.

[FR Doc. 96-26162 Filed 10-10-96; 8:45 am]

BILLING CODE 6450-01-P

Federal Energy Regulatory Commission

[Docket No. CP97-9-000]

CNG Transmission Corporation; Notice of Request Under Blanket Authorization

October 7, 1996.

Take notice that on October 2, 1996, CNG Transmission Corporation (CNG), P.O. Box 445 West Main Street, Clarksburg, West Virginia 26301, filed in Docket No. CP97-9-000 a request pursuant Sections 157.205(b) and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205(b) and 157.212) for authorization to construct and operate three new delivery points in Gilmer County, West Virginia, to serve Hope Gas, Inc. (Hope), a local distribution company, under CNG's blanket certificate issued in Docket No. CP82-537-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

CNG states that Hope would be providing natural gas services to Hope's existing customers. CNG further states that it would transport quantities of natural gas to Hope under existing, certificated transportation arrangements with Hope.

CNG also states that Hope needs to construct only minimal facilities. In order to make deliveries to Hope, CNG states that it must construct two four-inch connections and valves on the TL-297 pipeline and one two-inch connection and valve on the TL-264 pipeline.

It is also stated that Hope would install meter and regulation facilities adjacent to CNG's facilities at the site. The maximum design capacity of the connections and the meter and regulation facilities is 5,000 Mcf per day.

CNG states that the total cost of CNG's construction would be reimbursed by Hope.

Additionally, CNG states that it has sufficient system delivery capability to deliver these quantities without disadvantaging its existing customers. CNG states that its existing tariff does not prohibit the addition of the new delivery point.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section