

pool heaters to proceed to a final rule and will use the data and useful information contained in the comments in developing that rulemaking. However, based on the Department's review of the comments on the proposed standards for fluorescent lamp ballasts, television sets and electric water heaters, the Department has concluded that a number of significant issues exist which require additional data and/or analysis to address. The Department believes that because of the resulting changes to the data and analyses underlying the proposed standards for these products, it would be appropriate to publish revised notices of proposed rulemaking. If the results of the analysis do not support a change in the standards, then the Department will propose that the levels in the Act remain unchanged or, regarding television sets, the Department may propose that standards are not justified.

(a) Fluorescent lamp ballasts. Based on the comments in the record, the Department has determined that revised data from a larger sample of fluorescent lamp ballast types is needed. Data from sources identified in the record, data from manufacturers, and data from other independent sources will be used in the reanalysis.

(b) Televisions. Based on the comments in the record, the Department has determined that new data from television sets with current features and from a larger sample of television manufacturers is needed. The Department is planning to test television sets to develop such data. These new data, together with data and other information obtained from the comments submitted on the proposed standard, will be used to reanalyze whether efficiency standards are warranted for television sets and, if so, at what level.

(c) Electric water heaters. The Department received comments on a wide range of issues regarding the proposed standard for electric water heaters, including the Department's estimates of average household hot water use, the costs of heat pump water heaters and the extent to which the proposed standard would result in fuel switching. In addition, the comments addressed the impacts of standards on consumers, including low income households, households with small electric water heaters installed in confined spaces, and those with large water heaters which take advantage of reduced off-peak electric utility rates. The Department agrees that these issues need to be reassessed. DOE will gather additional data on the costs and other

impacts of the standards and will explore options for reducing or eliminating possible adverse impacts, including the possible establishment of distinct classes of electric water heaters. Because fully addressing these issues may require substantial changes in the analysis of the impacts of water heater standards, the Department will issue a new proposed rule.

Issued in Washington, D.C., January 25, 1995.

**Christine A. Ervin,**

*Assistant Secretary, Energy Efficiency and Renewable Energy.*

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[W143-01-6261b; FRL-5139-2]

#### Clean Air Act Approval and Promulgation of Employee Commute Options Program; Wisconsin

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The United States Environmental Protection Agency (EPA) is proposing to approve the State Implementation Plan (SIP) revision request submitted by the State of Wisconsin on November 15, 1993 for the purpose of establishing an Employee Commute Options Program (ECO Program) in the Milwaukee Severe-17, ozone nonattainment area. Wisconsin submitted the SIP revision to satisfy the statutory mandate that an ECO Program be established for employers in severe and extreme ozone nonattainment areas with 100 or more employees.

Compliance plans developed by these employers must be designed to convincingly demonstrate an increase in the average passenger occupancy of vehicles used by their employees who commute to work during the peak period by no less than 25 percent above the average vehicle occupancy of the nonattainment area. In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision request without prior proposal because EPA views this as a noncontroversial revision and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to its proposed rule, no further activity is contemplated. If EPA receives adverse comments, the

direct final rule will be withdrawn and the public comments received will be addressed in a subsequent final rule based on this proposed rule. A second comment period on this action will not be initiated. Parties interested in commenting on this document should do so at this time.

**DATES:** Comments on this proposed rule must be received on or before March 2, 1995.

**ADDRESSES:** Written comments should be mailed to: Carlton Nash, Chief, Regulation Development Section, Air Toxics and Radiation Branch (AT-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal and EPA's analysis of it are available for inspection at: Regulation Development Section, Air Toxics and Radiation Branch (AT-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** John M. Mooney, (312) 886-6043.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule published in the rules section of this **Federal Register**.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Nitrogen oxide, Ozone, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: December 19, 1994.

**David A. Ullrich,**

*Acting Regional Administrator.*

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### 40 CFR Part 52

[KY-80-6666; FRL-5147-6]

#### Control Strategy: Ozone (O<sub>3</sub>); Kentucky

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve a request for an exemption from the oxides of nitrogen (NO<sub>x</sub>) reasonably available control technology (RACT) requirement of the Clean Air Act as amended in 1990 (CAA) for the Kentucky portion of the Huntington-Ashland, moderate ozone O<sub>3</sub> nonattainment area. The exemption request, submitted by the Commonwealth of Kentucky through