

MW; hydraulic capacity would increase from 2,500 to 3,620 cubic feet per second.

The subject DEIS also evaluates the environmental effects of: additional flow options and supplemental measures with the applicant's proposal; a minor upgrade; decommissioning the project; and the no action alternative.

The public meetings on the Snoqualmie Falls Project will be recorded by an official stenographer. The first meeting will be held from 6:30 P.M. to 11 P.M. on Wednesday, March 1, 1995, at the Mount Si High School in Snoqualmie, Washington. The second meeting will be held from 6:30 P.M. to 11 P.M. on Thursday, March 2, 1995, at Lake Washington Technical College, West Building 4th floor auditorium, 132nd Avenue N.E., Kirkland, Washington.

At the subject meeting, resource agency personnel and other interested persons will have the opportunity to provide oral and written comments and recommendations regarding the Snoqualmie Falls DEIS for the Commission's public record.

For further information, please contact Kathleen Sherman, at (202) 219-2834.

Lois D. Cashell,

Secretary.

[FR Doc. 95-3978 Filed 2-16-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. EL95-27-000]

CGE Fulton, L.L.C.; Notice of Filing

February 14, 1995.

Take notice that on February 13, 1995, CGE Fulton, L.L.C. ("CGE Fulton"), filed a petition for a declaratory order and requested expedited treatment of the petition. CGE Fulton states that it is developing a waste-fired qualifying small power production facility in the City of Fulton, Illinois ("Project"). CGE Fulton will sell electricity from the Project at tariff rates prescribed by Section 8-403.1 of the Illinois Public Utilities Act and regulations of the Illinois Commerce Commission. CGE Fulton seeks a declaratory order that the Illinois statute is not preempted by PURPA, and thus, that the Project is not affected by the Commission's decision in *Connecticut Light & Power Co.*, 70 FERC ¶ 61,012 (January 11, 1995).

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules

of Practice and Procedure (18 CFR 385.211, 384.214). All such motions or protests should be filed on or before February 28, 1995. Protests will be considered by the Commission in determining the appropriate actions to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95-4103 Filed 2-16-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CP95-200-000]

Koch Gateway Pipeline Co.; Notice of Request Under Blanket Authorization

February 13, 1995.

Take notice that on February 8, 1995, Koch Gateway Pipeline Company (Koch), P.O. Box 1478, Houston, Texas 77251-1478, filed in Docket No. CP95-200-000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to install a new tap in Jones County, Mississippi, for service to an existing local distribution company customer, Entex, Inc. (Entex), under Koch's blanket certificate issued in Docket No. CP82-430-000, pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Koch proposes to construct and operate interconnecting tap facilities for service to Entex, which will deliver gas to one agricultural customer in Jones County. Koch states that the tap would be used for the deliver of 84 MMBtu equivalent of natural gas on a peak day, transported by Koch under its FTS rate schedule. It is stated that this volume is with Entex's existing certificated entitlement from Koch. The cost of the proposed tap is estimated at \$800 and Koch states that it would be reimbursed by Entex for the construction cost. It is stated that Koch's tariff does not prohibit the proposed addition of a delivery tap. It is asserted that Koch has sufficient capacity to make the deliveries without detriment or disadvantage to its other customers.

Any person or the Commission's staff may, with 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 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 95-3977 Filed 2-16-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER95-267-000 and EL95-25-000]

New England Power Co.; Notice of Initiation of Proceeding and Refund Effective Date

February 13, 1995.

Take notice that on February 9, 1995, the Commission issued an order in the above-indicated dockets initiating a proceeding in Docket No. EL95-25-000 under section 206 of the Federal Power Act.

The refund effective date in Docket No. EL95-25-000 will be 60 days after publication of this notice in the **Federal Register**.

Lois D. Cashell,

Secretary.

[FR Doc. 95-4009 Filed 2-16-95; 8:45 am]

BILLING CODE 6717-01-M

Office of Energy Efficiency and Renewable Energy

[Case No. CD-001]

Energy Conservation Program for Consumer Products: Decision and Order Granting a Waiver from the Clothes Dryer Test Procedures 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. CD-001) granting a Waiver to Miele Appliance Incorporated (Miele) from the existing Department of Energy (DOE or Department) test procedure for clothes dryers. The Department is granting Miele a Waiver from the Department's test procedures for its condenser clothes

dryers, models T1565CA and T1570C, which do not have an outside exhaust. The existing clothes dryer test procedure only applies to clothes dryers that are vented.

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, (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, (202) 586-9507.

SUPPLEMENTARY INFORMATION: In accordance with 10 CFR 430.27(g), notice is hereby given of the issuance of the Decision and Order as set below. In the Decision and Order, Miele has been granted a Waiver for its condenser clothes dryers, models T1565CA and T1570C, which do not have an outside exhaust.

Issued in Washington, DC, February 10, 1995.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

Decision and Order

In the Matter of: Miele [Case No. CD-001].

Background

The Energy Conservation Program for Consumer Program Products (other than automobiles) was established pursuant to the Energy Policy and Conservation Act (EPCA), Public Law 94-163, 89 Stat. 917, as amended by the National Energy Conservation Act (NECPA), Public Law 95-619, 92 Stat. 3266, the National Appliance Energy Conservation Act of 1987 (NAECA), Public Law 100-12, the National Appliance Energy Conservation Amendments of 1988 (NAECA 1988), Public Law 100-357, and the Energy Policy Act of 1992, Public Law 102-486, 106 Stat. 2776, which requires DOE to prescribe standardized test procedures to measure the energy efficiency, energy use, or estimated annual operating cost of covered consumer products, including clothes dryers. The clothes dryer test procedure, among other things, provides a means of calculating an energy factor, a measure of energy efficiency, which is used to determine if a product is compliant with the minimum energy conservation standards. The Department imposed amended energy conservation standards requiring minimum energy factors for four of the five classes of

clothes dryers in a final rule (56 FR 22279) issued May 14, 1991, and which is effective for products manufactured on or after May 14, 1994. Test procedures for clothes dryers appear at 10 CFR Part 430, Subpart D.

The Department amended the prescribed test procedure by adding 10 CFR 430.27 on September 26, 1980, creating the waiver process. (45 FR 64108). 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 of 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.

Miele filed a Petition for Waiver and an Application for Interim Waiver on April 5, 1994, which was amended on April 20, 1994, and April 22, 1994, regarding its clothes dryer models T1515A, T1520, T1565CA, and T1570C. Miele's petition submission was primarily based on the reverse tumble design feature which all four models have. However, today's Decision and Order is only applicable to models T1565CA and T1570C, which are

condenser dryers. Miele has certified on January 27, 1995, with the Department that its clothes dryer models T1515A and T1520 can be tested using the existing test procedure, and comply with the existing 1994 minimum energy conservation standard. On September 29, 1994, the Department published in the **Federal Register** the Miele petition, and solicited comments, data, and information respecting the petition, and denied the requested Interim Waiver. (59 FR 49658).

Comments were received from Miele and the Association of Home Appliance Manufacturers (AHAM). The Department consulted with the Federal Trade Commission (FTC) concerning the Miele petition. The FTC did not have any objections to the Decision and Order.

Assertions and Determinations

On December 22, 1994, Miele provided comment to the Department that after consultation with AHAM, it had decided to restrict its request to its condenser clothes dryers, models T1565CA and T1570C. Miele indicated that the condenser clothes dryers offer additional utility to the consumer which affects energy consumption. The condenser clothes dryer does not have an outside exhaust and requires more energy to extract the moisture from the drum's exhaust prior to expelling the air back into the surrounding air. This type of product is suited for installation conditions where venting is not practical or cost prohibitive.

Miele stated that the Department's existing test procedure is applicable for vented clothes dryers because the test procedure requires the use of an exhaust restrictor to simulate an installed condition. Miele further stated that since its condenser clothes dryers do not have an exhaust, they cannot be tested in accordance with the Department's test procedure, and the test procedure does not apply to them. Miele added, "Consequently, the DOE energy conservation standard for clothes dryers does not apply to Miele condenser dryers since the DOE standard must be 'determined in accordance with test procedures prescribed under section 6293 of this title.' 42 U.S.C. § 6291(6)."

Miele also proposed that the Department consider adding a class for condenser clothes dryers in the current clothes dryer rulemaking (Docket No. EE-RM-94-403) for minimum energy efficiency standards, which will become effective in the 1999 timeframe, along with an appropriate test procedure.

On December 27, 1994, AHAM provided comment and stated,

"[AHAM] unanimously supports the position that Miele's condenser clothes dryer provides separate functions and utilities which affect energy use and, therefore, justify creation of a separate class for condenser clothes dryers. A separate clothes dryer standard and modified test procedure applicable to that product class should be promulgated."

The Department agrees with Miele and AHAM that the condenser clothes dryer offers the consumer additional utility, and is justified to consume more energy (lower energy factor) versus non-condenser clothes dryers. Furthermore, the Department believes that the existing clothes dryer test procedure is not applicable to the Miele condenser clothes dryers. This assertion is based on the fact that the existing test procedure requires the use of an exhaust restrictor and does not provide any definition or mention of condenser clothes dryers. The Department agrees with Miele that the current clothes dryer minimum energy conservation standard does not apply to Miele's condenser clothes dryers. Today's Decision and Order exempts Miele from testing its condenser clothes dryer and determining an Energy Factor.

The Department is not publishing an amended test procedure for Miele at this time because there is not any reason to. The existing minimum energy conservation standard for clothes dryers is not applicable to the Miele condenser clothes dryer. Furthermore, the FTC does not have a labeling program for clothes dryers, therefore, Miele is not required to test its condenser clothes dryers.

Presently, the Department is conducting a rulemaking to review the minimum energy conservation standard levels for clothes dryers, clothes washers, and dishwashers, entitled the "Three Cleaning Products Rulemaking" (Docket No. EE-RM-94-403). The Department will consider adding a new product class for condenser clothes dryers in the above mentioned rulemaking. The Department will initiate a clothes dryers test procedure rulemaking to add the capability of testing condenser clothes dryers to the existing test procedure for any potential future use.

Miele and AHAM provided the Department with an agreed upon version of definitions for "condenser clothes dryers" and "electric clothes dryer". The Department will consider these definitions when drafting a revised test procedure.

Miele also voluntarily provided the Department with a statement that it plans on maintaining its condenser

clothes dryer energy Factor within 82.5 percent of the existing non-condenser clothes dryer standard. The Department supports this effort, although, this measure will have no bearing on future condenser clothes dryer standards.

Conclusion

(1) The Petition for Waiver filed by Miele (Case CD-001), as modified by Miele's letter of December 22, 1994, is hereby granted as set forth in paragraph (2) below, subject to the provisions of paragraphs (3) and (4).

(2) Miele is not required to test its condenser clothes dryers, models T1565CA and T1570C. The existing 1994 minimum energy conservation standard for clothes dryers is not applicable to these Miele condenser clothes dryers.

(3) The Waiver shall remain in effect from the date of issuance of this Order until DOE prescribes final test procedures and minimum energy conservation standards appropriate to Miele's condenser clothes dryers, model T1565CA and T1570C.

(4) This waiver is based upon the presumed validity of statements, allegations, and documentary materials submitted by the petitioner. This exemption may be revoked or modified at any time upon a determination that the factual basis underlying the submitted data is incorrect.

Filed in Washington, DC

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 95-4049 Filed 2-16-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-4720-4]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared January 16, 1995 Through January 20, 1995 pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1994 (59 FR 16807).

Draft EISs

ERP No. D-AFS-J65225-MT Rating EC2, Crane Mountain Salvage Project, Resource Management, Implementation, Flathead National Forest, Swan Lake Ranger District, Flathead County, MT.

Summary

EPA expressed environmental concerns about the inadequate/identification, delineation and assessment level of wetlands, potential impacts to water quality in Flathead lake; and the inadequacy of the monitoring and evaluation plans.

ERP No. D-NOA-A91061-00 Rating LO, Atlantic Mackerel, Squid and Butterfish Fisheries, Fishery Management Plan, Amendment No. 5, Implementation, Exclusive Economic Zone (EEZ) off the US Atlantic Coast.

Summary

EPA offered suggestions on various aspects to improve the EIS, particularly including more analysis on the possible use of economic forces in limiting catch size.

ERP No. DS-AFS-J65183-UT Rating LO, East Fork Black Forks Multiple Use Management Project, Updated Information, Implementation, Wasatch-Cache National Forest, Evanston Ranger District, Summit County, UT.

Summary

EPA recommends that the Final Supplement include discussion of monitoring data and analyses to support the Forest Service's conclusions regarding water quality impacts.

Final EISs

ERP No. F-MMS-G02004-00 1995 Central and Western Gulf of Mexico Outer Continental Shelf (OCS) Oil and Gas Sales 152 (April 1995) and 155 (August 1995), Lease Offering, Offshore Marine Environment and coastal counties, AL, MS, LA and TX.

Summary

EPA had no objection to the proposed action.

ERP No. F1-NOA-A90061-00 Deep Seabed Hard Mining Exploration Project, License Issuance for the former Kenecott Mining Site (USA-4) to Ocean Minerals Mining, Pacific Ocean, Central America to HI.

Summary

EPA had no objections to the proposed action. EPA encouraged NOAA to prepare supplemental NEPA documentation when at-sea activities are finally proposed by applicants.