

their share of the amounts paid to El Paso Natural Gas Company as a result of the Commission decision in their rate case.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with § 385.211 of the Commission's Rules and Regulations. All such protests should be filed on or before March 6, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95-5228 Filed 3-2-95; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP95-170-000]

**Granite State Gas Transmission, Inc.;
Notice of Proposed Changes in FERC
Gas Tariff**

February 27, 1995.

Take notice that on February 22, 1995, Granite State Gas Transmission, Inc. (Granite State) tendered for filing with the Commission the revised tariff sheets listed below in its FERC Gas Tariff, Third Revised Volume No. 1, revising the provisions of Rate Schedule LMS (Load Management Service), effective December 1, 1994:

Third Revised Sheet No. 24
First Revised Sheet No. 141
First Revised Sheet No. 142
First Revised Sheet No. 143
First Revised Sheet No. 144
First Revised Sheet No. 437

According to Granite State its tariff for restructured operations, approved in Docket No. RS93-1-000 and effective November 1, 1993, included Rate Schedule LMS (Load Management Service) which provided a monthly balancing service and a Daily Demand Service to cover swings in excess of the daily variance tolerances for transportation services at delivery points to its former sales customers, Bay State Gas Company (Bay State) and Northern Utilities, Inc. (Northern Utilities). Granite State further states that both services were tied to underlying services provided by Tennessee Gas Pipeline Company (Tennessee), which had been Granite State's principal upstream supplier of natural gas supplies prior to

restructuring. The monthly balancing service was tied to an Operational Balancing Agreement between Tennessee and Granite State, and Granite State contracted for the Daily Demand Service under Tennessee's Rate Schedule LMS-MA.

Granite State further states that, during the latter half of 1994, Tennessee offered its customers an option to convert Daily Demand Service to a storage service under its Rate Schedule FS-MA. According to Granite State, it and its customers accepted the option; Granite State assigned its conversion rights to Bay State and Northern Utilities and both customers contracted separately with Tennessee for storage services under Tennessee's Rate Schedule FS-MA, effective December 1, 1994.

According to Granite State, the revised tariff sheets submitted herewith eliminate the Daily Demand Service and references to the service from its Rate Schedule LMS but continue the availability of the monthly balancing service through the Operational Balancing Agreement with Tennessee.

According to Granite State, copies of its filing were served upon its customers, Bay State and Northern Utilities, and the regulatory commissions of the States of Maine, Massachusetts, and New Hampshire.

Any person desiring to be heard or to make any protest with reference to said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before March 6, 1995. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party to the proceeding must file a motion to intervene in accordance with the Commission's Rules. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 95-5229 Filed 3-2-95; 8:45 am]

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**Office of Energy Efficiency and
Renewable Energy**

**Energy Conservation Program for
Consumer Products: Granting of the
Application for Interim Waiver and
Publishing of the Petition for Waiver of
Kool-Fire From the Department of
Energy Central Air Conditioner and
Central Air Conditioning Heat Pump
Test Procedure (Case No. CAC-007)**

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

ACTION: Notice.

SUMMARY: Today's notice publishes a letter granting an Interim Waiver to Kool-Fire from the existing Department of Energy central air conditioner and central air conditioning heat pump test procedure for the company's lines of HC and LTH burner-assisted heat pumps.

Today's notice also publishes a "Petition for Waiver" from Kool-Fire. Kool-Fire's Petition for Waiver requests DOE to grant relief from the DOE heat pump test procedure for the Kool-Fire lines of HC and LTH burner-assisted heat pumps, which operate in both the cooling and heating modes. Kool-Fire requests that the heating mode tests be waived for its burner-assisted heat pumps because the DOE procedure has no provision for testing burner-assisted heat pumps. The Department is soliciting comments, data, and information respecting the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than April 3, 1995.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. CAC-007, Mail Stop EE-43, Room 5E-066, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-7574.

FOR FURTHER INFORMATION CONTACT:

Michael G. Raymond, 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) 586-9611

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: The Energy Conservation Program for Consumer 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 Policy 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 (EPACT), Public Law 102-486, 106 Stat. 2776, which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including heat pumps. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. The test procedures appear at 10 CFR Part 430, Subpart B, Appendix M.

The Department amended the prescribed test procedures 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 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 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 July 18, 1994, Kool-Fire filed a Petition for Waiver and an Application for Interim Waiver regarding the heat pump tests. Additional information supporting the application was provided to DOE in a letter dated January 6, 1995. Kool-Fire's application seeks a Waiver from the DOE test of heating mode operation for its burner-assisted heat pumps because the current DOE test procedure does not address burner-assisted heat pumps. Kool-Fire also applied for an Interim Waiver, based on economic hardship which would be experienced if the Application for Interim Waiver is denied.

In Kool-Fire's Application for an Interim Waiver, the company addresses the economic hardship likely to result absent a favorable determination on its application. The company states that, lacking the Interim Waiver, Kool-Fire's rejection by certain State Energy Commissions has brought the manufacturing, marketing, and distribution of its products to a virtual stand-still. In its January 6, 1995 letter, Kool-Fire included a letter from its Oregon distributor claiming that lack of a DOE waiver for the company's product was directly responsible for the loss of a 180-plus unit order. Kool-Fire further stated that the inability to meet the DOE testing requirements is impacting 100 percent of the Kool-Fire product line.

The Department knows of no other company which manufactures a heat pump similar to the Kool-Fire burner-assisted system. However, the Department has granted a waiver to Enviro Master International from the need to determine a Heating Seasonal Performance Factor (HSPF) because its heat pumps could not be tested in the heating mode using the DOE test procedure. Based on the economic hardship which will be suffered by Kool-Fire if the Application for Interim Waiver is denied and the precedent established in granting a waiver from the requirement to test a heat pump in the heating mode when the product cannot be tested using the DOE test procedure, the Department is granting Kool-Fire an Interim Waiver from the requirement to test its lines of HC and LTH heat pumps in the heating mode. Pursuant to paragraph (e) of Section 430.27 of the Code of Federal Regulations Part 430, the following letter granting an Interim Waiver to Kool-Fire was issued.

Pursuant to paragraph (b) of 10 CFR Part 430.27, DOE 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, February 22, 1995.

Christine A. Ervin,
Assistant Secretary, Energy Efficiency and Renewable Energy.

Department of Energy
Washington, DC 20585
February 22, 1995.

Mr. J.N. Friedrich, President, Kool-Fire
Division of Friedrich Corporation, 1930
Lincoln Way East, P.O. Box 643,
Massillon, OH 44648-0643.

Dear Mr. Friedrich: This is in response to your letters of July 18, 1994 and January 6, 1995, submitting an Application for Interim Waiver and Petition for Waiver from the Department of Energy (DOE) central air conditioners and central air conditioning heat pumps test procedure for Kool-Fire's model HC and LTH burner-assisted heat pumps.

The Department agrees that the Kool-Fire lines of HC and LTH burner-assisted heat pumps contain design characteristics which prevent testing them in the heating mode according to the prescribed test procedures. Thus, it appears likely that the Petition for Waiver will be granted.

Kool-Fire's Application for Interim Waiver provides sufficient information to determine that Kool-Fire has and will continue to experience a severe negative economic impact absent a favorable determination on its Application. Therefore, Kool-Fire's Application for an Interim Waiver from the DOE test procedure for its model HC and LTH burner-assisted heat pumps is granted.

Kool-Fire shall be required to test its HC and LTH series heat pumps on the basis of the test procedures specified in 10 CFR Part 430, Subpart B, Appendix M, for the cooling mode of operation, Section 2.1. The heating mode test, Section 2.2, is waived.

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.

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.

Sincerely,

Christine A. Ervin,
Assistant Secretary, Energy Efficiency and Renewable Energy.

Kool-Fire

1930 Lincoln Way East Δ P.O. Box 643
Δ Massillon, Ohio 44648-0643, 216-833-
2117 Δ Fax 216-833-2494

July 18, 1994.

Ms. Christine Ervin,

Assistant Secretary for Energy Efficiency, and Renewable Energy, U.S. Department of Energy, Mail Station EE-1, Forrestal Building, 1000 Independence Avenue., S.W., Washington, D.C. 20585.

RE: Petition for waiver and application for interim waiver for Kool-Fire products.

Dear Ms. Ervin: For the past few months I have been working through Mr. Ed Pollock from the DOE and with Mr. Brian Dougherty with NIST to reestablish communications to resolve a "certification procedure" and/or "request for waiver" which we began in 1990. *As of this date, Mr. Ed Pollock and I have agreed upon a course of action.* The agreed upon approach consists of and includes the following four points:

1. The "cooling mode" performance of the Kool-Fire burner-assisted heat pumps will be evaluated as per the DOE heat pump and air conditioning test procedure. Kool-Fire systems will be tested at 82 degree F and 95 degree F and have an SEER rating.

2. Kool-Fire requests a waiver from having to use the DOE test procedure to evaluate the "heating" mode performance of Kool-Fire burner-assisted heat pumps. This waiver is requested because the existing test procedure does not state how to test burner-assisted heat pumps. An HSPF rating only reflects the seasonal space heating efficiency of all-electric heat pumps, not dual fuel heat pumps like the Kool-Fire HC and LTH models.

3. While Kool-Fire's request for a waiver from the "heating" mode portion of the DOE test procedure is being pursued through the public review process, Kool-Fire requests that an "interim waiver" be IMMEDIATELY granted.

4. Kool-Fire will continue to work on the development of a NEW test procedure for testing and rating the "heating" mode performance of dual-fuel, burner assisted heat pumps. In developing this new approach, Kool-Fire expects to use portions of the existing DOE test procedures for heat pumps.

Mr. Brian Dougherty and I have exchanged a great deal of information regarding the Kool-Fire product which we manufacture and distribute throughout the United States. I would request that Mr. Dougherty, due to his extensive involvement to date, continue to be assigned to this project.

As a result of the efforts of Mr. Pollock and Mr. Dougherty, we have reached the point where there is an understanding, as stated above, on the procedure to follow to resolve the "certification" requirement. *CRITICAL mid-term and short-term components to this process are the granting of a "waiver" and "interim waiver", respectively.* Therefore, this letter will serve to initiate our formal request for a "waiver" and "interim waiver" of the HEATING operation mode of the Kool-Fire two thru four ton "split system" products for the reasons enumerated herein.

Following are excerpts of my most recent reply to Mr. Dougherty of June 28, 1994 in response to his letter of June 10, 1994 wherein I explain situations which exist that would justify your granting Kool-Fire this "interim waiver":

"A situation exists relating to our receipt of an "interim waiver". Lacking this "interim

waiver", Kool-Fire's acceptance by certain State Energy Commissions has brought the distribution of our products to a virtual stand-still in those areas. This situation can and will cause both our manufacturing operation and distribution network to experience severe "economic hardship". We have been informed that with this "interim waiver", Kool-Fire distribution would be approved and we could actively compete in the market place with other heating/cooling manufactures. The sooner we have this "interim waiver" in hand, the faster we can work to develop a proper "heating" mode test procedure."

I have sent Mr. Dougherty all the information I could find related to laboratory testing, various certifications received, and numerous data compiled from field tests and subsequent reports presented since Kool-Fire's inception in 1979. Most of this testing was done in Canada by Ontario Hydro and the Canadian Gas Association (CGA), except for the AGA testing information from the early 80's on earlier versions of Kool-Fire models and current ETL certification procedures. I indexed this material to facilitate Mr. Dougherty's use and perusal. Unlike other "unique/dual-fuel" systems, Kool-Fire has been tested, perfected, and proven over the past 15 years, primarily in the Canadian marketplace. I believe this, in itself, lends credibility to it's concept and our requests for *BOTH the "waiver" and the IMMEDIATELY NEEDED "interim waiver"*.

In this same letter to Mr. Dougherty, I commented on his suggestions regarding "possible testing methods" as follows:

I. Regarding an SEER test for Kool-Fire:
a. I see no problem conducting this test, in the COOLING mode, like a single speed heat pump or air conditioner. My only thoughts as related to the SEER test is that. * * *

IN REALITY,

Kool-Fire is a COMBINATION air conditioner, reverse cycle "heat pump" TYPE unit which utilizes an auxiliary heat absorption system that is used in conjunction with a "matched" indoor forced air heat exchanger.

Any SEER test for "cooling" must be augmented with an appropriate test for the "heating" mode, else Kool-Fire could be misconstrued to be a "cooling" only type system. This would cast untrue representation of the product and put us at a competitive disadvantage.

IN REALITY,

"COOLING" IS SECONDARY to Kool-Fire's primary design intent of "most efficient" utilization of BOTH energy sources used in the "HEATING" mode.

II. Regarding heating mode tests as Mr. Dougherty suggested:

a. There appears to be a problem differentiating a test procedure between the HC and the LTH model systems. To conduct a test at 17 Degrees F. in the "air to air" reverse cycle mode would not be indicative of a "true" indication of how any Kool-Fire system operates and would tend to misrepresent it's design purpose and intent. This also would cast an untrue representation of the product and put us at a competitive disadvantage. In fact, current electrical rates

have increased to a point that now over 99% of the systems installed are the HC models. This is due to the fact that the "economic" balance point of natural gas and propane compared to electrical energy costs dictates changing to the "flame mode" at outdoor ambient temperatures of 42 degrees F. and higher.

Kool-Fire's true comparative annual "heating" test must consider the actual utilization of both energy sources used in the "heating" mode; based on the "economic" balance point of the fuels used, compared to the "thermal" balance point of a structure. These facts then could be factored with the "bin" temperature profiles similar to other DOE tests applied for competitive "year-round" system. If these type facts are determined, and if this information were published in conjunction with the results of DOE tests performed at the higher temperatures of 47 Degree dry bulb and 43 Degree wet bulb, both steady state and cyclic; this information would be an accurate representation of Kool-Fire's efficiency.

b. Due to circumstances outlined above, I question whether a need exists to be concerned with developing a procedure to perform a DOE Frost accumulation test. As I understand this test, part of the equation considers the "negative" COP during the defrost cycle when the reversing valve causes an ordinary heat pump system to switch to the "cooling" mode.

Kool-Fire LTH model has NO "negative" COP. During defrost of the Kool-Fire outdoor coil the outdoor blower turns OFF and the fossil fuel burner turns ON to defrost the coil; Kool-Fire's compressor NEVER turns "off". Kool-Fire's reversing valve DOES NOT shift and cause the inside of the structure to be cooled. Unlike "ordinary" heat pumps, the "outdoor coil" of Kool-Fire is ENCLOSED and not subject to "wind effect". 100% of the energy used for defrost is used to heat the structure. While the ice is changing to water it transfers the "latent" heat to the circulating refrigerant that is heating the structure. This situation that occurs during the defrost cycle of a Kool-Fire should be included in the annual efficiency calculations for Kool-Fire and should be reflected as a CREDIT for Kool-Fire systems.

c. Since Mr. Dougherty had talked to Mr. Dave Young, from Ontario Hydro's Research and Development Department, and Mr. Dougherty referred to the Cd (Coefficient of degradation) factor, Dave probably has made him aware how the actual field tested cyclic performance profile of Kool-Fire differs from ordinary heating systems. The difference of Kool-Fire's actual operating profile should be reflected in the Cd factor applied in any evaluation equation. Then Kool-Fire can be accurately compared to others.

III. Could Kool-Fire be tested as a "Hybrid" heat pump?

After presenting Mr. Dougherty an explanation of Kool-Fire and the differences between Kool-Fire and heating systems evaluated in the "hybrid" heating system test procedures, Mr. Dougherty and I mutually agree that:

THIS HYBRID TEST IS IN NO WAY INDICATIVE OF A "true" indication of how any Kool-Fire system functions and could

tend to mis-represent our purpose and intent. This also would cast an untrue representation of the product and put us at a competitive disadvantage.

Kool-Fire IS NOT A HYBRID HEAT PUMP. Hybrid system tests are based on the assumption that at some outdoor temperature, the heat pump electrical energy usage for "heating" will stop and some other "single" source fuel will turn "on" for "heating". With Kool-Fire systems, the outdoor fan turns "off" when the fossil fuel burner turns "on", THE COMPRESSOR NEVER TURNS "OFF". Therefore, electricity PLUS another energy source are used simultaneously.

IV. UNIQUE Kool-Fire features vs. "ordinary" furnaces:

Some of Kool-Fire's differences compared to "ordinary" fossil fuel furnaces are as follows:

a. There is no steel plate heat exchanger, Kool-Fire is an absorption heating system causing heat to be absorbed into refrigerant which has a boiling point of -40 Degree F. (Similar to a "boiler" system)

b. Kool-Fire's absorption system surface is constantly "wet", surface temperatures never exceed 55 Degree F.

c. Combustion air, both primary and secondary, on a Kool-Fire constantly changes from +50 to -40 Degree F. due to the fact that all combustion occurs OUTDOORS.

d. Some of the test data I supplied Mr. Dougherty on Kool-Fire was done by Ontario Hydro and others throughout the 80's. I NOTED that the Canadian Gas Association (CGA) test report of November 20, 1980, on an "early" version of Kool-Fire, indicates a "tested" heating output of 12.33 KW with a "combined" measured input of 10.26 KW. THIS TEST INDICATES KOOL-FIRE HAD A COMBINED EFFICIENCY OF 120%, which NO OTHER fossil fuel appliance in the world has achieved. This data does not reflect the over 20% efficiency improvement due to design changes since that time.

e. When Kool-Fire cycles "off", unlike vented furnaces, there is little heat build-up in the exchanger because the absorption coil is exposed to outdoor ambient. Kool-Fire's outdoor exchanger cools from 55 Degrees to ambient rapidly. This fact eliminates any possibility of acid formation on the outdoor exchanger.

f. Kool-Fire's design assures that a "matched" exchange rate exists between the amount of liquid refrigerant boiling and the amount of fossil fuel burning under the outdoor exchanger. This fact of its design insures that the surface temperature of the exchanger does not exceed 55 Degree F.

Note: A limit control set at 65 Degree F., which is located "upstream" on the compressor suction line, senses return gas temperature. Two (2) 90 Degree F. limit controls are also located on the top of the outdoor exchanger coil. Any of these controls will shut the fossil fuel burner "off", then turn the outdoor fan "on", in the event of "low" refrigerant charge in the system.

To summarize:

Kool-fire burns its fossil fuel, OUTDOORS, and is subject to extreme fluctuation of temperatures that will have to be duplicated in order to obtain accurate test results.

Kool-Fire systems function more like a "boiler" than like a furnace. The heat transfers medium used is refrigerant instead of water. *I know of none other like it in the world.*

V. Concerning an HSPF rating for Kool-Fire systems:

At this point, Mr. Ed Pollock, Mr. Brian Dougherty, and I all agree that Kool-Fire units cannot be tested and assigned an HSPF rating because of their unique, dual-fuel, burner-assisted design. Kool-fire DOES NOT USE any supplemental electrical resistance heat.

VI. Thoughts about Heating Season Operating Costs (HSOC):

a. Existing DOE test procedures have been developed to provide an ACCURATE evaluation and comparison of products.

b. Instead of modifying existing procedures, is the DOE at a point that NEW test procedures are required that will reflect the Comparative Annual Integrated Fuel Efficiency (CAIFE) of Kool-Fire and other "unitue/dual-fuel" systems, that could emerge in the future?

c. DOE might consider developing a test procedure that measures the actual fuel utilization of those energy sources used in the "heating" mode based on their "economic" balance point. Then factor this information in conjunction with the "thermal" balance point of the structure.

d. Tests should consider including the TOTAL BTU OUTPUT, related costs to purchase the INPUT FUEL being consumed, and efficiencies of same. These facts could be cross-plotted on some type graph format to find the "economic" balance point of the fuels being consumed. This information could then be factored with the "bin" temperature profiles for a given geographical location. These "bin" temperatures could be the same as used by DOE in tests used for "ordinary" heating systems.

IN CONCLUSION:

The intent of all the DOE testing is to provide an accurate, fair evaluation so that United States consumers will be provided factual information to enable them to make an informed purchasing decision. Unfortunately, times are changing and technology has advanced. I realize this stretches the imagination of those in the DOE and NIST who are responsible to be sure that this intent is fulfilled.

As previously described, Mr. Ed Pollock and I have agreed upon a course of action to resolve this matter.

We will be glad to work and supply input for this test procedure in co-operation with Mr. Pollock from DOE and Mr. Dougherty from NIST. I am sure Mr. Dave Young from Ontario Hydro will be able to provide valuable input to this process. I have contacted Mr. Hank Rutkowski, a well-known Mechanical Engineer from the HVAC industry, who is knowledgeable of existing test procedures and is willing to lend his expertise. Mr. Gerry Vandaarvart, the inventor of Kool-fire from Canada, can offer valuable assistance to arrive at an accurate "certification" and proper "heating" mode test procedure.

I sincerely hope I have supplied enough facts to warrant a PROMPT, FAVORABLE

RESPONSE to our "waiver" request and to motivate DOE to IMMEDIATELY grant an "interim waiver".

Respectfully,

J.N. (Jim) Friedrich, CMS,
President.

cc: Mr. Gerry Vandaarvart (Kool-Fire Research & Development)
Mr. Dave Young (Ontario Hydro)
Mr. Hank Rutkowski, Mechanical Engineer
Mr. Brian Dougherty (NIST)
Mr. Edward Pollock (DOE)

[FR Doc. 95-5291 Filed 3-2-95; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-4720-8]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared January 30, 1995 through February 03, 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 the Federal Register dated April 10, 1994 (59 FR 16807).

Draft EISs

ERP No. D-AFS-J31024-UT Rating EO2, Blanchett Park Dam and Irrigation Reservoir, Construction and Operation, Uintah Water Conservancy District (UWCD), Special-Use-Permit and COE Section 404 Permit, Ashley National Forest, Vernal Ranger District, Uintah County, UT.

Summary

EPA supported the USFS selection of No Action as the agency preferred alternative. EPA expressed environmental objections with the build alternative due to the unmitigable impacts to over 50 acres of montane peat fen and loss of a portion of a genetically pure native salmonid population.

ERP No. D-AFS-L65235-ID Rating EO2, Boise River Wildfire Recovery Project, Implementation, North Fork Boise River and Mores Creek Drainages, Boise National Forest, Idaho City and Mountain Home Ranger Districts, Boise and Elmore Counties, ID.