

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****North Canal Waterworks; Notice of Availability of Environmental Assessment****[Project No. 5906-005 Massachusetts]**

August 11, 1995.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) Regulations, 18 CFR Part 380 (Order 486, 52 FR 47897), the Commission's Office of Hydropower Licensing has reviewed a license surrender application for the North Canal Waterworks Project, No. 5906-005. The North Canal Waterworks Project is located on the Merrimack River in the City of Lawrence, Essex County, Massachusetts. The licensee is applying for a surrender of the license because the project is no longer economically viable. An Environmental Assessment (EA) was prepared for the application. The EA finds that approving the application would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Public Reference Branch, Room 3104, of the Commission's offices at 941 North Capitol Street, N.E., Washington, D.C. 20426.

Linwood A. Watson, Jr.,*Acting Secretary.*

[FR Doc. 95-20368 Filed 8-16-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**[FRL-5278-5]****Proposed Settlement Agreement, Clean Air Act Petition for Review****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended ("Act"), notice is hereby given of a proposed settlement agreement in the following case: *Western States Petroleum Association v. Environmental Protection Agency*, No. 95-70034 (9th Cir.). These petitions for review were filed under § 307(b) of the Act, 42 U.S.C. 7607(b), contesting certain aspects of EPA's interim approval of the

Washington State title V program of November 9, 1994.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the proposed settlement agreement from persons who were not named as parties or intervenors to the litigation in question. EPA or the Department of Justice may withhold or withdraw consent to the proposed agreement if the comments disclose facts or circumstances that indicate that such agreement is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act.

A copy of the proposed settlement agreement is available from Phyllis J. Cochran, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-7606. Written comments should be sent to Adan Schwartz, Esq. at the above address and must be submitted on or before September 18, 1995.

Dated: August 8, 1995.

Gary Guzy,*Acting Assistant Administrator (General Counsel).*

[FR Doc. 95-20425 Filed 8-16-95; 8:45 am]

BILLING CODE 6560-50-M

[FRL-5278-6]**Acid Rain Program: Draft Nitrogen Oxide Compliance Plans****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of draft compliance plans and public comment period.

SUMMARY: The U.S. Environmental Protection Agency is issuing for comment nitrogen oxides (NO_x) compliance plans, which amend previously issued final Phase I Acid Rain Permits, for 10 utility units at 3 plants in accordance with the Acid Rain Program regulations (40 CFR parts 72 and 76).

DATES: Comments on draft NO_x compliance plans must be received no later than September 18, 1995 or 30 days after the publication date of a similar notice in local newspapers.

ADDRESSES: *Administrative records.* The administrative record for the NO_x compliance plans, except information protected as confidential, may be viewed during normal operating hours at the following locations: EPA Region 7 Library, 726 Minnesota Ave., Kansas City, KS 66101 or St. Louis County Air Pollution Control, 111 South Meramec,

Clayton, MO, 63105 or Missouri Dept. of Natural Resources, Jefferson State Office Building, Jefferson City, MO 65102.

Comments. Send comments to the following address: William A. Spratlin, Director, Air and Toxics Division, EPA Region 7 (address above). Submit comments in duplicate and identify the NO_x compliance plan to which the comments apply, the commenter's name, address, and telephone number, and the commenter's interest in the matter and affiliation, if any, to the owners and operators of the unit(s) covered by the compliance plan. All timely comments will be considered, except comments on aspects of the permit other than the NO_x compliance plan and comments not relevant to the compliance plan.

Hearings. To request a public hearing, state the issues proposed to be raised in the hearing. EPA may schedule a hearing if EPA finds that it will contribute to the decision-making process by clarifying significant issues affecting a NO_x compliance plan.

FOR FURTHER INFORMATION CONTACT: Jon Knodel, (913) 551-7622, EPA Region 7.

SUPPLEMENTARY INFORMATION: EPA proposes to approve NO_x averaging plans under which units will comply with the applicable emission limitations under 40 CFR 76.10, for the following utility plants:

Region 7

Labadie in Missouri: units 1, 2, 3, and 4 will each comply with a NO_x averaging plan for 1996-1999. For each year under the plan, the actual annual average emission rate for NO_x for each of these units shall not exceed the alternative contemporaneous annual emission limitation of 0.31 lbs/MMBtu, and the actual annual heat input for units 1, 2, 3, and 4 shall not be less than the annual heat input limits of 25,000,000 MMBtu, 30,000,000 MMBtu, 27,000,000 MMBtu, and 33,000,000 MMBtu, respectively. The other units designated in this plan are Meramec units 1, 2, 3, and 4, and Rush Island units 1 and 2. The designated representative is Paul A. Agathen.

Meramec in Missouri: units 1, 2, 3, and 4 will each comply with a NO_x averaging plan for 1996-1999. For each year under the plan, the actual annual average emission rate for NO_x for each of these units shall not exceed the alternative contemporaneous annual emission limitation of 0.90 lbs/MMBtu for units 1 and 2, and 1.00 lbs/MMBtu for units 3 and 4. The actual annual heat input for units 1, 2, 3, and 4 shall not be greater than the annual heat input limits of 6,000,000 MMBtu, 4,000,000

MMBtu, 11,000,000 MMBtu, and 12,000,000 MMBtu, respectively. The other units designated in this plan are Labadie units 1, 2, 3, and 4, and Rush Island units 1 and 2. The designated representative is Paul A. Agathen.

Rush Island in Missouri: units 1 and 2 will each comply with a NO_x averaging plan for 1996–1999. For each year under the plan, the actual annual average emission rate for NO_x for each of these units shall not exceed the alternative contemporaneous annual emission limitation of 0.31 lbs/MMBtu for unit 1, and 0.60 lbs/MMBtu for unit 2. The actual annual heat input for unit 1 shall not be less than the annual heat input limit of 34,000,000 MMBtu; the actual annual heat input for unit 2 shall not be greater than the annual heat input limit of 31,000,000 MMBtu. The other units designated in this plan are Labadie units 1, 2, 3, and 4, and Meramac units 1, 2, 3, and 4. The designated representative is Paul A. Agathen.

Dated: August 10, 1995.

Larry F. Kertcher,

Acting Director, Acid Rain Division, Office of Atmospheric Programs, Office of Air and Radiation.

[FR Doc. 95–20426 Filed 8–16–95; 8:45 am]

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[FRL–5276–4]

Notice of Agency Completion of Study Regarding Heavy-Duty Engine Rebuilding Practices and Availability of Documents

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of completion of study and availability of documents.

SUMMARY: EPA has completed a study of heavy-duty engine rebuilding practices as required by Section 202(a)(3)(D) of the Clean Air Act (CAA), and the results of that study are now available to the public.

Based on this study, EPA takes the current view that regulations are not warranted to ensure that rebuilt current-technology heavy-duty engines meet the certification emission standards that applied to the engines when new. EPA retains broad authority under section 202(a)(3)(D) of the CAA to impose requirements controlling heavy-duty engine rebuilding practices, and will continue to analyze whether requirements are warranted to protect public health or welfare.

FOR FURTHER INFORMATION CONTACT: Tom Stricker, Environmental Engineer, Manufacturers Operations Division

(6405–J), U.S. Environmental Protection Agency, Washington, D.C. 20460, Telephone: (202) 233–9322. The available reports may be obtained by contacting the person identified above.

SUPPLEMENTARY INFORMATION:

I. Introduction

Section 202(a)(3)(D) of the amended Clean Air Act (Act) requires the Administrator to study the practice of rebuilding heavy-duty engines (HDE's) and the impact rebuilding has on engine emissions. On the basis of that study and other information, EPA may prescribe requirements to control rebuilding practices, including emissions standards, “* * * which in the Administrator's judgment cause, or contribute to, air pollution which may reasonably be anticipated to endanger public health or welfare taking costs into account.” 42 U.S.C. 7521(a)(3)(D). The required study has been completed and is now available to the public. The study findings are set forth in three documents: “Heavy-Duty Engine Rebuilding Practices”, “Heavy-Duty Engine Rebuilding Practices—Results of Emissions Testing”, and Heavy-Duty Engine Rebuilding Practices—Executive Summary”.

II. Background

EPA has long been aware that many HDE's, specifically heavy heavy-duty diesel engines (HDDE's) and medium HDDE's, accumulate mileage far exceeding their statutory useful-life mileage¹, in large part due to engine rebuilding. Many heavy HDDE's accumulate up to one million miles or more before retirement. As a result, heavy HDDE's and medium HDDE's are unregulated for a large part of their actual lives.

EPA conducted the statutorily required study in two phases described below:

Phase I: Conduct a study of the current heavy-duty rebuild market, including identifying the key players in the rebuild industry, the current practices employed by rebuilders, the frequency of rebuilds and the types of engines being rebuilt. The primary data collection source utilized was a Request for Information published in the **Federal Register**.² Phase I was completed in January 1992, and a report was circulated to various interested parties within government and industry.

Phase II: Using the findings of Phase I, conduct emissions testing of various rebuilt heavy-duty engines. EPA

solicited comments from industry in the development of the final testing plan. A draft report was completed in May, 1994 and made available to various interested parties.

III. Phase I: Rebuild Study Findings

EPA found a marked difference in rebuild practices among the various types of heavy-duty diesel engines. Heavy and medium heavy-duty diesel engines are usually rebuilt whereas light heavy-duty diesel engines and heavy-duty gasoline engines are seldom rebuilt.

EPA determined that heavy HDDE's are rebuilt every 300,000–400,000 miles. These large diesel engines are designed to be rebuilt, may undergo up to three or more rebuilds in a lifetime, and generally accumulate one million miles or more before scrappage.

EPA estimates that 220,000–250,000 heavy HDDE's (out of a total heavy HDDE population of approximately 1.5 million) are rebuilt each year by fleets, independent garages, independent remanufacturing centers, original equipment (OE) dealers, OE remanufacturing facilities and others. Critical emissions components such as the fuel injection pump, fuel injectors, cylinder head, and cylinder kits (piston, rings and liner) are generally rebuilt, replaced or calibrated during a typical rebuild.

EPA found that medium HDDE's are generally rebuilt only once, typically at around 200,000 miles. Significant mileage accumulation after rebuild is possible since most of these engines operate for about 300,000 miles before scrappage.

EPA estimates that approximately 67,000 medium HDDE's (out of a total medium HDDE population of approximately 900,000) are rebuilt each year by fleets, independent garages, independent remanufacturing centers, OE dealers, and OE remanufacturing facilities. As with heavy HDDE's, most critical emission components are serviced during rebuild.

Due to the significant number of rebuilds performed on heavy HDDE's and medium HDDE's and the likelihood of significant mileage accumulation after rebuild, EPA determined quantitative emission data from these categories of engines were needed to effectively determine the impact of rebuilding on engine emissions.

Light heavy-duty diesel engines and heavy-duty gasoline engines (HDGE's) are quite different from medium HDDE's and heavy HDDE's. EPA found that light HDDE's and HDGE's are not frequently rebuilt. Most engine manufacturers do not sponsor remanufacturing programs

¹ See 40 CFR 86.085–2 for useful-life definitions.

² See “Request for Information Concerning Heavy-Duty Rebuild Study”, 56 FR 13825 (Apr. 4, 1991).