

the development of a strategic plan as outlined in the Government Performance and Result Act.

FOR FURTHER INFORMATION CONTACT: Richard A. Azzaro, Acting General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004, (800) 788-4016. This is a toll free number.

SUPPLEMENTARY INFORMATION: An independent agency within the Executive Branch, the Defense Nuclear Facilities Safety Board provides advice and recommendations to the President and the Secretary of Energy regarding public health and safety issues at Department of Energy (DOE) defense nuclear facilities.

Broadly, the Board reviews operations, practices, and occurrences at DOE's defense nuclear facilities and makes recommendations to the Secretary of Energy that are necessary to protect public health and safety. If, as a result of its reviews, the Board determines that an imminent or severe threat to public health or safety exists, the Board is required to transmit its recommendation directly to the President, as well as to the Secretaries of Energy and Defense.

The Board's enabling statute, 42 U.S.C. 2286, requires the Board to review and evaluate the content and implementation of health and safety standards, including DOE's Orders, rules, and other safety requirements, relating to the design, construction, operation, and decommissioning of DOE's defense nuclear facilities. The Board must then recommend to the Secretary of Energy any specific measures, such as changes in the content and implementation of those standards, that the Board believes should be adopted to ensure that the public health and safety are adequately protected. The Board is also required to review the design and construction of new defense nuclear facilities and to recommend changes necessary to protect health and safety.

The Board may conduct investigations, issue subpoenas, hold public hearings, gather information, conduct studies, establish reporting requirements for DOE, and take other actions in furtherance of its review of health and safety issues at defense nuclear facilities. The ancillary functions of the Board and its staff all relate to the accomplishment of the Board's primary function, which is to assist DOE in identifying and correcting health and safety problems at defense nuclear facilities.

The Board is soliciting comments from interested parties regarding its

strategic plan to comply with (part d) of the Government Performance and Results Act of 1993 which states, "When developing a strategic plan, the agency shall consult with the Congress, and shall solicit and consider the views and suggestions of those entities potentially affected by or interested in such a plan."

The necessary contents of a strategic plan are outlined in (Part a) of the Government Performance and Results Act of 1993, which states that such a strategic plan shall contain:

"1. A comprehensive mission statement covering the major functions and operations of the agency;

2. General goals and objectives, including outcome-related goals and objectives, for the major functions and operations of the agency;

3. A description of how the goals and objectives are to be achieved, including a description of the operational processes, skills and technology, and the human, capital, information, and other resources required to meet those goals and objectives;

4. A description of how the performance goals included in the plan required by section 1115(a) of title 31 shall be related to the general goals and objectives in the strategic plan;

5. An identification of those key factors external to the agency and beyond its control that could significantly affect the achievement of the general goals and objectives; and

6. A description of the program evaluations used in establishing or revising general goals and objectives, with a schedule for future program evaluations."

The Board specifically reserves its right to further schedule and otherwise regulate the course of the meeting, to recess, reconvene, postpone or adjourn the meeting, conduct further reviews, and otherwise exercise its authority under the Atomic Energy Act of 1954, as amended.

Dated: July 10, 1997.

John T. Conway,
Chairman.

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DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[Docket No. EE-WKS-97-800]

Alternative Fuel Transportation Program

AGENCY: Department of Energy (DOE).

ACTION: Notice of public workshop and opportunity for public comment.

SUMMARY: DOE announces a public workshop on its programs to promote petroleum replacement motor fuels. The workshop will focus on issues related to: (1) The development of programs to promote replacement and alternative fuels under Title V of EPACT and (2) a pending petition for rulemaking that asks DOE to modify the existing alternative fuel vehicle acquisition program (10 CFR part 490) by making a biodiesel blend known as B-20 an eligible alternative fuel. DOE also provides an opportunity for written comments on issues to be discussed at the workshop.

DATES: Written comments, ten (10) copies, must be received by DOE by September 15, 1997.

Oral views, data, and suggestions may be presented at the public workshop which is scheduled to take place 8:30 a.m. on July 31-August 1, 1997, at St. Louis, MO.

ADDRESSES: The public workshop will take place at the Holiday Inn Convention Center, 811 N. 9th Street (at Convention Plaza Drive), Salon A, St. Louis, Missouri. A block of hotel rooms has been reserved at the rate of \$64.50. Please mention the Department of Energy Workshop when making your reservations. To assist DOE in planning for this workshop, please call Andi Kasarsky, (202) 586-3012, to confirm your attendance.

Written comments should be sent to Paul McArdle, U.S. Department of Energy, EE-34, Docket No. EE-WKS-97-800, 1000 Independence Ave., SW, Washington, DC 20585.

A copy of the petition for rulemaking is on file for public inspection in DOE's Freedom of Information Reading Room, Forrestal Building, Room 1E-190, 1000 Independence Avenue, SW, Washington, DC 20585.

FOR FURTHER INFORMATION CONTACT: Paul McArdle, Program Manager, Office of Energy Efficiency and Renewable Energy, EE-34, U.S. Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586-9171.

SUPPLEMENTARY INFORMATION:

I. Introduction and Background

DOE has received a petition for rulemaking to amend the definition of "alternative fuel" in 10 CFR part 490 by adding a biodiesel blend (B-20) which is, by volume, 80 percent petroleum and 20 percent biological non-petroleum material. Part 490 sets forth the regulations that implement Title V of

the Energy Policy Act of 1992 (EPACT) (Pub.L. 102-486) which mandates alternative fuel vehicle acquisition requirements for certain alternative fuel providers and State government fleets. Title V of EPACT provides for one of a variety of EPACT programs to promote fuels that displace petroleum motor fuels, and the petition for rulemaking has prompted DOE to focus on a variety of policy issues about the development and interrelationships of these programs. The public workshop and the opportunity for public comment announced in this notice are intended to elicit public input that would be useful generally in elaborating the EPACT replacement fuel programs and specifically in determining whether to propose the rule the petitioner requests.

Titles III, IV, V, and VI of EPACT authorize a variety of general and specific program authorities to promote any "replacement fuel" that displaces a substantial portion of petroleum as a component of motor fuel. Section 301(14) of EPACT defines the term "replacement fuel" as "the portion of any motor fuel" that is any one of a list of specific fuels including "fuels (other than alcohol) derived from biological materials." 42 U.S.C. 13211(14). As discussed above, B-20, the fuel that is the subject of the petition for rulemaking, is a motor fuel 20 percent of which is derived from biological materials. That 20 percent thus appears to be a "replacement fuel" within the meaning of section 301(14).

Section 502 of the Act provides general authority to establish a program to promote the development and use of replacement fuels in light duty motor vehicles. 42 U.S.C. 13252. However, section 502 leaves to DOE, in consultation with other agencies, the task of determining the appropriate programmatic means and methods to achieve the program objectives which may require further legislation or appropriations. Although the petition for rulemaking does not deal with possible programs under section 502, one of DOE's purposes in holding a workshop is to explore how replacement fuels should be promoted under section 502.

In addition to the general authority in section 502, EPACT contains specific authorities with respect to "alternative fuels." Title III of EPACT requires Federal fleet acquisitions of alternative fueled vehicles; Title IV includes specific authority for a financial incentive program for States, a public information program, and a program for certifying alternative fuel technician training programs; Title V provides for separate regulatory mandates for the

purchase of alternative fueled vehicles which apply to certain alternative fuel providers and State government fleets and for a possible similar mandate for private and municipal fleets; and Title VI provides for a program to promote electric motor vehicles.

The types of vehicles that satisfy the mandates in Title III and Title V are determined in part by the definition of "alternative fuel" in section 301(2). That definition provides:

"alternative fuel means methanol, denatured ethanol, and other alcohols; mixtures containing 85 percent or more (or such other percentage, but not less than 70 percent, as determined by the Secretary, by rule, to provide for requirements relating to cold start, safety, or vehicle functions) by volume of methanol, denatured alcohol, and other alcohols with gasoline or other fuels; natural gas; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Secretary determines, by rule, is substantially not petroleum, and would yield substantial energy security benefits and substantial environmental benefits." 42 U.S.C. 13211(2).

In contrast to the definition of "replacement fuel," which is the non-petroleum component of a motor fuel, this definition focuses on the entire content of the fuel. It is possible, therefore, that a given fuel could contain a component that is a "replacement fuel" but the whole fuel is not an "alternative fuel."

In the rulemaking to establish the policies applicable to the Title V regulatory mandates, DOE considered and then declined to propose a rule to add reformulated gasoline to the list of alternative fuels in section 301(2). The rationale for this conclusion was that the percentage of reformulated gasoline constituting petroleum was too large to warrant a determination that the entire fuel is "substantially not petroleum." According to one commenter, reformulated gasoline could be as much as 17 percent non-petroleum and 83 percent petroleum. 61 FR 10622, 10630 (March 14, 1996).

In arguing for inclusion of B-20 in the definition of "alternative fuel," the petition for rulemaking addresses the general criteria for adding to the list of "alternative fuels." The petition argues that B-20 is substantially not petroleum and would yield substantial energy security benefits and substantial environmental benefits. DOE has placed a copy of the petition in its Freedom of Information Reading Room for public inspection. Issues raised by the petitioners account for some of the issues listed in the draft issue agenda for the workshop that is set forth below. DOE intends to proceed rapidly after the

workshop toward issuing a written decision granting or denying the petition after considering relevant information and views that are provided in the workshop or in written comments. The agenda also will include issues that go beyond the scope of the pending petition for rulemaking, such as appropriate replacement fuel programs.

II. Conduct of the Workshop

The workshop will be conducted by an experienced facilitator in an informal, conference style. The draft agenda described below is subject to modification to ensure that those who attend will have an adequate opportunity to raise issues, offer information, state their views, and interact with other attendees. With respect to some of the issues, the facilitator may ask DOE program staff to make short introductory presentations to provide a useful context for discussion. A transcript of the workshop proceedings will be prepared. There will be no discussion of proprietary information, costs or prices, or other commercial matters regulated by antitrust law.

III. Preliminary Draft Issue Agenda

A. Replacement Fuel Programs

- What are the most suitable means and methods of developing and encouraging the production, distribution, and use of replacement fuels?

B. Criteria for Designating "Alternative Fuels"

1. Substantially Not Petroleum

- Is it appropriate to set a threshold level of non-petroleum content that would warrant a proposed rule to include the fuel in the list of "alternative fuels?"
- How should DOE define a threshold level of non-petroleum content that would warrant a proposed rule to include the fuel on the list of "alternative fuels?"
- What are the permissible interpretations of the statutory term "substantially not petroleum?"

2. Substantial Energy Security Benefits

- Should DOE request a detailed analysis showing how the final energy balance reflecting the amounts and types of energy consumed in production, distribution, and use of a candidate fuel compares to the equivalent path for petroleum production, distribution and use?
- What other factors, such as diversification of resources, location of production outside of the United States,

use of renewable energy sources, and ability to increase production quickly, should be considered?

3. Substantial Environmental Benefits

- Should DOE request that petitioners identify the physical and chemical properties of the candidate fuel such as specific gravity, initial boiling point, flash point, and vapor pressure at 100 degrees Fahrenheit?

- Should petitioners be required to identify environmental detriments and to show that they are either insignificant or outweighed substantially by environmental benefits?

- Should the environmental analysis focus on the total fuel cycle, including production, distribution, and use of the candidate fuel?

- Should petitioners be required to show that alternative fueled vehicles operating on the fuel meet Federal Tier I emissions standards and to submit emissions data including exhaust emissions and evaporative emissions for all fuels with Reid vapor pressures of 7.0 psi or greater to be used in spark-ignited engines?

- How should information on greenhouse gas emissions be presented?

4. Other Considerations

- Would it be permissible and appropriate to condition designation as an "alternative fuel" on a requirement that DOE would only give credit to a newly acquired vehicle that actually uses the new "alternative fuel"?

Issued in Washington, DC, on July 10, 1997.

Joseph J. Romm,

Acting Assistant Secretary, Energy Efficiency and Renewable Energy.

[FR Doc. 97-18531 Filed 7-14-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER97-121-000]

Cinergy Services, Inc.; Notice of Filing

July 9, 1997.

Take notice that on July 1, 1997, Cinergy Services, Inc. tendered for filing an amendment in the above-referenced docket.

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, 888 First Street, N.E., Washington, DC 20426 in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18

CFR 385.214). All such motions or protests should be filed on or before July 21, 1997. 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97-18479 Filed 7-14-97; 8:45 am]

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER97-2243-000]

Consumers Power Company; Notice of Filing

July 9, 1997.

Take notice that Consumers Power Company tendered for filing an amendment to its Notice of Succession filed on March 26, 1997, in the above-referenced docket.

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, 888 First 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 18 CFR 385.214). All such motions or protests should be filed on or before July 21, 1997. 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 must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP97-362-001]

Florida Gas Transmission Company; Notice of Amendment

July 9, 1997.

Take notice that on April 30, 1997, Florida Gas Transmission Company (FGT), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP97-362-001, an amendment to its application filed in Docket No. CP97-362-000. The amended application is to reflect revised Exhibits Y and Z. The initial application in Docket No. CP97-362-000 was filed pursuant to Section 7(b) of the Natural Gas Act, seeking permission and approval to abandon, by sale to Copano Field Services Copano Bay, L.P., a Texas Limited Partnership (Copano), certain natural gas supply laterals and related appurtenant facilities located in the counties of Nueces and San Patricio, Texas, all as more fully set forth in FGT's amendment which is on file with the Commission and open to public inspection.

FGT indicates that it will construct electronic flow measurement equipment and related appurtenant facilities (new receipt point), once Copano takes possession of the above stated facilities. Exhibit Y was amended to reflect FGT's estimated cost to construct the electronic flow measurement equipment and related appurtenant facilities. FGT indicated in its original application, that it proposes to sell Copano the 17.5 mile 12-inch Encinal Channel Lateral; the 0.3 mile 4-inch Shell East White Point Lateral; the 2.7 mile 4-inch Nueces Bay Lateral; the 0.2 mile 4-inch Phillips East White Point Lateral; the 2.1 mile 3-inch Angelita Lateral; and all related appurtenant facilities. In addition, FGT states that it seeks Commission permission to transfer by sale to Copano the 0.3 mile 4-inch Phillips Spradley Lateral which FGT states was abandoned in place pursuant to an order issued by the Commission on May 5, 1983, in Docket No. CP83-80-000.

It is further stated that the abandonment and sale proposed herein will not impair any current services nor will it disadvantage any existing customer of FGT. FGT indicates that the proposed abandonment and sale of the subject facilities will save FGT approximately \$10,500 per year in operating and maintenance costs.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before July 30,