

Adrian Public Library, 143 East Maumee Street, Adrian, Michigan 49221.

FOR FURTHER INFORMATION CONTACT:

William E. Murphie, Acting Director, Office of Eastern Area Programs, Office of Environmental Restoration (EM-42), U.S. Department of Energy 19901 Germantown Road (Cloverleaf Building), Germantown, Maryland 20874-1290, (301) 903-2328, Fax: (301) 903-2385.

SUPPLEMENTARY INFORMATION: The Department of Energy (DOE), Office of Environmental Management, has conducted remedial action at the General Motors site, formerly the Bridgeport Brass Specialty Metals Plant, under the Formerly Utilized Sites Remedial Action Program (FUSRAP). The objective of the program is to identify and remediate or otherwise control sites where residual radioactive contamination remains from activities carried out under contract to the Manhattan Engineer District/Atomic Energy Commission (MED/AEC) during the early years of the nation's atomic energy program. During the 1950s, the Bridgeport Brass Company operated a Special Metals Extrusion Plant at the site in Adrian, Michigan, under contract AT-(30-1)-1405 with the AEC. The plant was operated to extrude uranium metal, which was used to make reactor fuel elements for AEC nuclear reactors at the Hanford site in Washington and the Savannah River site in South Carolina. In July 1988, the former Bridgeport Brass Specialty Metals Plant, now called the General Motors site, was designated for cleanup under FUSRAP.

At the completion of work by the Bridgeport Brass Company, one large extrusion press was shipped to Reactive Metals, Inc., in Ashtabula, Ohio, and put into operation there. All other equipment was dismantled and scrapped; its final disposition is unknown. The Adrian, Michigan, plant was eventually sold to Martin Marietta in the early 1960s and then to General Motors, Inland Fisher Guide Division, in 1974. No records exist from 1961 until 1976 to document residual radioactive contamination levels on the floor, walls, fixtures, and structural members of the building or the interim decontamination efforts performed. However, in subsequent surveys, residual uranium contamination in excess of applicable standards was found, and further cleanup of the site was determined to be warranted. DOE conducted remedial action at the site from April to July 1995.

Post-remedial action surveys have demonstrated, and DOE has certified, that the subject property is in

compliance with the Department's radiological decontamination criteria and standards. The standards are established to protect members of the general public and occupants of the property and to ensure that future use of the property will result in no radiological exposure above applicable guidelines. These findings are supported by the Department's "Certification Docket for the Remedial Action Performed at the General Motors Site, Adrian, Michigan." Accordingly, this property is released from FUSRAP.

The certification docket will be available for review between 9:00 a.m.-4:00 p.m., Monday through Friday (except Federal holidays) in the Department's Public Reading Room located in Room 1E-190 of the Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585. Copies of the certification docket will also be available in the DOE Public Document Room, U.S. Department of Energy, Oak Ridge Operations Office, Oak Ridge, Tennessee, 37831 and at the Adrian Public Library, 143 East Maumee Street, Adrian, Michigan, 49221.

DOE, through the Oak Ridge Operations Office, Former Sites Restoration Division, has issued the following statement:

Statement of Certification: General Motors Site in Adrian, Michigan

The Department of Energy (DOE), Oak Ridge Operations Office, Former Sites Restoration Division, has reviewed and analyzed the radiological data obtained following remedial action at the General Motors site (Property XAO-100-0152-00, Liber 788, Page 688 in the records of the County of Lenawee). Based on analysis of all data collected, including post-remedial action surveys, DOE certifies that any residual contamination which remains onsite falls within current guidelines for use without radiological restrictions. This certification of compliance provides assurance that reasonably foreseeable future use of the property will result in no radiological exposure above current radiological guidelines established to protect members of the general public as well as occupants of the site.

Property owned by: General Motors, Inland Fisher Guide Division, 1450 Beecher Street, Adrian, Michigan.

Issued in Washington, D.C. on January 17, 1997.

James J. Fiore,
Acting Deputy Assistant Secretary for
Environmental Restoration.

[FR DOC. 97-2172 Filed 1-28-97; 8:45 am]

BILLING CODE 6450-01-P.

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 Hunter Energy and Technology Inc. From the DOE Vented Home Heating Equipment Test Procedure (Case No. DH-009)

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

ACTION: Notice.

SUMMARY: Today's notice grants an Interim Waiver to Hunter Energy and Technology Inc. (Hunter) from the Department of Energy (DOE or Department) test procedure for vented home heating equipment. The Interim Waiver concerns pilot light energy consumption for Hunter's models FI25H, HDS2000, HDV30E, HDV2500, PW20, PW35, PW50, HFI30, HFS40, HWF15, and HWF30 vented heaters.

Today's notice also publishes a "Petition for Waiver" from Hunter. Hunter's Petition for Waiver requests DOE to grant relief from the DOE vented home heating equipment test procedure relating to the use of pilot light energy consumption in calculating the Annual Fuel Utilization Efficiency (AFUE). Specifically, Hunter seeks to delete the required pilot light measurement (Q_p) in the calculation of AFUE when the pilot is off. The Department solicits comments, data, and information respecting the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than February 28, 1997.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. DH-009, Mail Stop EE-43, Room 1J-018, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-7140.

FOR FURTHER INFORMATION CONTACT: William W. Hui, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Stop EE-43, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0121, (202) 586-9145; or

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Stop GC-72, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585-0103, (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, as amended (EPCA), which requires DOE to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including vented home heating equipment. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making informed purchasing decisions. These test procedures appear at Title 10 CFR Part 430, Subpart B.

The Department amended the test procedure rules to provide for a waiver process by adding § 430.27 to Title 10 CFR Part 430. 45 FR 64108, September 26, 1980. Subsequently, DOE amended the 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. Title 10 CFR Part 430, § 430.27(a)(2).

The waiver process allows the Assistant Secretary to waive temporarily 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 amendments to the test procedures resolve the problem that is the subject of the waiver.

An Interim Waiver will be granted if 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 if 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. Title 10 CFR Part 430, § 430.27(g). An Interim Waiver remains in effect for a period of 180 days, or until DOE issues a determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

On October 22, 1996, Hunter filed an Application for Interim Waiver and a Petition for Waiver regarding pilot light energy consumption.

Hunter seeks an Interim Waiver of the DOE test provisions in section 3.5 of Title 10 CFR Part 430, Subpart B,

Appendix O, which requires measurement of energy input rate of the pilot light (Q_p), and in section 4.2.6, which requires the use of this data for the calculation of AFUE, where:

$$AFUE = \frac{[4400\eta_{ss}\eta_u Q_{in-max}]}{[4400\eta_{ss}Q_{in-max} + 2.5(4600)\eta_u Q_p]}$$
 instead, Hunter requests that, in essence, it be allowed to delete Q_p and accordingly, the $[2.5(4600)\eta_u Q_p]$ term in the calculation of AFUE. Hunter states that instructions to turn off the transient pilot by the user when the heater is not in use are in the User Instruction Manual and on a label adjacent to the gas control valve. Since the current DOE test procedure does not address pilot light energy savings, and since others have received the same waiver under the same circumstances, Hunter asks that the Interim Waiver be granted.

Previous Petitions for Waiver to exclude the pilot light energy input term in the calculation of AFUE for vented heaters with a manual transient pilot control have been granted by DOE to Appalachian Stove and Fabricators, Inc., 56 FR 51711, October 15, 1991; Valor Incorporated, 56 FR 51714, October 15, 1991; CFM International Inc., 61 FR 17287, April 19, 1996; Vermont Castings, Inc., 61 FR 17290, April 19, 1996; Superior Fireplace Company, 61 FR 17885, April 23, 1996; Vermont Castings, Inc., 61 FR 57857, November 8, 1996; and HEAT-N-GLO Fireplace Products, Inc., 61 FR 64519, December 5, 1996.

Thus, it appears likely that Hunter's Petition for Waiver concerning pilot light energy consumption for vented heaters will be granted. In those instances where the likely success of the Petition for Waiver has been demonstrated based upon DOE having granted a waiver for a similar product design, it is in the public interest to have similar products tested and rated for energy consumption on a comparable basis.

Therefore, based on the above, DOE is granting Hunter an Interim Waiver for its model FI25H, HDS2000, HDV30E, HDV2500, PW20, PW35, PW50, HFI30, HFS40, HWF15, and HWF30 vented heaters. Hunter shall be permitted to test these models of its vented heaters on the basis of the test procedures specified in Title 10 CFR Part 430, Subpart B, Appendix O, with the following modifications:

- (i) Delete paragraph 3.5 of Appendix O.
- (ii) Delete paragraph 4.2.6 of Appendix O and replace with the following paragraph:
4.2.6 Annual Fuel Utilization Efficiency. For manually controlled

vented heaters, calculate the Annual Fuel Utilization Efficiency (AFUE) as a percent and defined as:

$AFUE = \eta_u$

Where:

η_u = as defined in section 4.2.5 of this appendix.

(iii) With the exception of the modification set forth above, Hunter shall comply in all respects with the procedures specified in Appendix O of Title 10 CFR Part 430, Subpart B.

This Interim Waiver is based upon the presumed validity of all statements and allegations submitted by the company. This Interim Waiver may be revoked or modified at any time upon a determination that the factual basis underlying the Application is incorrect.

This Interim Waiver is effective on the date of issuance by the Assistant Secretary for the Office of Energy Efficiency and Renewable Energy. 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.

Hunter's Petition for Waiver requests DOE to grant relief from the portion of DOE test procedure for vented home heating equipment that relates to measurement of energy consumption by the pilot light. Specifically, Hunter seeks to exclude the pilot light energy consumption from the calculation of AFUE. Pursuant to paragraph (b) of Title 10 CFR Part 430.27, the Department 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, January 22, 1997.

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

October 22, 1996.

Christine A. Ervin,
Assistant Secretary of Energy Efficiency and Renewable Energy, United States Department of Energy, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585

Subject: Petition for Waiver to Title 10, Code of Federal Regulations 430.27

Dear Secretary Ervin, Please accept this letter as a Petition for Waiver from the test procedures outlined in 10 CFR, part 430, subpart B, Appendix O—Uniform Test Method for Measuring the Energy Consumption of Vented Home Heating Equipment.

There are two sections for which the waiver is requested. Section 3.5—Pilot Light Measurement and Section 4.2.6—Annual Fuel Utilization Efficiency.

These sections require the measurement of energy input of the pilot and this measurement to be included in the calculation of the AFUE for the appliance.

Hunter is requesting that the pilot energy consumption be waived from the AFUE calculation for each of the models listed below. Each of these models are presently listed in the GAMA Directory.

—F125H
—HDS2000
—HDV30E
—HDV2500
—PW20
—PW35
—PW50
—HF130
—HFS40
—HWF15
—HWF30

The combination gas control valves that are used in these appliances can be manually turned off when the appliance is not in use. When the gas control knob is in the "OFF" position, both the pilot and main burner is off. To operate the appliance, the pilot must be re-lit and the gas control knob turned to the "ON" position and both the pilot and main burner will be in operation.

The Lighting Instructions in the appliance Instruction Manual and the Lighting Instructions label affixed to the appliance will require the user to turn the gas control knob on the valve to the "OFF" position when the appliance is not in use.

The U.S. Department of Energy has previously granted this same waiver to a number of manufacturers. Hunter requests that the U.S. Department of Energy grant Hunter Energy and Technology Inc. this same waiver.

If you have any questions or require any additional information regarding the above subject matter, please contact me anytime at (705) 325-6111.

Sincerely,

Don Leslie,
*Design and Development Engineering
Manager.*

[FR Doc. 97-2174 Filed 1-28-97; 8:45 am]

BILLING CODE 6450-01-P

Federal Energy Regulatory Commission

[Docket No. RP97-232-000]

Amoco Production Company, et al.; Notice of Complaint

January 23, 1997.

Take notice that on January 17, 1997, pursuant to Rule 206 of the Rules of Practice and Procedure of the Federal Energy Commission, 18 CFR Section 385.206, Amoco Production Company and Amoco Energy Trading Corporation (collectively, Amoco) tendered for filing a Verified Complaint, Request For Show Cause Order, Request For Interim Relief And Request For Shortened Answer Period against Natural Gas Pipeline Company of America (Natural).

Amoco alleges that Natural has been engaged in a continuous pattern of undue discrimination and undue favoritism in favor of its affiliate, MidCon Gas Services Corporation (MidCon Gas) in violation of Sections 4, 5, 8, and 10 of the Natural Gas Act (NGA), 15 U.S.C. §§ 717c, 717d, 717g and 717i, Sections 311 (a)(1) and (c) of the Natural Gas Policy Act (NGPA), 15 U.S.C. §§ 3371 (a)(1) and (c), Order No. 636, Order No. 497, Order No. 566 and the Commission's policies and principles on which those orders are based.

Natural's pattern of discriminatory conduct, Amoco argues, is demonstrated through several of Natural's actions: (1) Natural fails to follow its currently effective tariff procedures for the awarding of available capacity; (2) Natural fails to make available unsubscribed capacity and to post adequate, timely and usable information on unsubscribed capacity; (3) Natural retains for itself absolute discretion in how it will weigh bid criteria and award capacity on any given day; (4) Natural awards capacity to its affiliated marketer, MidCon Gas, on terms not made available to nonaffiliated shippers; (5) Natural periodically uses an auction procedure—not contemplated by Natural's Tariff and not used on a consistent or regular basis—that ensures that MidCon Gas can acquire available capacity to the exclusion of nonaffiliated shippers; (6) Natural releases MidCon Gas from capacity commitments on a discriminatory basis; (7) Natural has cycled employees to its affiliated gas marketer and maintained during the period in which it allocated the vast majority of its uncommitted firm capacity to MidCon Gas an entangled organizational structure that violates Order Nos. 497 and 566; (8) Natural violates numerous of the Commission's Order Nos. 497 and 566 Standards of Conduct codified at 18 CFR § 161.3; and (9) Natural fails to post information on its transactions with its affiliated marketer, MidCon Gas as required by Order Nos. 497 and 566.

In addition, Amoco asks that the Commission order Natural to show cause why (1) each of its currently effective contracts with its affiliate MidCon Gas should not be terminated as each is the result of undue discrimination in violation of Sections 4 and 5 of the NGA and Section 311(a)(1) of the NGPA; (2) Section 5.1 of its General Terms and Conditions is not in violation of the Commission's regulations, and why Natural should not be ordered to include specific bid evaluation criteria; (3) its Tariff is not in

violation of Commission posting requirements, and why it should not be ordered to post all available capacity on its EBB; (4) its systematic and pervasive undue discrimination and violations of Order Nos. 497 and 566 should not be remedied with a Commission order divestiture whereby MidCon Gas is precluded from recontracting for firm capacity on Natural; and (5) it should not be subject to the maximum civil penalties of \$5,000 per day per violation for its violations of the NGPA. Amoco also asks that the Commission require Natural to demonstrate that its organizational structure has been in compliance with the Order Nos. 497 and 566 requirements of the separation of operating personnel.

Any person desiring to be heard or protest said Complaint should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426, in accordance with section 385.214 and 385.211 of the Commission's Rules of Practice and Procedure. All such motions or protests must be filed on or before February 24, 1997. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make a protestant party 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 in the Public Reference Room. Answers to this complaint are due on or before February 24, 1997.

Lois D. Cashell,

Secretary.

[FR Doc. 97-2118 Filed 1-28-97; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP97-228-000]

CNG Transmission Corporation; Notice of Section 4 Filing

January 23, 1997.

Take notice that on January 15, 1997, CNG Transmission Corporation (CNG) tendered for filing pursuant to Section 4 of the Natural Gas Act, a notice of termination of gathering services which CNG currently provides on uncertificated gathering facilities which are being abandoned in place or sold. CNG states that no contracts for transportation service with CNG will be terminated. CNG asserts that the receipt meters will be located downstream where gas will feed CNG's system.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal