

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5856-9]

Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses; Public Review of a Notification of Intent To Certify Equipment

AGENCY: Environmental Protection Agency.

ACTION: Notice of agency receipt of a notification of intent to certify equipment and initiation of public review and comment period.

SUMMARY: Nelson Industries, Inc., Nelson Division (Nelson) has submitted to the Agency a notification of intent to certify urban bus retrofit/rebuild equipment pursuant to 40 CFR part 85, subpart O. The notification describes equipment consisting of an oxidation catalyst combined with a noise muffler which replaces the original muffler unit installed on the engine. The equipment is intended for use on all petroleum-fueled Detroit Diesel Corporation (DDC) two-stroke cycle urban bus engines from 1979 through 1993 model year, exclusive of the 1990 model year DDC 6L71TA. In addition, Nelson requests certification of this equipment for use on engines rebuilt using the DDC 6V92TA mechanical unit injector (MUI) and electronic control (DDEC II) engine upgrade kits previously certified by EPA under the retrofit/rebuild program.¹ Pursuant to § 85.1407(a)(7), today's **Federal Register** notice summarizes the notification, announces that the notification is available for public review and comment, and initiates a 45-day period during which comments can be submitted. The Agency will review this notification of intent to certify, as well as any comments it receives, to determine whether the equipment described in the notification of intent to certify should be certified. If certified, the equipment can be used by urban bus operators to reduce the particulate matter of urban bus engines.

The notification of intent to certify, as well as other materials specifically relevant to it, are contained in Category XIX of Public Docket A-93-42, entitled "Certification of Urban Bus Retrofit/Rebuild Equipment". This docket is located at the address listed below.

Today's notice initiates a 45-day period during which the Agency will accept written comments relevant to whether or not the equipment included

in this notification of intent to certify should be certified. Comments should be provided in writing to Public Docket A-93-42, Category XIX, at the address below, and an identical copy should be submitted to Tom Stricker, also at the address below.

DATES: Comments must be submitted on or before August 25, 1997.

ADDRESSES: Submit separate copies of comments to each of the two following addresses:

1. U.S. Environmental Protection Agency, Public Docket A-93-42 (Category XIX), Room M-1500, 401 M Street SW, Washington, DC 20460.
2. Tom Stricker, Engine Programs and Compliance Division (6403J), 401 "M" Street SW, Washington, DC 20460.

The Nelson notification of intent to certify, as well as other materials specifically relevant to it, are contained in the public docket indicated above. Docket items may be inspected from 8:00 a.m. until 5:30 p.m., Monday through Friday. As provided in 40 CFR part 2, a reasonable fee may be charged by the Agency for copying docket materials.

FOR FURTHER INFORMATION CONTACT: Tom Stricker, Engine Programs and Compliance Division (6403J), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, DC 20460. Telephone: (202) 233-9322.

SUPPLEMENTARY INFORMATION:

I. Background

On April 21, 1993, the Agency published final Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses (58 FR 21359). The retrofit/rebuild program is intended to reduce the ambient levels of particulate matter (PM) in urban areas and is limited to 1993 and earlier model year (MY) urban buses operating in metropolitan areas with 1980 populations of 750,000 or more, whose engines are rebuilt or replaced after January 1, 1995. Operators of the affected buses are required to choose between two compliance options: Program 1 sets particulate matter emissions requirements for each urban bus engine in an operator's fleet which is rebuilt or replaced; Program 2 is a fleet averaging program that establishes specific annual target levels for average PM emissions from urban buses in an operator's fleet.

A key aspect of the program is the certification of retrofit/rebuild equipment. To meet either of the two compliance options, operators of the affected buses must use equipment

which has been certified by the Agency. Emissions requirements under either of the two compliance options depend on the availability of retrofit/rebuild equipment certified for each engine model. To be used for Program 1, equipment must be certified as meeting a 0.10 g/bhp-hr PM standard or as achieving at least a 25 percent reduction in PM. Equipment used for Program 2 must be certified as providing some level of PM reduction that would in turn be claimed by urban bus operators when calculating their average fleet PM levels attained under the program. For Program 1, information on life cycle costs must be submitted in the notification of intent to certify in order for certification of the equipment to initiate (or trigger) program requirements. To trigger program requirements, the certifier must guarantee that the equipment will be available to all affected operators for a life cycle cost of \$7,940 or less at the 0.10 g/bhp-hr PM level, or for a life cycle cost of \$2,000 or less for 25 percent or greater reduction in PM. Both of these values are based on 1992 dollars.

II. Notification of Intent To Certify

By a notification of intent to certify dated March 11, 1997, Nelson has applied for certification of equipment applicable to all Detroit Diesel Corporation (DDC) two-stroke cycle urban bus engines from 1979 through 1993 model year, exclusive of the 1990 model year DDC 6L71TA. In addition, Nelson requests certification of this equipment for use on engines rebuilt using the DDC 6V92TA mechanical unit injector (MUI) and electronic control (DDEC II) engine upgrade kits previously certified by EPA under the retrofit/rebuild program. The notification of intent to certify states that the candidate equipment will reduce PM emissions 25 percent or more relative to the original PM level of the engine. Nelson provides criteria for determining whether or not the engine needs to be rebuilt prior to installing the candidate equipment. Further, transit pricing level has been submitted with the notification, along with a guarantee that the equipment will be offered to all affected operators for less than the incremental life cycle cost ceiling for a 25 percent reduction technology. EPA notes that the program requirement, applicable to operators choosing to comply with program 1, to reduce PM levels by at least 25 percent when these engines are rebuilt or replaced, has already been triggered, for the engine models covered by Nelson's request, by Englehard Corporation with certification

¹ The DDC MUI upgrade kit was certified by EPA on October 2, 1995 (60 FR 51472). The DDC DDEC II upgrade kit was certified by EPA on June 28, 1996 (61 FR 37738).

of their catalytic-converter muffler (CCM).² In addition, for certain engine models covered by Nelson's request, the 0.10 grams per brake horsepower-hour (g/bhp-hr) PM standard has already been triggered.³ Nevertheless, EPA plans to review available information and comments related to the cost of the Nelson equipment and, if appropriate, to certify the Nelson equipment on the basis of being available to all affected operators for less than the life-cycle cost ceiling of \$2,000 (1992 dollars). Any equipment certified as meeting the both the emission and cost requirements can be considered by EPA when updating the post-rebuild PM levels used by transit operators choosing to comply with program 2.⁴

To determine particulate matter (PM) reduction of the candidate equipment under the urban bus retrofit/rebuild program, Nelson presents exhaust emission data from a 1983 DDC 6V92TA with mechanical unit fuel injection (MUI), which was rebuilt by Detroit Diesel Remanufacturing—Central, Inc. prior to baseline testing. The engine was retested with the candidate equipment installed. The data show a 53 percent reduction in PM emissions between the baseline engine and the engine with the candidate equipment installed. In addition, the test data indicate that the emissions of hydrocarbon (HC), carbon monoxide (CO), and oxides of nitrogen (NOx) with the candidate equipment installed are less than applicable standards. Fuel consumption measurements indicate a fuel economy penalty of less than 1 percent with the candidate equipment installed. Nelson presents smoke emission measurements for the engine which indicate compliance with applicable standards.

Consistent with previous catalyst certifications for 25 percent reduction, EPA believes that the Nelson test engine meets the criteria for worse-case test engine, described at § 85.1406 (a), for all two-stroke cycle engines (exclusive of the 1990 model year DDC 6L71TA), including both mechanically and electronically fuel injected engines. As further described in that section, EPA reserves the right to request additional information showing that PM reduction does not vary significantly among engine families. However, because the Nelson test data indicate over a 50 percent PM reduction on the DDC 6V92TA MUI test engine, EPA believes it reasonable to expect that electronically-controlled engines, with the Nelson catalyst installed, will be

capable of meeting the 25 percent reduction standard for which Nelson is requesting certification.

Nelson states that the candidate equipment will be offered to all affected operators for less than a life cycle cost of \$2,000 (1992 dollars), and has submitted life cycle cost information. Nelson states that the purchase price of the catalytic muffler unit will not exceed \$2,069 (in January 1997 dollars). In addition, Nelson states that equipment installation time will not exceed 5 hours, resulting in an installation cost of \$199 (in January 1997 dollars). Finally, Nelson states that there is no incremental maintenance required of the catalyst unit, and no fuel economy impact.

Certification of the candidate Nelson equipment would affect operators as follows. For the 1979 through 1989 6V92TA MUI engine models, EPA has previously certified equipment which triggered the requirement to use equipment certified to the 0.10 g/bhp-hr level beginning September 15, 1997. Therefore, under Program 1, operators who rebuild or replace 1979 through 1989 model year DDC 6V92TA MUI engines after this date will be required to use equipment certified to meet the 0.10 g/bhp-hr PM level. For all other engine models to which this certification would apply, EPA has previously certified equipment which triggered the requirement to use equipment certified as providing a minimum 25 percent reduction in PM beginning December 1, 1995. If the candidate Nelson equipment is certified to reduce PM by at least 25 percent, then its use under program 1 will meet this requirement for these other engine models. This requirement will continue for the applicable engines until such time that equipment is certified to trigger the 0.10 g/bhp-hr emission standard for these engines for less than a life cycle cost of \$7,940 (in 1992 dollars). If the Agency certifies the candidate Nelson equipment, then operators who choose to comply with Program 2 and install this equipment, will use the PM emission level(s) established during the certification review process, in their calculations for target or fleet level as specified in the program regulations.

At a minimum, EPA expects to evaluate this notification of intent to certify, and other materials submitted as applicable, to determine whether there is adequate demonstration of compliance with: (1) The certification requirements of § 85.1406, including whether the testing accurately substantiates the claimed emission reduction or emission levels; and, (2)

the requirements of § 85.1407 for a notification of intent to certify, including whether the data provided by Nelson complies with the life cycle cost requirements.

The Agency requests that those commenting also consider these regulatory requirements, plus provide comments on any experience or knowledge concerning: (a) Problems with installing, maintaining, and/or using the candidate equipment on applicable engines; and, (b) whether the equipment is compatible with affected vehicles.

The date of this notice initiates a 45-day period during which the Agency will accept written comments relevant to whether or not the equipment described in the DDC notification of intent to certify should be certified pursuant to the urban bus retrofit/rebuild regulations. Interested parties are encouraged to review the notification of intent to certify and provide comment during the 45-day period. Please send separate copies of your comments to each of the above two addresses.

The Agency will review this notification of intent to certify, along with comments received from interested parties, and attempt to resolve or clarify issues as necessary. During the review process, the Agency may add additional documents to the docket as a result of the review process. These documents will also be available for public review and comment within the 45 day period.

Richard Wilson,

Acting Assistant Administrator for Air and Radiation.

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-5482-1]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements Filed June 30, 1997

Through July 3, 1997.

Pursuant to 40 CFR 1506.9.

EIS No. 970247, Draft EIS, SFW, ID, MT, Grizzly Bear (*Ursus arctos horribilis*) Recovery Plan in the Bitterroot Ecosystem, Implementation, Endangered Species Act, Proposed Special Rule 10(j) Establishment of a Nonessential Experimental Population of Grizzly Bears in the

² 60 FR 28402, May 31, 1995.

³ 62 FR 12166, March 14, 1997.

⁴ See 40 CFR 85.1403 (c)(1).