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Lois D. Cashell,
Secretary.

[FR Doc. 96-1697 Filed 1-29-96; 8:45 am]

BILLING CODE 6717-01-M

Office of Arms Control and Nonproliferation Policy

Proposed Subsequent Arrangement

AGENCY: Department of Energy.

ACTION: Subsequent Arrangement.

SUMMARY: Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" to be carried out in the Republic of Korea under the Agreement for Cooperation between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Atomic Energy, signed November 24, 1972, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreement involves the joint determination, pursuant to Article VIII (c) of that Agreement, that the provisions of Article XI may be effectively applied for the alteration in form or content of U.S.-origin nuclear material contained in pressurized water reactor fuels, CANDU fuels, and research reactor fuels at the Post Irradiation Examination Facility and the Irradiated Materials Examination Facility at the Headquarters of the Korea Atomic Energy Research Institute in accordance with the plan contained in KAERI/AR-417/95, Rev-1, dated May, 1995. The aforementioned determination will be made, and the approval for the post-irradiation examination for the agreed upon program will be granted, for the period ending December 31, 2001.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

Dated: January 22, 1996.

For the Department of Energy.

Edward T. Fei,

Deputy Director, International Policy and Analysis Division, Office of Arms Control and Nonproliferation.

[FR Doc. 96-1610 Filed 1-29-96; 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 Thermo Products Inc. From the DOE Furnace Test Procedure. (Case No. F-083)

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

ACTION: Notice.

SUMMARY: Today's notice grants an Interim Waiver to Thermo Products Inc. (Thermo Products) from the existing Department of Energy (DOE or Department) test procedure regarding blower time delay for the company's CHA-upflow and CCA-downflow condensing gas furnaces.

Today's notice also publishes a "Petition for Waiver" from Thermo Products. Thermo Products Petition for Waiver requests DOE to grant relief from the DOE furnace test procedure relating to the blower time delay specification. Thermo Products seeks to test using a blower delay time of 45 seconds for its CHA-upflow and CCA-downflow condensing gas furnaces instead of the specified 1.5-minute delay between burner on-time and blower on-time. The Department is soliciting comments, data, and information respecting the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than February 29, 1996.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. F-083, Mail Stop EE-43, Room 1J-108, Forestall Building, 1000 Independence Avenue, SW, Washington, D.C. 20585, (202) 586-7140.

FOR FURTHER INFORMATION CONTACT:

Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forestall Building, 1000 Independence Avenue, SW., Washington, D.C. 20585-0121, (202) 586-9138

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forestall Building, 1000 Independence Avenue, SW., Washington, D.C. 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 furnaces. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making 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 Section 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, Section 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 final test procedure amendments become effective, resolving 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 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, Section 430.27(g). 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 November 29, 1995, Thermo Products filed an Application for Interim Waiver and a Petition for Waiver regarding blower time delay. Thermo Products Application seeks an Interim Waiver from the DOE test provisions that require a 1.5-minute time delay between the ignition of the burner and starting of the circulating air blower. Instead, Thermo Products requests the allowance to test using a 45-second blower time delay when testing its CHA-upflow and CCA-downflow condensing gas furnaces. Thermo Products states that the 45-second delay is indicative of how these furnaces actually operate. Such a delay results in an increase in AFUE improvement of up to 2.0 percent. Since current DOE test procedures do not address this variable blower time delay, Thermo Products asks that the Interim Waiver be granted.

The Department has published a Notice of Proposed Rulemaking on August 23, 1993, (58 FR 44583) to amend the furnace test procedure, which addresses the above issue.

Previous Petitions for Waiver for this type of time blower delay control have been granted by DOE to Coleman Company, 50 FR 2710, January 18, 1985; Magic Chef Company, 50 FR 41553, October 11, 1985; Rheem Manufacturing Company, 53 FR 48574, December 1, 1988, 56 FR 2920, January 25, 1991, 57 FR 10166, March 24, 1992, 57 FR 34560, August 5, 1992; 59 FR 30577, June 14, 1994, and 59 FR 55470, November 7, 1994; Trane Company, 54 FR 19226, May 4, 1989, 56 FR 6021, February 14, 1991, 57 FR 10167, March 24, 1992, 57 FR 22222, May 27, 1992, 58 FR 68138, December 23, 1993, and 60 FR 62835, December 7, 1995; Lennox Industries, 55 FR 50224, December 5, 1990, 57 FR 49700, November 3, 1992, 58 FR 68136, December 23, 1993, and 58 FR 68137, December 23, 1993; Inter-City Products Corporation, 55 FR 51487, December 14, 1990, and 56 FR 63945, December 6, 1991; DMO Industries, 56 FR 4622, February 5, 1991, and 59 FR 30579, June 14, 1994; Heil-Quaker Corporation, 56 FR 6019, February 14, 1991; Carrier Corporation, 56 FR 6018, February 14, 1991, 57 FR 38830, August 27, 1992, 58 FR 68131, December 23, 1993, 58 FR 68133, December 23, 1993, 59 FR 14394, March 28, 1994, and 60 FR 62832, December 7, 1995; Amana Refrigeration Inc., 56 FR 27958, June 18, 1991, 56 FR 63940, December 6, 1991, 57 FR 23392, June 3, 1992, and 58 FR 68130, December 23, 1993; Snyder General Corporation, 56 FR 54960, September 9,

1991; Goodman Manufacturing Corporation, 56 FR 51713, October 15, 1991, 57 FR 27970, June 23, 1992 and 59 FR 12586, March 17, 1994; The Ducane Company Inc., 56 FR 63943, December 6, 1991, 57 FR 10163, March 24, 1992, and 58 FR 68134, December 23, 1993; Armstrong Air Conditioning, Inc., 57 FR 899, January 9, 1992, 57 FR 10160, March 24, 1992, 57 FR 10161, March 24, 1992, 57 FR 39193, August 28, 1992, 57 FR 54230, November 17, 1992, and 59 FR 30575, June 14, 1994; Thermo Products, Inc., 57 FR 903, January 9, 1992; Consolidated Industries Corporation, 57 FR 22220, May 27, 1992; Evcon Industries, Inc., 57 FR 47847, October 20, 1992, and 59 FR 46968, September 13, 1994; Bard Manufacturing Company, 57 FR 53733, November 12, 1992, and 59 FR 30578, June 14, 1994; and York International Corporation, 59 FR 46969, September 13, 1994, 60 FR 100, January 3, 1995, 60 FR 62834, December 7, 1995, and 60 FR 62837, December 7, 1995.

Thus, it appears likely that this Petition for Waiver for blower time delay 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 Thermo Products an Interim Waiver for its CHA-upflow and CCA-downflow condensing gas furnaces. Thermo Products shall be permitted to test its CHA-upflow and CCA-downflow condensing gas furnaces on the basis of the test procedures specified in Title 10 CFR Part 430, Subpart B, Appendix N, with the modification set forth below:

(i) Section 3.0 in Appendix N is deleted and replaced with the following paragraph:

3.0 Test Procedure. Testing and measurements shall be as specified in Section 9 in ANSI/ASHRAE 103-82 with the exception of Sections 9.2.2, 9.3.1, and 9.3.2, and the inclusion of the following additional procedures:

(ii) Add a new paragraph 3.10 in Appendix N as follows:

3.10 Gas- and Oil-Fueled Central Furnaces. After equilibrium conditions are achieved following the cool-down test and the required measurements performed, turn on the furnace and measure the flue gas temperature, using the thermocouple grid described above, at 0.5 and 2.5 minutes after the main burner(s) comes on. After the burner start-up, delay the blower start-up by 1.5 minutes (t-) unless: (1) the furnace employs a single motor to drive the

power burner and the indoor air circulation blower, in which case the burner and blower shall be started together; or (2) the furnace is designed to operate using an unvarying delay time that is other than 1.5 minutes, in which case the fan control shall be permitted to start the blower; or (3) the delay time results in the activation of a temperature safety device which shuts off the burner, in which case the fan control shall be permitted to start the blower. In the latter case, if the fan control is adjustable, set it to start the blower at the highest temperature. If the fan control is permitted to start the blower, measure time delay (t-) using a stop watch. Record the measured temperatures. During the heat-up test for oil-fueled furnaces, maintain the draft in the flue pipe within ± 0.01 ινση οφ ζατηρ πολθμν οφ τηε μανθφανατηρερ#σ ρεψομμενδεδ ον-περιοδ δραφτ.

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.

Thermo Products's Petition for Waiver requests DOE to grant relief from the DOE furnace test procedure relating to the blower time delay specification. Thermo Products seeks to test using a blower delay time of 45 seconds for its CHA-upflow and CCA-downflow condensing gas furnaces instead of the specified 1.5-minute delay between burner on-time and blower on-time. Pursuant to paragraph (b) of Title 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. Christine A. Ervin, Assistant Secretary, Energy Efficiency and Renewable Energy.

Thermo Pride

Heating, Cooling, Electronic Air Cleaning and Humidification Equipment

November 29, 1995.

The Assistant Secretary for Conservation and Renewable Energy,

United States Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585

Subject: *Petition for Waiver and Application for Interim Waiver*

Gentlemen: This is a Petition for Waiver and Application for Interim Waiver which are submitted pursuant to Title 10 CFR 430.27. Waiver is requested from Test Procedures for Measuring the Energy Consumption of Furnace found in Appendix N to Subpart B of Part 430.

The test procedure requires a 1.5 minute delay between burner and blower start-up. Thermo Products requests a waiver from the specified 1.5 minute delay and requests approval to use a 45-second delay for our Series CHA- upflow and CCA- downflow condensing type residential gas fired furnaces.

An electronic fan control is being used on these products that incorporate a fixed timing.

Current test procedures do not credit Thermo Products for the energy savings associated with the shorter blower timing. The shorter timed on fan delay reduces flue losses therefor increasing furnace efficiency. Test data for these furnaces utilizing a 45-second timing indicates an increase in AFUE up to 2%. Confidential supporting test data is available upon request.

Thermo Products is confident that this Waiver will be granted, as several other manufacturers of gas furnaces received DOE granted waivers such as Carrier, Lennox Industries, Inter-City Products, Amana, Rheem Manufacturing and others based on timed blower operation.

Manufacturers that domestically market similar products are being sent a copy of this Petition for Waiver and Application for Interim Waiver.

Sincerely,

Everett E. James,

Director of Engineering.

[FR Doc. 96-1728 Filed 1-29-96; 8:45 am]

BILLING CODE 6450-01-P

[Case No. F-084]

Energy Conservation Program for Consumer Products: Granting of the Application for Interim Waiver and Publishing of the Petition for Waiver of Goodman Manufacturing Company From the DOE Furnace Test Procedure

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

ACTION: Notice.

SUMMARY: Today's notice grants an Interim Waiver to Goodman Manufacturing Company (Goodman) from the existing Department of Energy (DOE or Department) test procedure regarding blower time delay for the company's GSU series central furnaces.

Today's notice also publishes a "Petition for Waiver" from Goodman. Goodman's Petition for Waiver requests DOE to grant relief from the DOE furnace test procedure relating to the blower time delay specification. Goodman seeks to test using a blower

delay time of 30 seconds for its GSU series central furnaces instead of the specified 1.5-minute delay between burner on-time and blower on-time. The Department is soliciting comments, data, and information respecting the Petition for Waiver.

DATES: DOE will accept comments, data, and information not later than February 29, 1996.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. F-084, Mail Stop EE-43, Room 1J-108, Forestall Building, 1000 Independence Avenue, SW, Washington, D.C. 20585, (202) 586-7140.

FOR FURTHER INFORMATION CONTACT:

Cyrus H. Nasser, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE-431, Forestall Building, 1000 Independence Avenue, SW., Washington, D.C. 20585-0121, (202) 586-9138

Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC-72, Forestall Building, 1000 Independence Avenue, SW., Washington, D.C. 20585-0103, (202) 586-9507

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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 final test procedure amendments become effective, resolving 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 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, Section 430.27 (g). 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 19, 1995, Goodman filed an Application for Interim Waiver and a Petition for Waiver regarding blower time delay. Goodman's Application seeks an Interim Waiver from the DOE test provisions that require a 1.5-minute time delay between the ignition of the burner and starting of the circulating air blower. Instead, Goodman requests the allowance to test using a 30-second blower time delay when testing its GSU series central furnaces. Goodman states that the 30-second delay is indicative of how these furnaces actually operate. Such a delay results in an increase in AFUE of 1.0 percentage point. Since current DOE test procedures do not address this variable blower time delay, Goodman asks that the Interim Waiver be granted.

The Department has published a Notice of Proposed Rulemaking on August 23, 1993, (58 FR 44583) to amend the furnace test procedure, which addresses the above issue.

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