regulation.[4] Any party wishing to present testimony at the hearing or by written comment should address, as explained in the section 209(e) rule, the following issues:

(1) Whether California's determination that its standards are at least as protective of public health and welfare as applicable Federal standards is arbitrary and capricious;

(2) Whether California needs separate standards to meet compelling and extraordinary conditions; and,

(3) Whether California's standards and accompanying enforcement procedures are consistent with (i) section 209(a), which prohibits states from adopting or enforcing emission standards for new motor vehicles or engines, (ii) section 209(e)(1), which identifies the categories preempted from state regulation, and (iii) section 202(a) of the Act, which requires adequate lead time to permit the development of technology necessary to meet the standards, giving appropriate consideration to the cost of compliance within that time frame, and consistent Federal and California test procedures, that is, manufacturers would be able to meet both the State and federal test requirements with one test vehicle or engine.

II. Public Participation

If the scheduled hearing takes place, it will provide an opportunity for interested parties to state orally their views or arguments or to provide pertinent information regarding the issues as noted above and further explained in the section 209(e) Rule. Any party desiring to make an oral statement on the record should file ten (10) copies of its proposed testimony and other relevant material along with its request for a hearing with the Director of EPA's Manufacturers Operations Division at the Director's address listed above not later than July 26, 1995. In addition, the party should submit 50 copies, if possible, of the proposed statement to the presiding officer at the time of the hearing.

In recognition that a public hearing is designed to give interested parties an opportunity to participate in this proceeding, there are no adverse parties as such. Statements by participants will not be subject to cross-examination by other participants without special approval by the presiding officer. The presiding officer is authorized to strike from the record statements which he deems irrelevant or repetitious and to impose reasonable limits on the duration of the statement of any participant.

If a hearing is held, the Agency will make a verbatim record of the proceedings. Interested parties may arrange with the reporter at the hearing to obtain a copy of the transcript at their own expense. Regardless of whether a public hearing is held, EPA will keep the record open until September 11, 1995.

Persons with comments containing proprietary information must distinguish such information from other comments to the greatest extent possible and label it as ''Confidential Business Information.'' To ensure that proprietary information is not inadvertently placed in the docket, submissions containing such information should be sent directly to the contact person listed above and not to the public docket. If a person making comments wants EPA to base its final decision in part on a submission labeled as confidential business information, then a non-confidential version of the document which summarizes the key data or information should be placed in the public docket. Information covered by a claim of confidentiality will be disclosed by EPA only to the extent allowed by the procedures set forth in 40 CFR part 2. If no claim of confidentiality accompanies the submission when it is received by EPA, it may be made available to the public without further notice to person making comments.

Dated: June 8, 1995.

Richard D. Wilson,

Acting Assistant Administrator for Air and Radiation

[FR Doc. 95–15165 Filed 6–20–95; 8:45 am]

BILLING CODE 6560–50–P

[4] ''Air Pollution Control; Preemption of State Regulation for Nonroad Engine and Vehicle Standards'' at 59 FR 36969, July 20, 1994 and 40 CFR Part 85, Subpart Q, §§ 85.1601–85.1606).

[FRL–5221–3]

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 45 day public review and comment period.

SUMMARY: The Agency has received a notification of intent to certify urban bus retrofit/rebuild equipment pursuant to 40 CFR Part 85, Subpart O from the Cummins Engine Company, Inc. (Cummins). Pursuant to § 85.1407(a)(7), today's **Federal Register** notice summarizes the notification below, 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 comments received, 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 Cummins notification of intent to certify, as well as other materials specifically relevant to it, is contained in category VIII–A of Public Docket A–93–42, entitled ''Certification of Urban Bus Retrofit/Rebuild Equipment.'' This docket is at the address 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 VIII–A, at the address below. An identical copy should be submitted to Anthony Erb, also at the address below.

DATES: Comments must be submitted on or before August 7, 1995.

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

1. U.S. Environmental Protection Agency, Public Docket A–93–42 (Category VIII–A), Room M–1500, 401 M Street SW., Washington, D.C. 20460.
2. Anthony Erb, Technical Support Branch, Manufacturers Operations Division (6405J), 401 ''M'' Street SW., Washington, D.C. 20460.

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: Anthony Erb, Manufacturers Operations Division (6405J), U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460. Telephone: (202) 233–9259.

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 programs: Program one sets particulate matter emissions requirements for each urban bus engine in an operator's fleet which is rebuilt or replaced; Program two is a fleet averaging program that establishes specific annual target levels for average PM emissions from urban buses in an operator's fleet.

Certification of retrofit/rebuild equipment is a key element of the retrofit/rebuild. To show compliance under either of the compliance programs, operators of the affected buses must use equipment that has been certified by the Agency. Emissions requirements under either of the two compliance programs depend on the availability of certified retrofit/rebuild equipment for each engine model. To be used for Program one, equipment must be certified as meeting a 0.10 g/bhp-hr PM standard or as achieving a 25 percent reduction in PM. Equipment used for Program two 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 one, 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 the 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 signed March 13, 1995, Cummins has applied for certification of equipment applicable to its LTA10–B model engines that were originally manufactured between November 1985 and December 1992. The pending equipment certification is applicable to the following configurations:

Family	Control parts list (CPL)	Manufacture dates [1]	
		Start	End
343B	0780	11/20/85	12/31/87
343C	0781	11/20/85	12/31/87
	0774	11/20/85	12/31/89
	0777	11/20/85	12/31/89
	0996	12/04/87	08/19/88
	1226	07/26/88	12/31/90
343F	1226	07/12/90	08/26/92
	1441	12/18/90	12/31/92
	1622	04/24/92	12/31/92
	1624	04/24/92	12/31/92

[1] Equipment certification will be applicable to those engines originally built between the start and end dates for the appropriate configuration.

Two separate horsepower/torque ratings are to apply for each CPL listed, either 240 horsepower and 750 foot-pounds of torque or 270 horsepower and 860 foot-pounds of torque. The notification of intent to certify states that the candidate equipment will reduce PM emissions 25 percent or more, on petroleum-fueled diesel engines that have been rebuilt to Cummins specifications. Pricing information 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. Therefore, this equipment may trigger program requirements for the 25% reduction standard. If certified as a trigger of this standard, urban bus operators will be required to use this retrofit/rebuild equipment or other equipment certified to provide a PM reduction as discussed below.

All components of the candidate equipment are contained in combination of two kits. The first kit is common to both horsepower/torque ratings and consists of a camshaft, cam key, cylinder kits, and a fuel plumbing kit. The second kit contains the injectors, cylinder head, turbocharger and fuel pump and is ordered based on the horsepower/torque rating that is wanted. The first kit in combination with one of the second kits is required to rebuild an engine.

Cummins presents exhaust emission data from testing a new engine that was selected directly from the assembly and built to a configuration to which all rebuilt engines that are included under this certification will be made identical. Two tests were conducted, one test was performed on the engine with the 240/750 (horsepower/torque) rating and a second test was conducted on the same engine after retrofit with the components needed to achieve the 270/860 rating. The test data show a PM level of 0.28 g/bhp-hr for the 240/750 rating and a PM level of 0.24 g/bhp-hr for the 270/860 rating with the candidate equipment installed.

Cummins has also provided new engine certification and other emissions data providing the baseline PM level for each engine configuration. The test data show that with candidate equipment installed, PM is reduced between 38% and 61% depending upon the engine and rating being compared. The test data also show that hydrocarbon (HC), carbon monoxide (CO), and oxides of nitrogen (NO_X) are less than applicable standards. Fuel consumption is not affected when the candidate equipment is installed according to Cummins. Cummins presents smoke emission measurements for the engine demonstrating compliance with applicable standards.

Cummins indicates that the candidate equipment will have an incremental fleet purchase price increase over the standard rebuild of $1435.29 due to the increased cost for the components. Cummins states that there will be no incremental installation cost, fuel cost, or maintenance cost compared to the currently available standard rebuild. Therefore, the candidate equipment will be offered to all affected operators for less than a life cycle cost of $2,000 (1992 dollars). This information may trigger the 25 percent reduction standard if the equipment is certified.

If the Agency certifies the candidate Cummins equipment as a trigger of program requirements, operators will be affected as follows. Under Program 1, all rebuilds of applicable engines performed six months following the effective date of certification, must use the Cummins equipment or other equipment certified to provide at least a 25 percent reduction. This requirement would continue for the applicable engines until such time that equipment was certified to trigger the 0.10 g/bhp-hr emission standard for less than a life cycle cost of $7,940 (in 1992 dollars). If the Agency certifies the candidate Cummins equipment as a trigger of program requirements, 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 proves 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 Cummins 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 Cummins 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 D. Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 95–15216 Filed 6–20–95; 8:45 am]

BILLING CODE 6560–50–P

[OPPTS–140233; FRL–4953–6]

Access to Confidential Business Information; Advanced Resources Technologies, Inc. and USATREX International

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has authorized its contractor, Advanced Resources Technologies, Inc. (ARTI) of Alexandria, Virginia and ARTI's subcontractor, USATREX, International (USA) of McLean, Virginia for access to information which has been submitted to EPA under all sections of the Toxic Substances Control Act (TSCA). Some of the information may be claimed or determined to be confidential business information (CBI).

DATES: Access to the confidential data submitted to EPA will occur no sooner than July 6, 1995.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, TSCA Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–545, 401 M St., SW., Washington, DC 20460, (202) 554–1404, TDD: (202) 554–0551.

SUPPLEMENTARY INFORMATION: Under contract number 68–W5–0058, contractor ARTI, of 4900 Seminary Road, Suite 1200, Alexandria, VA and subcontractor USA of 7926 Jones Branch Drive, Suite 410, McLean, VA, will assist the Office of Pollution Prevention and Toxics (OPPT) in providing information for EPA's efforts in planning, organizing, and managing a comprehensive physical and information security program (classified and proprietary documents) and in providing information and data for EPA's efforts in developing physical and information security policy for implementation throughout the Agency.

In accordance with 40 CFR 2.306(j), EPA has determined that under EPA contract number 68–W5–0058, ARTI and USA will require access to CBI submitted to EPA under all sections of TSCA to perform successfully the duties specified under the contract. ARTI and USA personnel will be given access to information submitted to EPA under all sections of TSCA. Some of the information may be claimed or determined to be CBI.

EPA is issuing this notice to inform all submitters of information under all sections of TSCA that EPA may provide ARTI and USA access to these CBI materials on a need-to-know basis only. All access to TSCA CBI under this contract will take place at EPA Headquarters only.

Clearance for access to TSCA CBI under this contract may continue until January 2, 2000.

ARTI and USA personnel will be required to sign nondisclosure agreements and will be briefed on appropriate security procedures before they are permitted access to TSCA CBI.

List of Subjects

Environmental protection, Access to confidential business information.

Dated: June 13, 1995.

George A. Bonina,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 95–15168 Filed 6–20–95; 8:45 am]

BILLING CODE 6560–50–F

[FRL–5224–7]

Open Meetings on Alternative Approaches To Fund Water and Wastewater Projects on July 19, 1995

The Environmental Protection Agency's Office of Water will hold an open meeting to discuss alternative sources for clean water project funding on July 19, 1995. The meeting will be held at the Airlie Center in Warrenton, Virginia from 8:00 a.m. until 5:00 p.m.

This meeting is being held to allow stakeholders to share their views in support of a Congressional requirement to conduct a study of alternative sources for clean water project funding. Congress provided $250,000 in EPA's FY 1995 Appropriations Bill for this study. The study is being conducted by the Office of Water with assistance from the Environmental Finance Center at Syracuse University.

Participants at the meeting will be encouraged to provide their views on a number of different alternatives for funding clean water projects, including water and wastewater projects. Participants will be asked to examine possible sources of funding, delivery mechanisms for this funding, and eligible categories for funding, along with other related issues.

All interested parties who wish to speak at the meeting should contact Ronda Garlow in the Environmental Finance Center at Syracuse University at (315) 443–5612. Those who wish to speak at the meeting are encouraged to notify Ms. Garlow in advance. Ten minutes will be available for each presentation.

All other inquiries concerning the meeting should be directed to Mr. James Smith at (202) 371–9770.

Dated: June 14, 1995.

Michael B. Cook,

Director, Office of Wastewater Management.

[FR Doc. 95–15172 Filed 6–20–95; 8:45 am]

BILLING CODE 6560–50–M