

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS—Continued

[Week of June 5 to June 9, 1995]

Date	Name and location of applicant	Case No.	Type of submission
6/6/95	Munir A. Malik, Hartford, Connecticut	VFA-0048	Appeal of an Information Request Denial. If granted: The May 2, 1995 Freedom of Information Request Denial issued by Albuquerque Operations Office would be rescinded, and Munir A. Malik would receive access to certain Department of Energy information.
6/5/95	Albuquerque Operations Office, Albuquerque, New Mexico.	VSO-0038	Request for Hearing under 10 C.F.R. Part 710. If granted: An individual employed at Albuquerque Operations Office would receive a hearing under 10 C.F.R. Part 710.
6/5/95	Sangre deCristo Animal Protection, Inc., Albuquerque, New Mexico.	VFA-0047	Appeal of an Information Request Denial. If granted: The April 27, 1995 Freedom of Information Request Denial issued by the U.S. Department of Energy would be rescinded, and Sangre deCristo Animal Protection, Inc. would receive access to certain DOE information.

REFUND APPLICATIONS RECEIVED

[Week of June 5 to June 9, 1995]

Date received	Name of refund proceedings/name of refund application	Case No.
3/17/95 thru 6/9/95	Supplemental Crude Applications	RK272-204 thru RK272-317
6/5/95 thru 6/9/95	Crude Oil Refund Applications	RG272-296 thru RG272-316
6/5/95	State Escrow Distribution	RF302-16
6/7/95	Citronelle Refunds Applications	RF345-41 thru RF345-43
6/8/95	Texaco Refund Applications	RF321-21072 thru RF321-21074
6/9/95	Supplemental Crude Refunds	RB272-5

[FR Doc. 95-19030 Filed 8-1-95; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

Office of Research and Development; Ambient Air Monitoring Reference and Equivalent Methods; Reference and Equivalent Method Designations

Notice is hereby given that EPA, in accordance with 40 CFR part 53, has designated two additional equivalent methods and one additional reference method for ambient air monitoring. One of the equivalent methods is for the measurement of ambient concentrations of ozone and the other is for the measurement of ambient concentrations of lead. The reference method is for the measurement of ambient concentrations of carbon monoxide.

The new equivalent method for ozone is an automated method (analyzer) which utilizes the measurement principle based on absorption of ultraviolet radiation by ozone at a wavelength of 254 nm. This new designated method is identified as follows:

EQOA-0895-105, "Environment S.A. Model Q₃41M UV Photometric Ozone Analyzer," operated on a full

scale range of 0–500 ppb, at any temperature in the range of 15°C to 35°C, with the response time set to 50 seconds, and with or without any of the following options:

- (1) Internal Ozone Generator
- (2) Span External Control
- (3) RS232–422 Serial Interface
- (4) Internal Printer

Note: In addition to the standard U.S. electrical power voltage and frequency (115 Vac, 60 Hz), this analyzer is approved for use, with proper factory configuration, on 50 Hertz line frequency at any of the following voltage ranges: 105–125 Vac (115 V nominal) or 210–250 Vac (230 V nominal).

This method is available from Environmental S.A., 111, bd Robespierre, 78300 Poissy, France or from Environment U.S.A., 570 Higuera Street, Suite 25, San Luis Obispo, CA 93401. A notice of receipt of application for this method appeared in the **Federal Register**, Volume 60, Number 111, June 9, 1995, page 30535.

The new reference method for carbon monoxide is an automated method (analyzer) which utilizes a cross flow modulated version of the measurement principle (non-dispersive infrared (NDIR) photometry) and the calibration procedure specified in appendix C of 40 CFR part 50. The new designated method is identified as follows:

RFCA-0895-106, "Horiba Instruments Incorporated, Model APMA-360 Ambient Carbon Monoxide Monitor," operated on the 0–50 ppm range, with the Line Setting set to "MEASURE", with the Analog Output set to "MOMENTARY VALUE", and with or without the optional Rack Mounting Plate and Side Rails.

Note: In addition to the standard U.S. electrical power voltage and frequency (115 Vac, 60 Hz), this analyzer is approved for use, with proper factory configuration, on 50 Hertz line frequency at any of the following voltage ranges: 100–115 Vac and 220–240 Vac.

This method is available from Horiba Instruments Incorporated, 17671 Armstrong Avenue, Irvine, CA 92714. A notice of receipt of application for this method appeared in the **Federal Register**, Volume 60, Number 111, June 9, 1995, page 30535.

A test analyzer representative of each of these methods has been tested by the respective applicant, in accordance with the test procedures specified in 40 CFR part 53. After reviewing the results of these tests and other information submitted by the applicants, EPA has determined, in accordance with part 53, that these methods should be designated, respectively, as an

equivalent method and a reference method.

The new equivalent method for the determination of lead in suspended particulate matter collected from ambient air uses a graphite furnace atomic absorption method and is identified as follows:

EQL-0895-107, "Determination of Lead Concentration in Ambient Particulate Matter by Flameless (Graphite Furnace) Atomic Absorption (City of Houston, Texas)."

The applicant's request for an equivalent method determination for the above method was received on May 23, 1995. This method has been tested by the applicant, the Health and Human Services Department of Houston, Texas, in accordance with the test procedures prescribed in 40 CFR part 53. After reviewing the results of these tests and other information submitted by the applicant, EPA has determined, in accordance with part 53, that this method should be designated as an equivalent method.

This method uses the sampling procedure specified in the reference method for the determination of lead in suspended particulate matter collected from ambient air (43 FR 46258). Lead in the particulate matter is solubilized by extraction with nitric acid facilitated by heat. The lead content of the sample is analyzed by a Perkin Elmer HGA graphite furnace with Zeeman background correction and AS-40 Autosampler. Technical questions concerning the method should be directed to the City of Houston, Health and Human Services Department, Environmental Chemistry Service, 1115 S. Braeswood, Houston, Texas 77030.

The information submitted by the three applicants will be kept on file at EPA's National Exposure Research Laboratory, Research Triangle Park, North Carolina 27711 and will be available for inspection to the extent consistent with 40 CFR part 2 (EPA's regulations implementing the Freedom of Information Act).

As a designated reference or equivalent method, each of these methods is acceptable for use by States and other air monitoring agencies under the requirements of 40 CFR part 58, Ambient Air Quality Surveillance. For such purposes, each method must be used in strict accordance with the operation or instruction manual associated with the method or the procedures and specifications provided in the method description and subject to any limitations (e.g., operating temperature range) specified in the

applicable designation (see description of the methods above). Vendor modifications of a designated method used for purposes of part 58 are permitted only with prior approval of EPA, as provided in part 53. Provisions concerning modification of such methods by users are specified under Section 2.8 of Appendix C to 40 CFR part 58 (Modifications of Methods by Users).

In general, a designation applies to any analyzer which is identical to the analyzer described in the designation. In some cases, similar analyzers manufactured prior to the designation may be upgraded (e.g., by minor modification or by substitution of a new operation or instruction manual) so as to be identical to the designated method and thus achieve designated status at a modest cost. The manufacturer should be consulted to determine the feasibility of such upgrading. States or other agencies using a graphite furnace atomic absorption method that employs procedures and specifications significantly different from those in method EQL-0895-107 must seek approval for their particular method under the provisions of Section 2.8 of Appendix C to 40 CFR part 58 (Modification of Methods by Users) or may seek designation of such a method as an equivalent method under the provisions of 40 CFR part 53.

Part 53 requires that sellers of designated method analyzers comply with certain conditions. These conditions are given in 40 CFR 53.9 and are summarized below:

(1) A copy of the approved operation or instruction manual must accompany the analyzer when it is delivered to the ultimate purchaser.

(2) The analyzer must not generate any unreasonable hazard to operators or to the environment.

(3) The analyzer must function within the limits of the performance specifications given in Table B-1 of part 53 for at least one year after delivery when maintained and operated in accordance with the operation manual.

(4) Any analyzer offered for sale as a reference or equivalent method must bear a label or sticker indicating that it has been designated as a reference or equivalent method in accordance with part 53.

(5) If such an analyzer has two or more selectable ranges, the label or sticker must be placed in close proximity to the range selector and indicate which range or ranges have been included in the reference or equivalent method designation.

(6) An applicant who offers analyzers for sale as reference or equivalent

methods is required to maintain a list of ultimate purchasers of such analyzers and to notify them within 30 days if a reference or equivalent method designation applicable to the analyzer has been canceled or if adjustment of the analyzer is necessary under 40 CFR 53.11(b) to avoid a cancellation.

(7) An applicant who modifies an analyzer previously designated as a reference or equivalent method is not permitted to sell the analyzer (as modified) as a reference or equivalent method (although he may choose to sell it without such representation), nor to attach a label or sticker to the analyzer (as modified) under the provisions described above, until the applicant has received notice under 40 CFR 53.14(c) that the original designation or a new designation applies to the method as modified, or until the applicant has applied for and received notice under 40 CFR 53.8(b) of a new reference or equivalent method determination for the analyzer as modified.

Aside from occasional breakdowns or malfunctions, consistent or repeated noncompliance with any of these conditions should be reported to:

Director, National Exposure Research Laboratory, Air Measurements Research Division (MD-78A), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

Designation of these reference and equivalent methods is intended to assist the States in establishing and operating their air quality surveillance systems under part 58. Technical questions concerning any of the methods should be directed to the applicant. Additional information concerning this action may be obtained from Frank F. McElroy, Air Measurements Research Division (MD-77), National Exposure Research Laboratory, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, (919) 541-2622.

J.K. Alexander,

Acting Assistant Administrator for Research and Development.

[FR Doc. 95-18984 Filed 8-1-95; 8:45 am]

BILLING CODE 6560-50-M

Acid Rain Division

[FRL-5269-4]

Acid Rain Provisions

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: EPA today announces the allocation of allowances to small diesel refineries for desulfurization of fuel