DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Transfer of License

March 16, 1998.

a. *Type of Application*: Transfer of License.

b. *Project No.*: 8535–029.

c. *Date filed*: February 4, 1998.

d. *Applicants*: Greenwood Ironworks and Virginia Hydrogeneration & Historical Society, L.C.

e. *Name of Project*: Battersea Dam.

f. *Location*: On the Appomattox River in Chesterfield and Dinwiddie Counties, Virginia.

g. *Filed Pursuant to*: Federal Power Act, 16 U.S.C. §§ 791(a)–825(r).

h. *Applicant Contact*: C.D.L. Perkins, General Manager, Virginia Hydrogeneration & Historical Society, L.C., 5001 Falmouth Street, Richmond, VA 23230, (804) 673–9667.

i. *FERC Contact*: Ahmad Mushtaq, (202) 212–2672.

j. *Comment Date*: April 20, 1998.

k. *Description of the Request*: Greenwood Ironworks, licensee, and the Virginia Hydrogeneration & Historical Society, L.C. (VHHS) jointly request that the license for the Battersea Dam Project be transferred from Greenwood Ironworks to VHHS.

l. This notice also consists of the following standard paragraph: B, C2, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.201, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C2. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title ''COMMENTS,'' ''RECOMMENDATIONS FOR TERMS AND CONDITIONS,'' ''NOTICE OF INTENT TO FILE COMPETING APPLICATION,'' ''COMPETING APPLICATION,'' ''PROTEST,'' or ''MOTION TO INTERVENE,'' as applicable, and the Project Number of the particular application to which the filing refers. Any of these documents must filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426. A copy of a notice of intent, competing application, or motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Acting Secretary.

[FR Doc. 98–7259 Filed 3–19–98; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5984–3]

Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses; Approval of an Application for Certification of Equipment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of agency approval of an application for equipment certification.

SUMMARY: The Agency received a notification of intent to certify urban bus retrofit/rebuild equipment for 4-stroke petroleum fueled diesel engines pursuant to 40 CFR part 85, subpart O from Engelhard Corporation (Engelhard). Pursuant to § 85.1407(a)(7), a June 16, 1997 **Federal Register** notice summarized the notification and announced that the notification would be available for public review and comment, and initiated a 45-day period during which comments could be submitted. In the notice the Agency stated it would review this notification of intent to certify, as well as comments received, to determine whether the equipment should be certified. EPA has completed its review of this application and the Director of the Engine Program & Compliance Division (EPCD) has determined that it meets the requirements for certification. Accordingly, EPA certifies this equipment effective March 20, 1998.

The Agency received an application dated October 18, 1996 from Engelhard with principal place of business at 101 Wood Ave, South Iselin, New Jersey 08830–0770 for certification of urban bus retrofit/rebuild equipment pursuant to 40 CFR Sections 85.1401–85.1415. On June 16, 1997 EPA published notification that the application had been received and made the application available for public review and comment for a period of 45 days (62 FR 32599). Testing documentation presented to the Agency demonstrates a reduction in particulate matter (PM) of at least 25% for 1992–1993 Cummins electronically controlled L–10 petroleum fueled diesel engines that were not originally equipped with an aftertreatment device. The equipment meets the life-cycle cost requirements of the urban bus retrofit/rebuild program for certification. As such, it triggers the requirements for operators choosing to comply with compliance program 1 for the applicable engines. It may also be used by operators utilizing program 2 to achieve target fleet emission levels.

DATES: The date of this notice March 20, 1998, is the effective date of certification for the equipment.

ADDRESSES: The application, as well as other materials specifically relevant to it, are contained in Public Docket A–93–42 (Category XVII–A), entitled ''Certification of Urban Bus Retrofit/Rebuild Equipment''. This docket is located in room M–1500, Waterside Mall (Ground Floor), U.S. Environmental Protection Agency, 401 M Street SW, Washington, DC 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, Engine Compliance Programs Group, Engine Programs & Compliance Division (6403J), U.S. Environmental Protection Agency, 401 M St. SW, Washington, D.C. 20460. Telephone: (202) 564–9259.

SUPPLEMENTARY INFORMATION:

I. Background

On October 18, 1996 Engelhard applied for certification of a kit, for use on 4-cycle petroleum fueled diesel Cummins L–10 urban bus engines that were originally manufactured prior to and including the 1993 model year. The notification of intent to certify stated that the candidate equipment would reduce PM emissions by 25% or more on engines that have been rebuilt to Cummins specifications. The test engine

was a 1992 280 HP Cummins L–10 EC engine model. Two tests were performed, one test was performed on the engine without the CMX and a second test was performed on the same engine after retrofit with the CMX. The test data show a PM level of 0.105 g/bhp-hr for the base engine without the CMX, and a PM level of 0.073 g/bhp-hr with the candidate equipment installed. This represents a PM reduction of 30% with the candidate equipment installed. 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 based on comparison of the test results. Engelhard presented smoke emission measurements for the engine demonstrating compliance with applicable standards.

Pricing information was submitted indicating that the equipment will be offered to all affected operators for less than the incremental life-cycle cost ceiling ($2,000 in 1992 dollars). Therefore, certification of this equipment triggers the 25% reduction standard for the applicable engines.

The equipment being certified is a ''catalytic Converter Muffler'' or CMX™, that is a muffler containing an oxidation catalyst. The CMX is intended to replace the standard muffler previously installed in the engine exhaust system. The CMX is intended to be maintenance free, requiring no service for the full in-use compliance period. The engine fuel to be used with this equipment is diesel fuel with a maximum sulfur content of 0.05 wt.% sulfur.

Engelhard had requested approval for all Cummins L–10 engines manufactured prior to and including 1993 based on exhaust emission data from testing a 1992 280 HP Cummins L–10 EC (electronic control) engine. In the notice of June 16, 1997 EPA noted that this certification would only be applicable to the 1992–1993 L–10 EC model, based on the testing performed on a 1992 model year engine. Engelhard indicated that it planned to supply additional testing data on another engine in order to extend this certification to additional models. EPA indicated that it would consider such information and provide the opportunity for public comment upon receipt. However, sufficient additional information has not been received from Engelhard to alter the applicability of this application. In view of the delay being caused while the additional information is gathered, Engelhard requested that EPA proceed with this action with the applicability of this certification being limited to the 1992–1993 Cummins L–10 EC model at this time. Table A. below provides the emission levels that apply to this certification.

TABLE A.—ENGELHARD RETROFIT/REBUILD CERTIFICATION LEVELS FOR CUMMINS ENGINES

Cummins engine model	Model year	PM certification level with CMX (g/bhp-hr)
L–10 EC	1992–1993	0.19

Under program 1, all rebuilds or replacements of applicable engines performed 6 months following the effective date of this certification must use this certified Engelhard equipment (or other equipment certified to reduce PM by at least 25 percent). This requirement will continue for such engines until such time as it is superseded by equipment that is certified to trigger the 0.10 g/bhp-hr emission standard for less than a life-cycle cost of $7,940 (in 1992 dollars). Engelhard has certified this equipment to a post-rebuild PM certification level of 0.19 g/bhp-hr. Urban bus operators who choose to comply with program 2 and use this equipment will use this PM emission value from Table A. when calculating their average fleet PM level.

II. Summary and Analysis of Comments

EPA received comments from two parties on the Engelhard application during the comment period. The Chicago Transit Authority commented that, while it had no specific comments relative to the Engelhard application, durability testing should be performed with all catalytic converters and expressed a concern over increased backpressure and possible negative effects as the catalytic converter accumulates mileage in service. Engine Control Systems, Ltd.(ECS) commented that this application should only apply to the 1992–1993 L–10 EC model. ECS also asked if the muffler system for which certification is requested by Engelhard will include a removable catalyst section or be fully sealed.

In regard to concerns expressed relative to the need for durability testing, the retrofit/rebuild regulation does not require durability testing. However, while the regulation does not require durability testing, it does require that the certifier supply a defect warranty over the initial 100,000 mile period of use of a certified system. Accordingly, the certifier is required to replace any defective part that is included in the certified kit during the 100,000 mile warranty period. With regard to the issue of backpressure increase and concern over negative effects on the engine, no specific information was provided by the CTA relative to the certification being discussed herein. Therefore, EPA does not find reason to deny this certification based on these concerns. However, should operators experience backpressure increase during use and negative engine effects, such information should be provided to EPA so that this issue may be reviewed in greater detail.

ECS commented that this application should only apply to the 1992–1993 L–10 EC model. EPA has determined that it is appropriate to limit this certification to apply to the 1992–1993 Cummins L–10 EC model based on the test data provided. In the future, Engelhard may supply additional information to extend the applicability of this certification to other models. If this occurs, EPA will provide the opportunity for public comment. ECS also asked if the muffler system for which certification is requested by Engelhard will include a removable catalyst section or be fully sealed. In a letter dated September 29, 1997, Engelhard states that each muffler is specifically designed to fit a specific bus, engine and exhaust configuration. These designs may or may not include a removable center body. However, if at all possible it is Engelhard's practice to utilize the removable center body technology in its muffler designs.

III. Certification Approval

The Agency has reviewed this application, along with comments received from interested parties, and finds that this equipment reduces particulate matter emissions without causing urban bus engines to fail to meet other applicable Federal emission requirements. Additionally, EPA finds that installation of this equipment will not cause or contribute to an unreasonable risk to the public health, welfare or safety, or result in any additional range of parameter adjustability or accessibility to adjustment than that of the engine manufacturer's emission related part. The application meets the requirements for certification under the Retrofit/Rebuild Requirements for 1993 and Earlier Model Year Urban Buses (40 CFR 85.1401 and 85.1415).

IV. Operator Requirements and Responsibilities

This equipment may be used immediately by urban bus operators who have chosen to comply with either program 1 or program 2. Operators having certain engines who have chosen to comply with program 1 must use equipment certified within cost limitations to reduce PM emissions by 25 percent or more when those engines are rebuilt or replaced. Today's **Federal Register** notice certifies the above-described Engelhard equipment as meeting the PM reduction and cost limitation requirement. Urban bus operators choosing to comply with program 1 must use the certified Engelhard equipment (or other equipment that is certified in the meantime to reduce PM by at least 25%) for any engine that is listed in Table A that undergo rebuild on or after September 21, 1998, until such time as the 0.10 g/bhp-hr standard is triggered for the applicable engines.

Operators who choose to comply with program 2 and use the Engelhard equipment will use the appropriate PM emission level from Table A. when calculating their fleet level attained (FLA).

As stated in the regulations, operators should maintain records for each engine in their fleet to demonstrate that they are in compliance with the requirements, beginning January 1, 1995. These records include purchase records, receipts, and part numbers for the parts and components used in the rebuilding of urban bus engines.

Dated: March 12, 1998.

Richard D. Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 98–7308 Filed 3–19–98; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5984–4]

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 (EPA).

ACTION: Notice of agency receipt of a notification of intent to certify equipment and initiation of 45-day public review and comment period.

SUMMARY: Detroit Diesel Corporation (DDC) 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, with cover letter dated December 8, 1997 describes equipment intended to comply with the 0.10 g/bhp-hr particulate matter (PM) standard.

The candidate equipment is applicable to all 1985 through 1993 model year federal and California certified 6V92TA DDEC engines manufactured by Detroit Diesel Corporation (DDC). This includes all DDEC II engines, DDEC I engines (1985 through 1987), and methanol-fueled engines (manufactured from 1991 through 1993).

The equipment utilizes components from DDC's certified engine upgrade kit, modified fuel injectors, conversion from DDEC II to DDEC III engine control system, and a converter/muffler (previously certified to reduce particulate matter by 25 percent and manufactured by either Engine Control System Ltd, Engelhard Corporation, or Nelson Industries).

Both the federal and California exhaust emissions standards for NOx were lowered to 5.0 g/bhp-hr beginning with the 1991 model year. The emissions data provided with DDC's notification indicate that engines equipped with the candidate equipment can meet the 5.0 g/bhp-hr NO_X standard. Therefore, if certified, the equipment could be used for all applicable engines, including those in California.

No life cycle costs information has been submitted by DDC. If certified, no new requirements would be placed on operators, and no operator would be required to purchase this equipment as a result of the certification.

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 XXIV 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 XXIV, at the address below, and an identical copy should be submitted to William Rutledge, also at the address below.

DATES: Comments must be submitted on or before May 4, 1998.

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 XXIV), Room M–1500, 401 M Street SW., Washington, DC 20460.
2. William Rutledge, Engine Programs and Compliance Division (6403J), 401 ''M'' Street SW., Washington, DC 20460.

The DDC 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 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: William Rutledge, Engine Programs and Compliance Division (6403J), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, DC 20460. Telephone: (202) 564–9297.

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