Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 205

[TM–98–00–4]

Information Meeting for National Organic Program Proposed Rule; Correction

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of meetings; correction.

SUMMARY: The Agricultural Marketing Service published a document in the **Federal Register** of February 2, 1998, (63 FR 6285), concerning four public information meetings to discuss the proposed rule for the National Organic Program. The document contained an incorrect location for the March 5 session. The March 5 session will be held at the location listed below.

ADDRESSES: *March 5, 1998:* Rutgers University, Livingston Student Center, 84 Joyce Kilmer Avenue, Piscataway, New Jersey 08854, (732) 445–3561.

FOR FURTHER INFORMATION CONTACT: Eileen S. Stommes, Deputy Administrator, USDA–AMS–TM–NOP, Room 4007–So., Ag Stop 0275, P.O. Box 96456, Washington, D.C. 20090–6456. Phone (202) 690–1300.

The meeting will be held during the hours of 9 a.m. to 4 p.m.

Dated: February 25, 1998.

Eileen S. Stommes,

Deputy Administrator, Transportation and Marketing.

[FR Doc. 98–5249 Filed 2–25–98; 2:18 pm]

BILLING CODE 3410–02–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

10 CFR Part 430

[Docket Numbers EE–RM–93–201 and EE–RM–S–97–700]

RIN 1904–AA84

Energy Conservation Program for Consumer Products: Cooking Products (Kitchen Ranges and Ovens) Energy Conservation Standards

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

ACTION: Notice of limited reopening of the record and opportunity for public comment.

SUMMARY: The Department of Energy reopens the record of its rulemaking to revise energy conservation standards for cooking products under the Energy Policy and Conservation Act for the following classes: Gas cooktops, gas ovens, and electric non-self-cleaning ovens. This notice provides an opportunity for public comment regarding supplemental analyses on the potential impact of alternative efficiency levels, written comments on these analyses, new factual information, and the principal policy options now under consideration.

DATES: Comments must be received on or before March 30, 1998.

ADDRESSES: A copy of the 1996 Draft Report on the Potential Impact of Alternative Energy Efficiency Levels for Residential Cooking Products (Draft Report), supplemental analysis, and other post comment period correspondence is available for public inspection and copying at the Freedom of Information Reading Room, U.S. Department of Energy, Forrestal Building, Room 1E–190, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–7574, between the hours of 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

Written comments are welcome. Please submit 10 copies (no faxes) to: Kathi Epping, U. S. Department of Energy, Office of Energy Efficiency and Renewable Energy, ''Energy Conservation Program for Consumer Products: Cooking Products, Docket No. EE–RM–S–97–700'', EE–43, 1000 Independence Avenue, SW., Washington, DC 20585–0121.

FOR FURTHER INFORMATION CONTACT: Kathi Epping, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, EE–43, 1000 Independence Avenue, SW., Washington, DC 20585–0121, (202) 586–7425, or Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, GC–72, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9507.

SUPPLEMENTARY INFORMATION: Pursuant to section 325 of the Energy Policy and Conservation Act (EPCA), 42 U.S.C. 6295, the Department of Energy (DOE) proposed to revise the energy conservation standards applicable to cooking products, as well as a variety of other consumer products. 59 FR 10464 (March 4, 1994). Cooking products include conventional ranges, cooktops, and ovens and microwave ovens. Section 325(o)(2) requires that any amended standard be designed to achieve the maximum improvement in energy efficiency that is technologically feasible and economically justified. 42 U.S.C. 6295(o)(2). DOE proposed performance standards for all conventional ovens and cooktops and microwave ovens.

DOE held public hearings and received 59 comments on its proposed revisions to the cooking products energy conservation standards. After reviewing the comments, DOE concluded that a number of significant issues had been raised that required additional analysis. DOE also decided to separate the rulemaking on cooking products from the rulemakings for the other consumer products covered by the notice of proposed rulemaking.

The Department, in response to comments on the proposed rule, prepared a Draft Report containing DOE's revised analysis examining five alternative efficiency levels. The Draft Report indicated that standards based on the described venting and insulating improvements to non-self-cleaning conventional electric ovens and eliminating standing pilot lights for non-self-cleaning conventional gas ovens and conventional gas cooktops could be determined to be technologically feasible and economically justified and to save significant energy. The analysis did not support any new or more stringent

efficiency standard for any other cooking products.

On May 5, 1996, DOE distributed a copy of the Draft Report to interested parties including all of the commenters on the proposed rule on cooking products. (EE–RM–S–97–700, No. 1 and No. 2.) The Department invited comment on the Draft Report by no later than July 1, 1996. A copy of the cover letter and the Draft Report has been added to the record on file for inspection in the DOE Freedom of Information Reading Room.

In commenting on the 1994 proposed rule, AHAM argued that standards are not warranted for any product, though AHAM proposed that, if a standard is set, DOE should adopt a prescriptive design standard prohibiting standing pilot lights on conventional gas ranges in lieu of all performance standards proposed for cooking products. Significant energy savings, consistency with current standards, minimal design change, and no compliance program were cited as benefits. AHAM also commented that eliminating standing pilot lights could disproportionately affect low-income and rural consumers. (EE–RM–93–201, No. 1.)

On April 23, 1996, the American Council for an Energy Efficient Economy (ACEEE) and the Natural Resources Defense Council (NRDC) sent a letter to the Association of Home Appliance Manufacturers (AHAM) stating their support for a prescriptive design standard banning pilot lights from all conventional gas ranges. (EE–RM–S–97–700, No. 3.)

DOE received three comments on the Draft Report. NRDC recommended banning all standing pilot lights. In addition to cost effective energy savings, NRDC emphasized the health and safety benefits which would result from banning pilot lights. (EE–RM–S–97–700, No. 4.)

Betty Crocker expressed concern over the impact of standards for consumers. Betty Crocker expressed concern about the maintenance required for electric coil cooktop reflective pans and commented that an oven separator would have low consumer acceptance. (EE–RM–S–97–700, No. 5.) The results of the Draft Report indicated that neither of these design options were economically justified.

Whirlpool stated that none of the proposed design options are economically justified, several of the design options lessen consumer utility, and the energy use by ranges and ovens has declined significantly over the past two years. In addition, Whirlpool stated that the cost of compliance testing for any performance standard would offset the potential energy savings. Whirlpool did not discuss prescriptive design standards such as the elimination of pilot lights for gas products. (EE–RM–S–97–700, No. 6.)

Based on the analysis in the Draft Report and the comments received, the Department is inclined to believe the record is complete with respect to microwave ovens, electric self-cleaning ovens, and electric cooktops. The analysis in the Draft Report indicates that establishing new or revised standards for these types of cooking products is not economically justified. For example, the analysis for microwave ovens indicated paybacks exceeding the 10-year product life, increased life-cycle costs, and a negative net present value. Based on the consideration of this analysis, the Department does not expect to establish new or revised standards for these products in this rulemaking.

In addition, the analysis in the Draft Report and the comments received prompted further examination of gas cooktops, gas ovens, and electric non-self-cleaning ovens. DOE prepared an analysis to supplement the Draft Report that focuses exclusively on the possible elimination of standing pilot lights for gas products and improving non-self-cleaning conventional electric ovens by venting and insulating them like self-cleaning electric ovens. The supplemental analysis uses the latest available data from AHAM regarding the trends over time of shares of sales of non-self-cleaning conventional ovens and gas products with pilot lights. It also uses the latest utility price forecasts from the Annual Energy Outlook of the Energy Information Administration, AEO 97, and the Gas Research Institute, GRI 97. A copy of the supplemental analysis has been added to the record on file for inspection in the DOE Freedom of Information Reading Room, and DOE is sending a copy to all commenters on the proposed rule for cooking products. (EE–RM–S–97–700, No. 7.)

The Department's supplemental analysis indicates that extending the statutory prescriptive design standard banning standing pilot lights to cover all conventional gas ranges would be technically feasible and economically justified and would result in significant energy savings. The current statutory standard bans pilot lights for gas kitchen ranges and ovens equipped with an electric cord. Some consumers would need to add an electrical outlet to accommodate electrical service to a conventional gas range. While it is unknown what percent of homes do not have electrical outlets available, based on the limited data available, the Department believes that this percentage would be small. In those homes where an electrical outlet is available, the estimated first-cost increase to consumers for conventional gas ranges is $37, with life-cycle cost savings of $91–$104 and paybacks of 2.9–3.2 years. In those homes where an outlet needs to be added, the additional $90 cost of installing a new outlet [1] almost negates the savings. In homes where an electric outlet is not available, the total cost increase of $127, for conventional gas ranges, would result in life-cycle cost savings of $1–$14 with paybacks of 10–11 years.

The impacts are more substantial for separate conventional gas cooktops and ovens. For separate conventional gas cooktops, the cost increase is $116, resulting in a life-cycle cost increase of $41–48 and paybacks of 17–19 years. For separate conventional gas ovens, the cost increase of $113 results in a life-cycle cost increase of $68–$75 and paybacks of 27–32 years. Thus, the Department believes extending the ban to these separate products is not economically justified. Based on AHAM shipment data, the Department estimates the percent of separate conventional gas cooktops and separate conventional gas ovens with standing pilot lights to be approximately 3 and 0 percent, respectively, by the year 2000. Therefore, a standard extending the prohibition of standing pilot lights to include separate gas cooktops and ovens in addition to ranges results in very little incremental energy savings. Permitting separate conventional gas cooktops and ovens to use pilot lights could also accommodate special circumstances where electrical service is not practically available. Based on AHAM's comments regarding the elimination of pilot lights and the fact that no testing program would be required to implement such a prescriptive design standard, the Department believes that there would not be any significant adverse impacts on manufacturers. Given the analysis and public comments to date, the Department expects to extend the prescriptive design standard prohibiting standing pilot lights to all conventional gas ranges but not to include the extension to separate conventional gas cooktops and ovens without an electrical cord.

The Department's supplemental analysis indicates that establishing

[1] The $90 estimate for adding an electrical outlet comes from a GRI report submitted by AHAM as a comment. It was derived from an informal survey of electricians to install an outlet accessible to a gas water heater and is comprised of $50 parts and labor and $40 for a service call.

standards for electric non-self-cleaning ovens could be technically feasible and could save significant energy. However, because ovens are not tested currently and therefore performance data on specific ovens does not exist, it is unknown whether all non-self-cleaning electric ovens, if insulated and vented as their self-cleaning counterparts, would meet a specific performance standard. Consequently, there is a risk that in order to bring some electric non-self-cleaning ovens into compliance with a performance standard, manufacturers would need to use additional design options. The analysis found no other design options for either gas or electric ovens to be cost effective. Thus, the Department does not expect to establish performance standards for any cooking products including non-self-cleaning electric ovens.

The Department is changing the name for this rulemaking from ''kitchen ranges and ovens'' to ''cooking products.'' This change is made because the term ''kitchen ranges and ovens'' does not accurately describe the products considered which include conventional ranges, cooktops and ovens and microwave ovens. To be consistent with this change, the Department expects to add a regulatory definition of ''cooking products'' that is the same as the existing definition of ''kitchen ranges and ovens.''

The Department solicits public comment on the supplemental analysis and its implications for this rulemaking, specifically with regard to the extension of the prohibition on standing pilot lights.

Issued in Washington, DC, on January 26, 1998.

Dan W. Reicher,

Assistant Secretary for Energy Efficiency and Renewable Energy.

[FR Doc. 98–5084 Filed 2–26–98; 8:45 am]

BILLING CODE 6450–01–P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 1 and 33

Proposed Rulemaking Concerning Voting by Interested Members of Self-Regulatory Organization Governing Boards and Committees

AGENCY: Commodity Futures Trading Commission.

ACTION: Reopening of comment period on proposed rulemaking.

SUPPLEMENTARY INFORMATION: The Commodity Futures Trading Commission has proposed a new Commission Regulation 1.69 which would require self-regulatory organizations (''SRO'') to adopt rules prohibiting governing board, disciplinary committee, and oversight panel members from deliberating or voting on certain matters where the member had either a relationship with the matter's named party in interest or a financial interest in the matter's outcome. The proposed rulemaking also would amend Commission Regulations 1.41 and 1.63 to make modifications made necessary by proposed Commission Regulation 1.69. The proposed rulemaking was initially published for comment on January 23, 1998 (63 FR 3492) with comments on the proposal due by February 23, 1998. In response to a request from the Futures Industry Association, the Commission has determined to reopen the comment period on this proposal for an additional 30 days. The new deadline for comments on this proposed rulemaking is March 25, 1998.

Any person interested in submitting written data, views, or arguments on the proposal should submit their views and comments by the specified date to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. In addition, comments may be sent by facsimile transmission to facsimile number (202) 418–5521, or by electronic mail to secretary@cftc.gov.

DATES: Comments must be received on or before March 25, 1998.

FOR FURTHER INFORMATION CONTACT: David P. Van Wagner, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Telephone: (202) 418–5481.

Issued in Washington, DC., on this 24th day of February, 1998, by the Commodity Futures Trading Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 98–5061 Filed 2–26–98; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05–98–002]

RIN 2115–AE46

Special Local Regulations for Marine Events; Delaware River, Philadelphia, Pennsylvania

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend permanent special local regulations established for marine events held annually in the Delaware River adjacent to Penns Landing, Philadelphia, Pennsylvania, by increasing the regulated area and by identifying specific events for which the regulated area will be in effect. This action is intended to update the regulation in order to enhance the safety of life and property during the events.

DATES: Comments must be received on or before April 28, 1998.

ADDRESSES: Comments may be mailed to Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704–5004, or hand delivered to Room 119 at the same address between 7:30 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398–6204. Comments will become part of this docket and will be available for inspection and copying at the above address.

FOR FURTHER INFORMATION CONTACT: S.L. Phillips, Project Manager, Operations Division, Auxiliary Section, at (757) 398–6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD OS–98–002) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in