For personal visits, the individual should be able to provide some acceptable identification such as driver's license, or military or other identification card.

#### CONTESTING RECORD PROCEDURES:

The DLA rules for accessing records and for contesting contents and appealing initial agency determinations are published in DLA Regulation 5400.21; 32 CFR part 323; or may be obtained from the Privacy Act Officer.

### RECORD SOURCE CATEGORIES:

The Military Services, DOD Components, the U.S. Coast Guard, and from the subject individual via application into the program.

# EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

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# DEPARTMENT OF ENERGY

# Office of Energy Efficiency and Renewable Energy

Energy Conservation Program for Consumer Products: Granting of NORDYNE's Application for Interim Waiver from the Department of Energy's Central Air Conditioner and Central Air Conditioning Heat Pump Test Procedure and Publication of the Petition for Waiver. (Case No. CAC– 007)

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

### ACTION: Notice.

**SUMMARY:** Today's notice publishes a letter granting an Interim Waiver to NORDYNE from the existing Department of Energy central air conditioner and central air conditioning heat pump test procedure for the company's Powermiser line of heat pumps with integrated domestic water heating.

Today's notice also publishes a "Petition for Waiver" from NORDYNE. The Petition for Waiver requests the Department to modify the heat pump test procedure for the NORDYNE Powermiser line of heat pumps which include special design characteristics to incorporate domestic water heating. The Department is soliciting comments, data, and information respecting the Petition for Waiver.

**DATES:** The Department will accept comments, data, and information not later than September 7, 1995.

ADDRESSES: Written comments and statements shall be sent to: Department of Energy, Office of Energy Efficiency and Renewable Energy, Case No. CAC– 007, Mail Stop EE–43, Room 1J–018, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC 20585, (202) 586–7574.

#### FOR FURTHER INFORMATION CONTACT:

- Michael G. Raymond, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Mail Station EE–431, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586– 9611
- Eugene Margolis, Esq., U.S. Department of Energy, Office of General Counsel, Mail Station GC–72, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (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 (EPCA), Public Law 94-163, 89 Stat. 917, as amended by the National Energy Conservation Policy Act (NECPA) Public Law 95-619, 92 Stat. 3266, the National Appliance Energy Conservation Act of 1987 (NAECA), Public Law 100-12, the National Appliance Energy Conservation Amendments of 1988 (NAECA 1988), Public Law 100-357, and the Energy Policy Act of 1992 (EPACT), Public Law 102-486, 106 Stat. 2776, which requires the Department to prescribe standardized test procedures to measure the energy consumption of certain consumer products, including heat pumps. The intent of the test procedures is to provide a comparable measure of energy consumption that will assist consumers in making purchasing decisions. The test procedures for central air conditioners and central air conditioning heat pumps appear at 10 CFR Part 430, Subpart B, Appendix M.

The Department amended the prescribed test procedures by adding 10 CFR 430.27 on September 26, 1980, creating the waiver process. 45 FR 64108. The Department further amended the appliance test procedure 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 the Department for a waiver of such prescribed test procedures. 51 FR 42823, November 26, 1986.

The waiver process allows the Assistant Secretary to temporarily waive

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.

The Interim Waiver provisions added by the 1986 amendment allow the Secretary to grant an Interim Waiver when 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. An Interim Waiver remains in effect for a period of 180 days, or until the Department issues its determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

On January 24, 1995, NORDYNE filed a Petition for Waiver and an Application for Interim Waiver regarding the heat pump tests. NORDYNE's Petition seeks a Waiver from the Department's test procedure because, using the test procedure, the company cannot account for the energy savings associated with integrated water heating. NORDYNE has submitted a modified test procedure to be used for rating its Powermiser heat pumps. NORDYNE proposes to calculate, in addition to the standard SEER and HSPF, a Combined Cooling Performance Factor (CCPF) and a Combined Heating Performance Factor (CHPF). These performance factors reflect the energy efficiency of the heat pump when providing both space conditioning and domestic water heating. The heating and cooling mode test procedures are essentially the same as the current Department central air conditioner test procedures found in 10 CFR Part 430, Subpart B, Appendix M. The NORDYNE test procedures for the heating and cooling modes differ from the Department's in their use of a bin analysis for SEER, and the use of seasonal hours rather than fractional hours for HSPF. NORDYNE states in its Petition that the modified test procedure for SEER and HSPF "yields a nearly identical result and provides a directly comparable base for use in determining