

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6332-9]

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 EPA receipt of a notification of intent to certify equipment and initiation of 45-day public review and comment period.

SUMMARY: Engelhard Corporation (Engelhard) has submitted to EPA a notification of intent to certify urban bus retrofit/rebuild equipment pursuant to 40 CFR part 85, subpart O. EPA is making the notification (application) available for public review and comment for a 45-day period.

Engelhard intends that this equipment, referred to as the ETX-Plus rebuild kit, be certified to the 0.10 grams per brake-horsepower-hour (g/bhp-hr) particulate matter standard for 1988-1993 model year Detroit Diesel Corporation (DDC) 6V92TA engines equipped with Detroit Diesel Electronic Control (DDEC).

No life cycle cost information has been provided with the application. If certified to the 0.10 g/bhp-hr standard, then the candidate equipment would not "trigger" the 0.10 g/bhp-hr standard for the applicable engines. (The 0.10 g/bhp-hr PM standard is already in effect for these engines.) The application describes equipment that is based upon a 6V92TA DDEC II engine that is rebuilt to a standard 1991 to 1993 DDC specification of either 253 or 277 horsepower (hp). However, when the engine is rebuilt it will utilize an improved turbocharger and a CMX'-6 catalytic muffler. As described in the application, Engelhard would provide the improved turbocharger, catalytic muffler, specific blower drive gear, and electronic programming upgrade (only for 1988 through 1990 model year engines). To complete an engine upgrade, an operator would have to acquire on its own, other required engine rebuild parts, such as cylinder heads, cylinder kits, fuel injectors, blower, and camshafts.

Pursuant to section 85.1407(a)(7), today's **Federal Register** notice announces that the information is available for public review and comment, and initiates a 45-day period during which comments can be submitted. EPA will review the information submitted by Engelhard, as well as comments received during the

public review period, to determine whether the candidate Engelhard equipment should be certified. If certified, then the equipment can be used by urban bus operators to reduce the particulate matter (PM) of urban bus engines.

Comments should be provided in writing to Public Docket A-93-42, Category XXV, at the address below. An identical copy should be submitted to William Rutledge, also at the address below.

Category XXV of Public Docket A-93-42, entitled "Certification of Urban Bus Retrofit/Rebuild Equipment" contains Engelhard's notification of intent to certify and other materials specifically relevant to it. This docket is located at the address below.

DATES: Comments must be submitted on or before June 14, 1999.

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 XXV-A), Room M-1500, 401 M Street S.W., Washington, DC 20460.

2. William Rutledge, Engine Compliance Programs Group, Engine Programs and Compliance Division (6403J), U.S. Environmental Protection Agency, 401 "M" Street S.W., Washington, DC 20460.

The Engelhard application and other materials specifically relevant to it are contained in the public docket indicated above. 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 EPA for copying docket materials.

FOR FURTHER INFORMATION CONTACT: William Rutledge, Engine Programs and Compliance Division (6403J), U.S. Environmental Protection Agency, 401 M St. SW, Washington, D.C. 20460. Telephone: (202) 564-9297.

SUPPLEMENTARY INFORMATION:

I. Program Background

On April 21, 1993, EPA 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 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: Option 1 sets particulate matter emissions requirements for each urban

bus engine in an operator's fleet which is rebuilt or replaced; Option 2 is a fleet averaging program that sets out a specific annual target level 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 affected buses must use equipment which has been certified by EPA. Emissions requirements under either of the two options depend on the availability of retrofit/rebuild equipment certified for each engine model. To be used for Option 1, 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 Option 2 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.

Under Option 1, additional information regarding cost must be submitted in the application for certification, in order for certification of that equipment to initiate (or trigger) program requirements for a particular engine model. In order for the equipment to serve as a trigger, the certifier must guarantee that the equipment will be offered to affected operators for \$7,940 or less at the 0.10 g/bhp-hr PM level, or for \$2,000 or less for the 25 percent or greater reduction in PM. Both of the above amounts are based on 1992 dollars and include life cycle costs incremental to the cost of a standard rebuild.

II. Application for Certification

In an application of intent to certify signed November 17, 1998, and clarified in a letter dated December 14, 1998, Engelhard Corporation applied for certification of the ETX-Plus rebuild kit under the urban bus program. The equipment is applicable to 1988 through 1993 model year Detroit Diesel Corporation 6V92TA diesel engines equipped with Detroit Diesel Electronic Control (DDEC). The application states that the candidate equipment achieves a PM level of 0.10 g/bhp-hr. No life cycle cost information is provided. The use of the equipment by transit operators to meet program requirements is discussed further below.

The CMXTM-6 catalytic converter in the candidate kit is improved compared to the CMX-5 converter of the kit that EPA certified earlier to the 0.10 g/bhp-hr standard for Detroit Diesel Corporation (DDC) 6V92TA model

engines with DDEC II (see 63 FR 50225; September 21, 1998).

The application states that the candidate rebuild kit is designed to update all electronically controlled DDC 6V92TA DDEC II engines to either a standard 253 or 277 Hp ETX configuration. The candidate kit incorporates an improved CMX-6 integrated catalytic converter muffler, a coated turbocharger, a specific blower drive gear, and an engine specified parts list. The specified parts of the list are not an integral part of the ETX Plus kit, but are standard components for a 6V92TA DDEC II 1991 through 1993 engine that are normally replaced during an engine rebuild. The CMX-6 is intended to replace the standard muffler previously installed in the engine exhaust system. The turbocharger is a standard 6V92 unit modified for improved response and airflow. Engines of model years 1988 through 1990 would receive an upgraded control program for the electronic control module. Engelhard states that the

candidate kit will require no additional maintenance compared to a standard engine.

Engelhard indicates that the improved turbocharger operates like a typical turbocharger, but with improved efficiency and airflow. The improved airflow improves combustion efficiency which reduces engine-out PM. The CMX-6 catalytic muffler incorporates Engelhard's oxidation catalyst technology to reduce PM emissions in the exhaust.

The CMX-6 used in this equipment package is different from the catalytic converter that is part of the kit previously certified by EPA to the 0.10 g/bhp-hr PM standard for the applicable engines (63 FR 50225; September 21, 1998). Therefore, the converter of the previously-certified kit cannot be used in place of the new converter in the candidate kit.

Engelhard presents emissions data from a certification test performed on an engine after being rebuilt with the ETX-Plus Rebuild Kit. Transient testing was

performed in accordance with the federal test procedure of 40 CFR Part 86, subparts N and I. The data of the application are summarized below in Table 1, and document PM emissions of 0.10 g/bhp-hr and hydrocarbon (HC), carbon monoxide (CO), oxides of nitrogen (NOx), and smoke emissions within the applicable standards. Based on this testing demonstration, it appears that all ETX Plus-equipped engines would meet the 0.10 g/bhp-hr PM standard because installation of the kit results in the replacement of all emissions related parts with a specific set of parts, the combination of which results in a documented PM level of 0.10 g/bhp-hr. The PM emissions level of an original engine, prior to installation of the Engelhard kit, may be irrelevant since all emissions-related parts are required to be replaced upon installation of the kit. EPA requests comments on whether or not all engines for which certification is intended will meet the 0.10 g/bhp-hr PM standard.

TABLE 1.—SUMMARY OF ENGELHARD TESTING

Gaseous and particulate test	g/bhp-hr				6V92TA DDEC II with ETX-plus kit
	HDDE standards				
	1988	1990	1991		
HC	1.3	1.3	1.3	0.02	
CO	15.5	15.5	15.5	0.4	
NO _x	10.7	6.0	5.0	5.0	
PM	0.60	0.60	0.25	0.10	
BSFC ¹				0.488	
Hp (R/O) ²				277/278	
Smoke test				Standards (percent)	Percent
ACCEL				20	3
LUG				15	1
PEAK				50	6

¹ Brake Specific Fuel Consumption (BSFC) is measured in units of lb/bhp-hr.

² Horsepower (Rated/Observed during testing).

Engelhard's application includes no life cycle cost information. Such information is required, pursuant to 40 CFR 85.1407, only to trigger the program standard of 0.10 g/bhp-hr for applicable engines. That 0.10 g/bhp-hr PM standard was triggered with the certification of the Engelhard ETX-2002 rebuild kit described in the **Federal Register** on September 21, 1998 (63 FR 50225).

In accordance with program requirements, Engelhard's application includes emissions defect and emissions performance warranties.

The candidate kit requires particular engine rebuild parts that are specified by Engelhard in order to upgrade

applicable engines to a 1991 to 1993 model year configuration of either 253 or 277 Hp. As proposed in the application, Engelhard would provide certain engine components (the improved turbocharger, a particular blower drive gear and the CMX-6 catalytic converter muffler). The remaining required parts (cylinder heads, cylinder kits, fuel injectors, camshafts, and blower) would be purchased elsewhere or supplied separately by the transit operator, as long as such parts were the Engelhard-specified OEM components. Engelhard proposes that the candidate kit include a specified parts list, but not provide these "standard" parts. Additionally,

EPA understands that Engelhard does not intend that the warranties provided by them would cover these parts, because these parts are normally replaced during a standard rebuild.

EPA expects to evaluate this supply method and whether it is appropriate pursuant to program requirements [such as 40 CFR 85.1403(a)(1)]. Also, EPA will evaluate whether this supply method would compromise the ability of the Engelhard kit to achieve 0.10 g/bhp-hr PM standard in the field. EPA requests comment on this supply method.

EPA also notes that the upgraded software programs for the electronic control module that controls the fuel injection timing, which is to be

provided with the candidate kit if necessary for 1988 through 1990 model year engines, are the original programs developed by DDC for 1991 through 1993 engines. As discussed in the **Federal Register** notice describing the certification of the Engelhard ETX 2002 rebuild kit (63 FR 50225; September 21, 1998), EPA expressed concern with programs designed to decrease fuel consumption during driving modes not substantially included in the federal test procedure, that have the effect of substantially increasing NOx during these modes. Prior to certification of the candidate kit, EPA expects these concerns to be addressed.

If EPA certifies the candidate application to the 0.10 g/bhp-hr PM standard, then urban bus operators who choose to comply with compliance Option 1 of this program may use this equipment, or other equipment certified to the 0.10 g/bhp-hr standard, when applicable engines are rebuilt or replaced. Further, operators who chose to comply under compliance Option 2 of this program may also use the Engelhard equipment. They would claim the PM certification level for the kit when calculating their fleet level attained.

The date of today's notice initiates a 45-day period during which EPA will accept written comments relevant to whether or not the equipment described in the Engelhard application should be certified. Interested parties are encouraged to review this application, and provide comments related to whether or not the equipment described in it should be certified pursuant to the urban bus retrofit/rebuild program. Comments should be provided in writing to the address listed under the Addresses section of this document.

EPA will review this application of intent to certify, along with comments received from the interested parties, and attempt to resolve or clarify issues as necessary. During the review process, EPA 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.

Dated: April 22, 1999.

Robert Perciasepe,

Assistant Administrator for Air and Radiation.

[FR Doc. 99-10730 Filed 4-28-99; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984.

Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW, Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

Agreement No.: 202-009548-052.

Title: United States Atlantic and Gulf Ports/Eastern Mediterranean and North African Freight Conference.

Parties: Farrell Lines, Inc., Waterman Steamship Corporation.

Synopsis: The proposed Amendment restates the Agreement, as well as, revising it to bring it into compliance with the requirements of the Ocean Shipping Reform Act and the requirements of the European Union.

Agreement No.: 202-011284-033.

Title: Equipment Interchange Discussion Agreement ("EIDA").

Parties: APL Co. Pte Ltd; American President Lines, Ltd.; A.P. Moller-Maersk Line; Hapag Lloyd Container Linie GmbH; Mitsui O.S.K. Lines Ltd.; Orient Overseas Container Line, Inc.; Orient Overseas Container Line (UK) Ltd.; P&O Nedlloyd B.V.; P&O Nedlloyd Limited; Nippon Yusen Kaisha Line; Sea-Land Service, Inc.

Synopsis: The proposed amendment would restate the Agreement and clarify the authority of the members to discuss and agree on various matters related to the interchange of equipment. It also authorizes two or more of the parties to meet with rail and motor carrier operators to discuss and agree upon matters pertaining to the use and interchange of equipment, it would permit the members to establish voluntary guidelines for service contracts, and makes other non-substantive changes to the Agreement.

Agreement No.: 224-201003-002.

Title: Los Angeles—Matson Terminals Terminal Agreement.

Parties: City of Los Angeles; Board of Harbor Commissioners Matson Terminals, Inc.

Synopsis: The proposed amendment extends the agreement through January 31, 2002.

Dated: April 26, 1999.

By Order of the Federal Maritime Commission.

Bryant L. VanBrakle,
Secretary.

[FR Doc. 99-10757 Filed 4-28-99; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL MARITIME COMMISSION

Security for the Protection of the Public Indemnification of Passengers for Nonperformance of Transportation; Notice of Issuance of Certificate (Performance)

Notice is hereby given that the following have been issued a Certificate of Financial Responsibility for Indemnification of Passengers for Nonperformance of Transportation pursuant to the provisions of section 3, Pub. L. 89-777 (46 U.S.C. 87(e)) and the Federal Maritime Commission's implementing regulations at 46 CFR part 540, as amended:

Celebrity Cruises Inc., 1050 Caribbean Way, Miami, FL 33132, Vessels: Century, Galaxy, Horizon, Mercury and Xenith

Clipper Cruise Line, Inc., 7711 Bonhomme Avenue, St. Louis, MO 63105-1965, Vessel: Nantucket Clipper

Premier Cruises, 901 S. America Way, Pier 7, Miami, FL 33132-2073, Vessels: Oceanbreeze, Oceanic, Rembrandt and Seabreeze I

Radisson Seven Seas Cruises, Inc., 600 Corporate Drive, Suite 410, Ft. Lauderdale, FL 33334, Vessel: Seven Seas Navigator

Royal Caribbean International, 1050 Caribbean Way, Miami, FL 33132, Vessels: Enchantment of the Seas, Grandeur of the Seas, Legend of the Seas, Majesty of the Seas, Monarch of the Seas, Nordic Empress, Rhapsody of the Seas, Sovereign of the Seas, Splendour of the Seas, Viking Serenade, Vision of the Seas and Voyager of the Seas

Silversea Cruises, Ltd. and Silver Wind Shipping Company S.A., 110 East Broward Blvd., Ft. Lauderdale, FL 33301, Vessel: Silver Wind

Dated: April 26, 1999.

Bryant L. VanBrakle,
Secretary.

[FR Doc. 99-10756 Filed 4-28-99; 8:45 am]

BILLING CODE 6730-01-M