

Gulf Oil Corporation/Graham's Gulf et al	RF300-13656	10/31/94
Gulf Oil Corporation/Town of Springfield et al	RF300-21604	11/04/94
McConnell Drilling Co., Inc. et al	RF272-97046	10/31/94
Oberer Construction EQT Co. et al	RF272-77411	10/31/94
Planters Cooperative Assoc. et al	RF272-94900	11/04/94
Red Top Trucking Co. et al	RF272-80176	11/04/94
Texaco Inc./Ike's Texaco #1 et al	RF321-17167	11/04/94
Texaco Inc./Rice Hill Texaco et al	RF321-4194	11/04/94
Westminster Hide & Tallow Company, Inc.	RF272-69835	10/31/94
Westminster Hide & Tallow Company, Inc.	RD272-69835

Dismissals

The following submissions were dismissed:

Name	Case No.
Borough of Roselle	RF272-85451
Brown Transport Corporation	RF321-20802
California Highway Patrol	RF321-20753
Canoga Car Wash	RF321-21024
Citizen Action	VFA-0008
Collins & Aikman Corporation	RF321-20115
Falco Services	RF272-93679
Gary Dawley's Texaco	RF321-17134
Gene Defalco	RF272-93678
Jefferson County Commission	RF272-97553
Jefferson County Commission	RF272-97238
Joe Crain's Texaco	RF321-20941
Magma Copper Company	RF321-20754
Marshall Distributing Co., Inc	RF272-93724
Northwestern Steel and Wire Company	RF321-20752
Skip & Paula's Texaco	RF321-21038
Tallmadge Asphalt	RF321-20652
Wilsonville Texaco	RF321-20613

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system.

Dated: February 13, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

[FR Doc. 95-4191 Filed 2-17-95; 8:45 am]

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Notice of Issuance of Decisions and Orders; Week of November 28 through December 2, 1994

Office of Hearings and Appeals

During the week of November 28 through December 2, 1994 the decisions and orders summarized below were issued with respect to appeals and for other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

Appeal

Weed Associates, 12/2/94, VFA-0009

Weed Associates (Weed) filed an Appeal from a determination issued to it on September 27, 1994, by the Office of Placement and Administration (OPA), an element of the Office of Headquarters Procurement Operations. In that determination, OPA denied in part Weed's request for information filed under the Freedom of Information Act (FOIA). In its Appeal, Weed challenged OPA's application of Exemption 4 to portions of the requested documents and asked that the DOE direct OPA to release the withheld portions of the documents. In considering the Appeal, the DOE found that OPA properly withheld some of the information at issue under Exemption 4. However, DOE found that the release of other portions of information would not cause substantial competitive harm to the submitter, and ordered their release. Therefore, the DOE granted in part Weed's Appeal.

Refund Applications

Miller Drilling Co. et al., 12/1/94, RF272-164 et al.

The Department of Energy denied a Motion for Reconsideration filed by Miller Drilling Co. and six affiliated companies. The movants sought reconsideration of a Decision in which

the DOE denied the Applications for Refund that they filed in the Subpart V crude oil refund proceeding. In the Decision, the DOE stated that the earlier denial was based upon a finding that one of the movants' affiliated companies had applied for and received a refund from one of the eight stripper well escrow accounts, and in so doing had executed a valid and binding waiver of its and any affiliate's right to file a subpart V crude oil claim. The movants argued that they should nonetheless receive a Subpart V refund because the gallonages claimed in their respective Subpart V applications were not included in the earlier stripper well claim, and because the movants were owned in part by a company that filed the stripper well claim. The DOE rejected these claims, finding that the waiver was clearly applicable to the movants.

Texaco Inc./David Blvd. Texaco, 11/30/94, RF321-19219

The DOE issued a Decision and Order denying an Application for Refund in the Texaco Inc. special refund proceeding. John Jarovics (Jarovics) and Robert Kapner (Kapner) filed an Application Refund on behalf of Davie Blvd. Texaco, a service station located Ft. Lauderdale, Florida, for its purchases of Texaco petroleum products from Martin Petroleum (Martin). Martin

previously had been granted a refund for a service station at the same address as David Blvd. Texaco. Martin informed the OHA that it consigned its Texaco product purchases to various subleases of the station, of which Jarovics and Kapner were one. Jarovics and Kapner could not produce any evidence which could substantiate their claim that they purchased the Texaco products from Martin and did not take the products on consignment. The DOE determined the consignees of purchasers of Texaco products were not eligible for a refund and that Jarovics and Kapner had failed to establish that they in fact purchased the Texaco products from Martin.

Consequently, the DOE determined that granting Jarovics and Kapner a refund would not constitute restitution for Texaco's alleged overcharges and their Application for Refund should be denied.

Texas Utilities Company, 11/28/94, RC272-265

A refund was granted to Texas Utilities Company (TUC) in the Subpart V crude oil refund proceeding in a decision dated September 29, 1994 (Case No. RF272-94695). However, a subsidiary of TUC, Texas Utilities Electric Company, had executed a Utilities Escrow Settlement Claim Form and Waiver and Release in the

Department of Energy Stripper Well Exemption Litigation. The execution of this form waived the rights of the signatory, its parent and any affiliates to any future crude oil refund payments. Upon discovering the waiver signed by the subsidiary, the refund granted in Case No. RF272-94695 was rescinded.

Refund Applications

The Office of Hearings and Appeals issued the following Decisions and Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Atlantic Richfield Company/Schock Arco	RF304-15462	11/29/94
Choctaw County et al	RF272-86600	11/30/94
Clark Oil & Refining Corp./Coleman's Clark Service	RF342-327	11/29/94
Farmers Union Oil Co. et al	RF272-86706	12/02/94
Farmers Union Oil Co. of Gary et al	RF272-92058	12/02/94
Glendenning Motorways, Inc.	RC272-266	11/29/94
Ralston Purina Co.	RF272-91916	11/29/94
Ralston Purina Co.	RF272-92153
Ralston Purina Co.	RF272-97112
Texaco Inc./Baker's Texaco #2	RF321-21040	12/01/94
Texaco Inc./Curran's Texaco	RF321-21048	11/30/94
Texaco Inc./E.A. Wilson Co.	RF321-12963	12/02/94
Booker Gas & Oil Co.	RF321-20875
Bryant Oil Co., Inc.	RF321-20964
Texaco Inc./Lake Worth Texaco et al	RF321-20199	11/30/94
Texaco Inc./Lee's Texaco et al	RF321-9564	11/30/94
Texaco Inc./North Union Texaco et al	RF321-8212	11/30/94
Texaco Inc./Ray Wietor's Texaco et al	RF321-1229	11/30/94
Texaco Inc./Spiros Karamalegos	RF321-21025	12/01/94

Dismissals

The following submissions were dismissed:

Name	Case No.
Arlington School District	RF272-80198
Arnold's Texaco #1	RF321-19807
D. Thurston's Sons, Inc.	RF321-12648
Farmers Union Oil Co. of Gary	RF272-92060
Farmers Union Oil Co. of Gary	RF272-92059
H. C. Petroleum, Inc.	LEE-0094
Leon Clements	RF321-12473
Leon Faddis & Son, Inc.	RF272-94771
Oak Hill Texaco	RF321-12398
Ray Marchand Oil Co.	VEE-0002
Robert Texaco	RF321-12405
Rubicon, Inc.	RR321-172
Supervalu, Inc.	RF321-20514
Wilkinson County	RF272-85575
Wounded Knee School District	RF272-80454

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Guidelines, a commercially published loose leaf reporter system.

Dated: February 13, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5156-4]

Public Water Supply Supervision Program; Program Revision for the State of Washington

AGENCY: Environmental Protection Agency.