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Issuance of Supplemental Refund Checks in Special Refund Proceeding Involving Crude Oil Overcharge Refunds

AGENCY: Office of Hearings and Appeals, Department of Energy.

ACTION: Notice of issuance of interim supplemental refund checks in the Crude Oil Overcharge Special Refund Proceeding [RF272 Case Nos.]

SUMMARY: The Office of Hearings and Appeals of the Department of Energy will issue interim supplemental refund checks to prior refund recipients in the crude oil overcharge refund proceeding.

FOR FURTHER INFORMATION CONTACT: Thomas L. Wiekert, Deputy Director, Virginia Lipton, Assistant Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 586-2390 (Wiekert), (202) 586-2400 (Lipton).

SUPPLEMENTARY INFORMATION: The Office of Hearings and Appeals (OHA) of the Department of Energy will soon begin issuing interim supplemental refund checks to prior crude oil overcharge refund recipients. The OHA will shortly begin sending letters announcing this process to these refund recipients, asking them to confirm their current business name, address, telephone number and name of contact person. We will include a verification form that refund recipients may use to provide this information. The recipients will also receive a copy of a Question and Answer (Q&A) sheet prepared by the OHA providing more information about the supplemental refund process.

The letters will be sent over a period of several weeks and be mailed to every applicant that has received a total refund of at least \$50. (This amounts to an approved volume of at least 62,500 gallons.) Applicants that do not receive a letter because their refunds were based on lesser gallonages may still apply for and receive an interim supplemental refund. These smaller Applicants who wish to receive this supplemental refund, rather than wait for the total amount in a single final refund check at a later date, should file a request for a supplemental refund with the OHA at the address listed above. The request should include all of the elements contained on the verification form that is part of the OHA's supplementary crude oil overcharge refund packet.

As stated in the Q&A sheet, the supplemental refunds will be calculated

by multiplying the approved gallonage by \$0.0008. That is, for every 100,000 gallons of product, the refund will be \$80. Thus, the supplemental refund will be equal to the total crude oil overcharge refund already received by a recipient. Further, as indicated in the Q&A sheet, there is no deadline by which responses for submitting the information to receive the supplemental payment must be received. However, the sooner the information is provided, the sooner the payment can be processed. We request that Applicants whose claims are greater than 62,500 gallons file the verification form that will be mailed to them. This form will also contain some identifying information that will facilitate OHA processing. A copy of the full Q&A sheet, the suggested verification form, and the cover letter are set forth below.

Applicants in the crude oil refund proceeding whose refund claims are currently in process will not be issued supplemental checks at this time. Instead, all refund claims granted after March 3, 1995, will be granted at a higher volumetric rate of \$0.0016 per gallon.

Dated: March 16, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

Department of Energy,
Washington, DC 20585

Re: Supplemental Crude Refunds

Dear Crude Oil Refund Recipient: Our records show that you have received a refund in the Subpart V Crude Oil Refund Proceeding of the Department of Energy (DOE). This proceeding aims to compensate people overcharged by various oil companies which violated crude oil price regulations from August 1973 to January 1981.

When we granted your application, we stated that we might send you a supplemental refund check. We are now ready to issue you another check.

In order to receive your supplemental check, please verify that your name and address are correct on the mailing label on this letter. If so, simply check the "Yes" box on the back of this letter and sign the underlying statement. If your name or address has changed, check the "No" box, provide the correct information, and sign the underlying statement. If any other circumstances have changed, attach a letter explaining these changes (please print or type). We have included a short list of questions and answers that deal with some of the most common issues. If you have any other questions, please feel free to call us at (202) 586-4921 between 9:00 a.m. and 5:00 p.m. Eastern Time on regular business days. Also, please provide us with a daytime phone number so we can contact you if necessary.

In addition to your name and address, the Internal Revenue Service (IRS) requires us to report refund payments on IRS Form 1099-

MISC. Therefore, we request that you provide us with your Employer Identification Number (for businesses) or Social Security Number (for individuals). You should submit this number even if you have previously provided it to our office. By law, if you are an individual, you are not required to disclose your Social Security Number. However, if you do not report it to us, we shall withhold 31% of your supplemental check and forward it to the IRS as back-up withholding.

Please return this letter with your responses in the enclosed postage-paid envelope. Once we receive your reply, we will examine it and process it. If we do not receive a reply from you, we will not send you a supplemental check at this time. We hope to hear from you.

Questions and Answers Regarding Supplemental Refunds in the Subpart V Crude Oil Refund Proceeding

The following Questions and Answers concern the supplemental refunds currently being issued by the Department of Energy (DOE) in the Subpart V crude oil refund proceeding. This crude oil refund proceeding is being conducted through the Office of Hearings and Appeals (OHA) of the DOE.

As stated in the Decision and Order that granted your refund, applicants who applied for crude oil refunds before June 30, 1988, would receive supplemental refunds as additional crude oil overcharge funds were available. We stated that we would determine at a later date whether applicants who applied for crude oil refunds after June 30, 1988, would receive supplemental refunds. We have collected additional crude oil overcharge funds; therefore, we are able to issue interim supplemental checks to all crude oil refund recipients (about 87,000 recipients) to date.

Q: What do I need to do in order to receive a supplemental refund? Do I need to file another Application?

A: No. You only need to send back the verification form confirming your name, current address, and taxpayer identification number. If there have been any changes in the status of your application (e.g., bankruptcy, death, dissolution, etc.), please see the Q&A below regarding changes.

Q: What is the deadline for submitting the verification form?

A: There is no deadline for submitting the verification form. However, we will process the supplemental refund checks in the order that we receive the verification forms. The sooner you submit your form, the sooner you will receive a supplemental refund.

Q: How much will I receive?

A: Supplemental refund checks will be calculated by multiplying your previously approved gallonage (located at the top right-hand corner of your mailing label) by \$0.0008 per gallon. In other words, for every 100,000 gallons, you will receive \$80. The amount that you receive will be equal to your total prior crude overcharge refund.

Q: What are the other numbers on my mailing label?

A: The top right-hand corner number is your approved gallonage. The "RF272" number is your original refund case number.

Q: When will I receive my check?

A: In most cases, if all your information is complete, you should receive a supplemental check within 90 days of our receipt of your information.

Q: Why do you refer to this supplemental refund check as an "interim" check?

A: We may collect additional crude oil overcharge funds. If we receive additional crude oil overcharge funds, we will issue a final check to all applicants who have received refunds in the crude oil proceeding.

Q: What happens if I don't submit the verification form at this time?

A: If you choose not to submit the verification form at this time, we will not issue you an interim check. Instead, you will receive only a final check. This final check will include the amount that would have been issued in the interim check. However, we do not know when the crude oil violation collections will be completed, so we cannot estimate when we will issue the final checks.

Q: I represent an applicant who was an individual or a sole proprietor, but circumstances have now changed (e.g., death, divorce, personal bankruptcy, etc.). What should I do?

A: You should submit an explanation of the changes in circumstances with your verification form. For example, if the original applicant declared personal bankruptcy, you should state whether the bankruptcy is open or closed and the name of the trustee, if any. If the original applicant is now deceased, the survivor(s) of the decedent should state whether there is an estate and whether the estate is still open.

Q: I represent a corporation or partnership whose status has changed (e.g., dissolution, bankruptcy, sale to another company, etc.). What should I do?

A: You should submit an explanation of the changes in business status with your verification form. For example, if the applicant is a company that is no longer operating, please provide the names and percentage shares of the shareholders at the time of dissolution. If the applicant was a firm that has experienced a bankruptcy, please state whether the bankruptcy is open or closed, whether it is a Chapter 7 or 11, and the name of the trustee, if any. If the applicant was a company that has been sold to another company, please state the new owner's name and whether it was a stock or asset sale. If the applicant was a business partnership in which a partner(s) is now deceased, the surviving partner(s) should state which partners remain and the disposition of the deceased partner's share in the business.

Q: I know of another applicant who has already received a supplemental check, yet I received notice of this supplemental check only recently. Why is that?

A: In order to handle the overwhelming number of supplemental checks most effectively, we are issuing notification of the supplemental checks in stages according to the order in which the original claims were filed.

Q: I also filed an application in a refined product proceeding (e.g., Texaco, Gulf, ARCO, etc.). Will I receive a supplemental check from that refund proceeding?

A: No. Only one refund check generally is issued in refined product proceedings.

Q: Whom do I contact for more information?

A: Call (202) 586-4921 from 9 am-5 pm ET.

Send your verification form and any letters of explanation or inquiry to: Supplemental Crude Oil Refunds, Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Verification Form

Part I: Correct Name and Address

Yes, my name and current address are correct on the mailing label.

No, my name and current address are different from the mailing label.

The correct information is (please print or type):

Yes, there has been a change in the business or in the ownership of the business due to death, divorce, sale, bankruptcy or dissolution. Please submit an explanation with this form.

No, there has been no change in the business or in the ownership of the business due to death, divorce, sale, bankruptcy or dissolution.

Part II: IRS Form 1099 Information

1. Are you exempt from IRS 1099 reporting (if unsure, answer No)? Yes No

2. Has the IRS informed you that you are subject to backup withholding? Yes No

3. Please provide your Taxpayer Identification Number:

Social Security Number (Individuals Only)

_____-_____-_____
Or

Employer Identification Number (Businesses Only)

_____-_____-_____

Part III: Signature

I verify that all of the information above is true and correct to the best of my knowledge.

Signature

Date

Title (if applicable)

() _____
Daytime Telephone Number

Return this form and any letters of explanation to: Supplemental Crude Oil Refunds, Office of Hearings and Appeals, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL 5178-2]

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB for review and comment. The ICR describes the nature of the information collection and its expected cost and burden.

DATES: Comments must be submitted on or before April 24, 1995.

FOR FURTHER INFORMATION OR A COPY CALL: Sandy Farmer at EPA, (202) 260-2740, please refer to EPA ICR #0277.10.

SUPPLEMENTARY INFORMATION:

Office of Prevention, Pesticides and Toxic Substances

Title: Application for New or Amended Registration. (ICR No: 0277.10; OMB No: 2070-0060). This ICR requests renewal of an existing clearance.

Abstract: EPA is responsible under section 3 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for registering pesticide products on the basis of scientific data adequate to show that, when used according to label directions, they will not pose unreasonable risk to human health, wildlife, or the environment—including endangered species.

Burden statement: The public burden is broken into 6 components: The first is reporting the activities required in the registration of a new, never-before-registered chemical; there are approximately 200 respondents in this component and they average 80 burden hours each. The second component involves about 15,000 registrants who are required to report on previously registered or "me-too" pesticides; these are less information-intensive and require an average of 8 hours per response. The third component is comprised of applicants for "reduced-risk" new active ingredients; it involves fewer than 20 applicants at 160 hours each. The fourth component involves a quarter hour each for approximately 36,000 training sessions in the Training Verification Program, which is part of the Worker Protection Standard.

The fifth component includes the respondent burden associated with the