

[FR Doc. 95-14245 Filed 6-9-95; 8:45 am]
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Notice of Issuance of Decisions and Orders During the Week of April 24 Through April 28, 1995

During the week of April 24 through April 28, 1995, the decisions and orders summarized below were issued with respect to applications for exception or 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.

Request for Exception

Lane's Service, Inc., 4/27/95, LEE-0158

Lane's Service, Inc. (Lane), filed an Application for Exception from the provisions of the Energy Information Administration (EIA) reporting requirements in which the firm sought relief from filing Form EIA-782B,

entitled "Resellers'/Retailers' Monthly Petroleum Product Sales Report." The DOE determined that Lane did not meet the standards for exception relief because it was not experiencing a serious hardship or gross inequity as a result of the reporting requirements. Accordingly, exception relief was denied.

Refund Applications

Gulf Oil Corporation/Marine Fueling, Inc., 4/27/95, RF300-17154

Marine Fueling, Inc. (Marine) filed an Application for Refund in the Gulf Oil Corporation (Gulf) special refund proceeding. In considering the application, the DOE noted that it had already held, in connection with another refund application filed by Marine, that the sales agreement pursuant to which Marine sold its business in 1975 transferred to the buyer the right to any future refunds. See *Murphy Oil Corp./Marine Fueling Division*, 21 DOE ¶ 85,329 (1991). Based

on that holding, the Application was denied.

Texaco Inc./27 W. Landis Texaco, Langhorne Texaco Service Station, 4/27/95, RR321-177, RR321-178

The DOE issued a Decision and Order concerning two Motions for Reconsideration submitted by indirect purchasers of Texaco products. The DOE determined that the movants were eligible to receive refunds as determined in a prior Decision and Order of the DOE, *Texaco Inc./27 W. Landis Texaco*, 24 DOE ¶ 85,137 (1995). The total of the refunds disbursed to the movants was \$15,066 (\$10,302 principal and \$4,764 interest).

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/Glock Bros. Et al	RF304-12055	04/27/95
Gulf Oil Corporation/Airport Gulf	RF300-20608	04/27/95
Texaco Inc./Bill's Texaco Et al	RF321-16783	04/27/95

Dismissals

The following submissions were dismissed:

Name	Case No.
Brown-Graves Lumber	RF272-97305
Buffalo Aeronautical	RF272-98317
Central Vermont Medical Center, Inc	RF272-97387
City of Salem	RF272-85618
City of Williamsburg	RF272-85723
Columbia County	RF272-85676
Convenience Corner	RF321-14157
County of Oswego Highway Dept	RF272-96528
Dayton Vacuum Truck Service	RF321-6570
Fields Texaco	RF321-13437
James Bennett Grocery	RF321-18966
John R. & Seven Mile Texaco	RF321-18051
Kaloust Texaco	RF321-20907
Kaloust Texaco	RF321-20908
Lebanon County	RF272-85550
Lee County	RF272-85772
Lyndhurst, NJ	RF272-85398
Normandy Texaco	RF321-18008
Otter Tail County	RF272-88973
Parkway Texaco	RF321-18001
Roxbury Texaco	RF321-19415
Southwestern Vermont Medical Center	RF272-97392
Tippah County	RF272-85633
Town of Sandwich	RF272-85564
Town of Swampscott	RF272-88967
Town of Upton	RF272-85299
Town of Wayland	RF272-88027
Wright's Service Station	RF321-18648

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 p.m. and 5 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system.

Dated: June 1, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL 5220-1]

Border Environment Cooperation Commission (BECC) Draft Guidelines for Project Submission and Criteria for Project Certification

AGENCY: Border Environment Cooperation Commission (BECC).

ACTION: Request for Public Comment on the BECC Draft Guidelines for Project Submission and Criteria for Project Certification.

SUMMARY: This notice announces the availability of the BECC Draft Guidelines for Project Submission and Criteria for Project Certification for public review and comment.

DATES: Written comments must be submitted to the BECC on or before July 14, 1995. Oral comments may be received on July 28, 1995 at the BECC Board of Directors Public Meeting in Tijuana, Baja California. To mail comments or for further information contact:

April Lander, Environmental Program Manager, Border Environment Cooperation Commission, PO Box 221648, El Paso, TX 79913, Phone (011-52-16) 29-23-95 in Juarez, Mexico. Fax (011-52-16) 29-23-97

H. Roger Frauenfelder, General Manager, Border Environment Cooperation Commission, PO Box 221648, El Paso, TX 79913

Dated: June 2, 1995.

April Lander,

Acting General Manager.

Draft—Border Environment Cooperation Commission Guidelines for Project Submission and Criteria for Project Certification

I. Authority

These guidelines and criteria are adopted under the authority of the November 1993 Agreement Between the Government of the United States of America (U.S.) and the Government of the United Mexican States (Mexico) Concerning the Establishment of a Border Environment Cooperation Commission (BECC) and a North American Development Bank (NADBank) which authorizes the BECC Board of Directors (Board) to adopt rules, guidelines, and criteria as may be necessary or appropriate to conduct BECC business.

II. Program Purpose

The BECC was created in parallel with the North American Free Trade Agreement (NAFTA) as a binational institution to promote cooperation in achieving sustainable development for the well-being of present and future generations through the preservation, protection, and enhancement of the environment along the United States and Mexican border.

III. Program Scope

The BECC will work with states and localities, other public entities, and private investors, to develop effective solutions to environmental problems in the border region. The BECC may (1) assist with the planning, design, construction management, operations and maintenance phases of environmental infrastructure projects; (2) assess the technical and financial feasibility of projects, (3) evaluate social, environmental, and economic impacts of projects; (4) assist with public and private financing for projects; (5) provide technical assistance to applicants in development of proposals, project feasibility planning, engineering design, and environmental assessments; (6) assist with the development of a comprehensive public outreach and participation plan, and (7) certify projects for financing by the NADBank or other sources.

Projects located within 100 km (62 miles) on either side of the U.S./Mexico border may be considered for certification. Projects outside this region may be considered for certification if the BECC, with concurrence of the U.S. Environmental Protection Agency and

the Mexican Secretaria de Desarrollo Social, find the project would remedy an environmental or health problem within the 100 km (62 mile) area.

Priority projects will be in the areas of water pollution, wastewater treatment, municipal solid waste, and related matters as defined by the November 1993 Agreement. Potential water pollution projects could include potable water treatment and/or water supply systems, water pollution prevention, or projects to improve or restore the quality of water resources. Potential wastewater treatment projects could include wastewater collection systems, wastewater treatment plants, water reuse systems, or systems providing for the beneficial use of sludge. Potential municipal solid waste projects could include landfills, solid waste collection and disposal, reuse, recycling, or waste to energy projects. Related projects include projects corresponding to the three priority areas described above.

The BECC acknowledges the importance of the environmental goals and objectives embodied in the following international agreements: Agreement on Cooperation for the Protection and Improvement of the Environment in the Border Area (La Paz Agreements), the North American Free Trade Agreement (NAFTA), and the North American Agreement on Environmental Cooperation as well as other treaties undertaken by the United States or Mexico.

IV Definition of Terms

Advisory Council. Advisory Council of the BECC. The Council has 18 members, 9 from the United States and 9 from Mexico. The Council may provide advice to the Board of Directors or the General Manager on certification of projects.

Applicant. States and localities, other public entities, and private investors.

BENEFIT-COST RATIO. The ration of total project economic benefits to total project costs discounted at a predetermined annual rate, once the benefits and costs have been corrected from market distortions.

Board of Directors. Board of Directors of the BECC. The Board has 10 directors, 5 from the United States and 5 from Mexico. The Board determines general operational and structural policies for the BECC, evaluates projects, and certifies qualified projects.

Cultural Resources. Historical, archeological, and ethnic resources.

DISCOUNT RATE. The rate of discount measures how much less a sum of money is worth by each year that passes.