NAME	CASE NO.
MCNAMARA MOTOR EXPRESS, INC	RF272–97068
QUALITY SEAFOODS, INC.	RF272–95157
STATE COMPENSATION INSURANCE FUND	RF272–92741
STATE OF VERMONT	RF272–97901

[FR Doc. 96–24295 Filed 9–20–96; 8:45 am]

BILLING CODE 6450–01–P

Notice of Issuance of Decisions and Orders Week of July 31 Through August 4, 1995

During the week of July 31 through August 4, 1995, the decisions and orders summarized below were issued with respect to appeals, applications, petitions, or other requests 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.

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 20585–0107, 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. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at http://www.oha.doe.gov.

Dated: September 10, 1996.

George B. Breznay,

Director, Office of Hearings and Appeals.

Decision List No. 931

Appeal

Esther Lyons, 8/3/95, VFA–0056

Esther Lyons (Lyons) filed an Appeal from a determination issued to her by the Oak Ridge Operations Office (Oak Ridge) of the Department of Energy (DOE). In her Appeal, Lyons asserted that Oak Ridge failed to perform an adequate search for responsive documents in its possession regarding a Freedom of Information Act (FOIA) Request she submitted. In her Request, Lyons requested copies of all documents containing information pertaining to her father, Michael D. Lyons. In its determination letter, the Oak Ridge stated that it could not find any documents which were responsive to her Request. In her Appeal, Lyons argued that Oak Ridge conducted an inadequate search for responsive documents and asserted that responsive documents must exist since her father operated various companies which did business with the Atomic Energy Commission. The DOE determined that Oak Ridge conducted an adequate search for responsive documents in light of the fact that the Lyons' Request only contained her father's name and none of the information provided in her subsequent Appeal. However, Oak Ridge agreed to conduct another search for responsive documents using the additional information provided in Lyons' Appeal. Consequently, the DOE remanded the matter to Oak Ridge so that it could conduct a further search for responsive documents.

Personnel Security Hearing

Albuquerque Operations Office, 8/3/95, VSO–0028

An Office of Hearings and Appeals Hearing Officer issued an opinion against restoring the security clearance of an individual whose clearance had been suspended because the Department had obtained derogatory information that fell within 10 CFR 710.8 (k) and (l). In reaching his conclusion, the Hearing Officer found that the individual had possessed and used marijuana after signing a certification that he would not use illegal drugs. In addition, the Hearing Officer found that current inconsistencies in the individual's testimony support the charge that the individual is not being honest, reliable and trustworthy within the meaning of 10 CFR 710.8(l).

Supplemental Order

THE 341 TRACT UNIT OF THE CITRONELLE FIELD, 8/1/95, VFX–0003

The DOE issued a Decision and Order directing payment to a mediator for his services in connection with negotiations to settle litigation over the escrow funds concerning The 341 Tract Unit of the Citronelle Field. The DOE directed that $12,063.25 of the mediator's fee should be taken from the Citronelle escrow account. The remaining $4,461.75 of his fee is to be paid directly by the DOE.

Refund Applications

CITRONELLE-MOBILE GATHERING/GLOBE MANUFACTURING CO., ET AL., 8/3/95, RR336–75, ET AL.

The DOE issued a Decision and Order directing payment of refunds to 37 applicants in the Citronelle-Mobile Gathering (Citronelle) special refund proceeding. These funds had been collected from Citronelle pursuant to a March 17, 1988, a decision of the United States District Court for the Southern District of Alabama. On August 12, 1992, the court ordered the transfer of the Citronelle overcharges funds from the registry of the court to the DOE deposit escrow fund account, and ordered the transfer of any additional payments into the registry to the DOE escrow account on a quaterly basis. The court directed the DOE Office of Hearings and Appeals (OHA) to make payments to the claimants, in proportion to the number of gallons of eligible refined petroleum products purchased by each claimant, whenever the amount in the DOE escrow account exceeds $1,000,000, and no less often than once every two years. Two years had passed since the most recent disbursement of funds on August 3, 1993. Accordingly, the DOE directed that the funds in the Citronelle account be disbursed to the 37 eligible claimants.

NATIONAL HELIUM CORP./OREGON RM3–289;TIME OIL COMPANY/OREGON RM334–290; COLINE GASOLINE CORP./OREGON RM2–291; BELRIDGE OIL COMPANY/OREGON RM8–292; PERRY GAS PROCESSORS/OREGON RM183–293; PALO PINTO OIL AND GAS/OREGON, 7/31/95, RM5–294

The DOE issued a Decision and Order granting a Motion for Modification filed by the State of Oregon in the National Helium Corp., Time Oil Company, Coline Gasoline Corp., Belridge Oil Company, Perry Gas Processors, and Palo Pinto Oil and Gas special refund proceedings. Oregon requested permission to modify its second-stage refund plan after the telecommuting program approved in *National Helium/Oregon*, 25 DOE ¶ 85,017 (1995) failed to win approval from the Oregon state legislature. Oregon wished to reallocate the $500,000 previously intended for that program to its Public Buildings Energy Savings Program, which was approved in the same decision. The DOE determined that increased funding would extend the benefits of the Public

Buildings Energy Savings Program to a larger number of communities without upsetting the balance of Oregon's overall restitutionary program. Accordingly, Oregon's Motion for Modification was granted.

Texaco Inc. Vaughan Bassett Furniture Corp., 8/2/95, RF321–15350

The DOE issued a Decision and Order granting an Application for Refund filed by the Vaughan Bassett Furniture Corp. (Bassett) in the Texaco Inc. Subpart V special refund proceeding. In its refund application, Bassett sought an above-volumetric refund based upon its claim that it incurred a disproportionate overcharge during the Texaco consent order period. In support of its claim to an above-voluetric refund Bassett submitted documents prepared by the DOE's Economic Regulatory Administration (ERA) based upon an ERA audit of Texaco's business records.

The DOE found that the enforcement documents submitted by Bassett, and the Remedial Order issued to Texaco by DOE as a result of the ERA audit, support Bassett's claim to an above-volumetric refund. The overcharge amount established by the enforcement documentation (plus pre-judgment interest) was reduced by 57.5 percent of its total to reflect the nature of the DOE/Texaco settlement agreement. As an end-user of Texaco refined product, Bassett was not required to submit detailed evidence of injury in order to receive a refund. Bassett was awarded a refund of $39,100 plus accrued 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.

CITY OF NORTH AUGUSTA, SOUTH CAROLINA ET AL	RF272–95460	07/31/95
COLONIAL SCHOOL DISTRICT ET AL	RK272–75	08/02/95
CONTISHIPPING DIVISION OF CONTINENTAL GRAIN	RR272–126	08/02/95
CRUDE OIL SUPPLEMENTAL REFUND DISTRIBUTION	RB272–36	07/31/95
CRUDE OIL SUPPLEMENTAL REFUND DISTRIBUTION	RB272–31	08/02/95
CRUDE OIL SUPPLEMENTAL REFUND DISTRIBUTION	RB272–34	08/02/95
CRUDE OIL SUPPLEMENTAL REFUND DISTRIBUTION	RB272–17	08/03/95
CRUDE OIL SUPPLEMENTAL REFUND DISTRIBUTION	RB272–30	08/03/95
GOLD LINE, INC. ET AL	RF272–77478	08/02/95
LAKE COUNTY SCHOOL DISTRICT	RF272–95908	08/02/95
HARTFORD SCHOOL DISTRICT	RF272–95951	
MARYSVILLE JOINT UNIFIED SCHOOL DISTRICT ET AL	RF272–95483	08/02/95
NEPERA, INC.	RR272–129	08/02/95
PETER FISHER & SON, INC. ET AL	RK272–11	08/02/95
TEXACO INC./BEAL'S TEXACO ET AL	RF321–11266	08/03/95
TEXACO INC./ILAN PETROLEUM COMPANY	RF321–20558	08/02/95
INGLEWOOD OIL COMPANY	RF321–20559	
TEXACO INC./MARITIME OIL COMPANY	RF321–20445	08/02/95
TEXACO INC./WILLIAM KRONENBERG TEXACO	RF321–20467	08/02/95

Dismissals

The following submissions were dismissed:

Name	Case No.
BARBER COUNTY, KANSAS	RF272–89047
CARL COLTERYAHN DAIRY	RF272–97317
CITY OF MITCHELL	RF272–86647
FARMERS CO–OP ASSOCIATIONS	RG272–172
SOUTHWESTERN STATE HOSPITAL	RF272–86653

[FR Doc. 96–24297 Filed 9–20–96; 8:45 am]
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ENVIRONMENTAL PROTECTION AGENCY

[FRL–5614–4]

Clean Air Act; Contractor Access to Confidential Business Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has contracted with The Bionetics Corporation to provide assistance in the enforcement of regulatory requirements under the Clean Air Act until April 30, 2001. Bionetics has been authorized access to information submitted to the Agency under Clean Air Act sections 114, 203, 208, 211, 307(a), and 609. Some of the information may be claimed or determined to be confidential business information.

DATES: This notice is effective September 23, 1996.

FOR FURTHER INFORMATION CONTACT: John C. Connell, Environmental Protection Specialist, USEPA, 12345 West Alameda Parkway, Suite 214, Lakewood, Colorado 80228. Telephone: (303) 969–6479. Fax: (303) 969–6490. Internet mail address: connell.johnc@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA has authorized access for the Bionetics Corporation (''Bionetics''), a contractor, to information submitted to the EPA under sections 114, 203, 208, 211, 307(a), and 609 of the Clean Air Act (''the Act''). Some of this information may be claimed or determined to be confidential business information (''CBI''). The Bionetics contract number is 68–W6–0027, and the Bionetics address is Tenth Floor, Suite 1000, Harbour Centre Building, 2 Eaton Street, Hampton, Virginia 23669.

Bionetics provides enforcement support to the Air Enforcement Division, Office of Regulatory Enforcement, Office of Enforcement and Compliance Assurance (the ''Air Enforcement Division'') in a number of activities related to the Act. The activities in which Bionetics provides enforcement support include: