

amount that the test could detect. Consequently, the respondent did not demonstrate that the drug test was invalid. As the respondent offered no evidence in mitigation of his drug use, the Hearing Officer found that his access authorization should not be restored.

Interlocutory Order

EG&G Rocky Flats, Inc., 7/11/97, VWZ-0008

An OHA hearing officer issued a Decision and Order regarding a Motion for Partial Dismissal and Limitation on

Scope of Complainant's Claims filed in a whistleblower proceeding under the provisions of 10 C.F.R. part 708. The hearing officer determined that DOE's whistleblower regulations do not apply to reprisals that occurred before April 2, 1992, the effective date of those regulations, and consequently dismissed those portions of the complaint that concerned those reprisals. The hearing officer specified, however, that protected disclosures made before April 2, 1992, may have led to reprisals that occurred after that date, and for that

reason those disclosures are relevant to the proceeding and evidence concerning them will be received. The Motion to Dismiss was, therefore, granted in part.

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.

ARCH MINERAL CORP. ET AL	RG272-00503	7/8/97
CHICAGO MILWAUKEE CORPORATION	RF272-69326	7/8/97
CHICAGO MILWAUKEE CORPORATION	RD272-69326	
GULF OIL CORPORATION/ASSOCIATED TRANSPORT	RF300-13114	7/11/97
LYLE BREDEKAMP	RF272-15943	7/11/97
STAR MANUFACTURING CO.	RF272-57065	
ST. JOSEPH CARE CENTER	RF272-98794	

Dismissals

The following submissions were dismissed.

Name	Case No.
A.W. STADLER, INC./DARLING INTRNTL	RK272-4489
ANDERSON CLAYTON FOODS/AC HUMKO	RK272-4401
ASHY-HUTCHISON ENT., INC.	RK272-4472

[FR Doc. 97-21541 Filed 8-13-97; 8:45 am]
BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5874-6]

Proposed Settlement; Industrial Process Cooling Towers Emission Standard Litigation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Proposed Settlement; Request for Public Comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act ("Act"), notice is hereby given of a proposed settlement of *Libbey-Owens-Ford Company v. United States Environmental Protection Agency*, No. 95-1141 (D.C. Cir.).

The case involves a challenge to the rule entitled "National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers," published in the **Federal Register** at 59 FR 46,339 on September 8, 1994. The proposed settlement provides for EPA to issue a revision to the rule allowing sources to demonstrate compliance through recordkeeping in lieu of water sample analysis.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments to the settlement from persons who were not named as parties to the litigation in question. EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Copies of the settlement are available from Gwendolyn Jones, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260-7620. Written comments should be sent to Patricia A. Embrey at the above address and must be submitted on or before [insert date 30 days after publication].

Dated: August 4, 1997.

Scott C. Fulton,

Acting General Counsel.

[FR Doc. 97-21536 Filed 8-13-97; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

AGENCY: Federal Election Commission.

DATE & TIME: Tuesday, August 19, 1997 at 10:00 a.m.

PLACE: 999 E Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.

Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

DATE & TIME: Thursday, August 21, 1997 at 10:00 a.m.

PLACE: 999 E Street, N.W. Washington, D.C. (Ninth Floor).

STATUS: This meeting will be open to the public.

ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes.

Report of the Audit Division on Pete Wilson for President Committee (continued from meeting of July 31, 1997).

Administrative Matters.