

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 Portage et al RF272-96348 3/25/98

[FR Doc. 98-14524 Filed 6-1-98; 8:45 am] BILLING CODE 6450-01-P

Dated: May 21, 1998. Thomas O. Mann, Acting Director, Office of Hearings and Appeals.

Albuquerque Operations Office that invoices submitted by a law firm to a DOE contractor are not "agency records," and are therefore not subject to the FOIA. In the Decision, the Office of Hearings and Appeals found that documents were not agency records, and that they were also not subject to release pursuant to the contractor records provision of 10 C.F.R. § 1004.3(e)(1).

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders; Week of April 6 Through April 10, 1998

During the week of April 6 through April 10, 1998, 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, 950 L'Enfant Plaza, SW, Washington, DC, Monday through Friday, 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.

Decision List No. 80 Week of April 6 Through April 10, 1998

Appeals Hobart T. Bolin, Jr., 4/10/98, VFA-0390

The DOE's Office of Hearings and Appeals (OHA) issued a decision granting a Freedom of Information Act Appeal filed by Hobart T. Bolin, Jr. Bolin sought the release of documents relating to an incident that occurred at the DOE's Oak Ridge Operations Office (OR) site in 1995, and OR released certain documents to him. In his Appeal, Bolin provided information about possible additional responsive documents that OR had not included in its original search. Accordingly, the Appeal was granted and Bolin's request was remanded to OR for a further search for responsive documents.

William H. Payne, 4/10/98, VFA-0391

The Department of Energy (DOE) issued a Decision and Order (D&O) denying a Freedom of Information Act (FOIA) Appeal that was filed by William H. Payne. In his Appeal, Mr. Payne requested that we review a determination issued by the

Refund Application

Apex Oil Co./Clark Oil Co./GO-TANE Service Stations, Inc., RF342-278

The DOE granted a refund filed in the Apex/Clark special refund proceeding. The OHA denied a request for a refund based on alleged Clark allocation violations and for reimbursement of legal and accounting fees, but approved a refund of \$432,497 for injury suffered as a result of alleged Clark overcharges.

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.

Table with 3 columns: Case Name, Case Number, and Date. Includes entries for Crude Oil Supple Refund Dist, Enron Corporation/Scurlock Permian Corp., Steele County, Bowman County, North Dakota, Eddy County, North Dakota Assoc of cntys, North Dakota Assoc. of cntys, Slope county, Towner county, etc.

Dismissals

The following submissions were dismissed.

Table with 2 columns: Name and Case No. Includes entries for Ineel Research Bureau Personnel Security Hearing.