

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders; Week of January 12 Through January 16, 1998

During the week of January 12 through January 16, 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 decision and order are available in the Public Reference Room of the Office of Hearings and Appeals, 950 L'Enfant Plaza, SW, Washington, D.C., 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>.

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

Decision List No. 68

Week of January 12 through January 16, 1998

Personnel Security Hearings

Personnel Security Hearing, 1/12/98, VSO-0164

A Hearing Officer issued an Opinion regarding the eligibility of an individual to maintain an access authorization under the provisions of 10 CFR Part 710. The DOE issued a Notification Letter which alleged that the individual (1) deliberately falsified information from a Questionnaire for National Security Position and in a Personnel Security Interview, and (2) engaged in unusual conduct that showed the individual is not honest, reliable, or trustworthy or is subject to coercion that may cause the individual to act contrary to the best interests of national security. See 10 CFR 710.8(f)(1). After carefully examining the record of the proceeding, the Hearing Officer determined that the individual had deliberately omitted information from a Questionnaire for National Security Position and had engaged in financially irresponsible conduct and other behavior involving a sensitive foreign country that showed the individual is not trustworthy and is subject to coercion. Accordingly, the Hearing Officer recommended that the individual's access authorization not be restored.

Personnel Security Hearing, 1/12/98 VSO-0166

An individual's access authorization had been suspended due to two items of derogatory information that gave rise to security concerns. The first item was a diagnosis by a DOE psychiatrist that the individual suffered from paranoid delusional disorder, a mental condition that causes, or may cause, a significant defect in judgment or reliability as provided at 10 CFR 710.8(h). The second item was an interview in which the individual stated she would disclose classified information relating to health issues, which indicated that the individual is not honest reliable, or trustworthy, as provided at 10 CFR 710.8(1). At the hearing, the individual, while casting doubt on the DOE psychiatrist's diagnosis, failed to establish her eligibility for access authorization. Her expert witness however, a clinical psychologist, testified that the individual suffered from psychotic depression with episodic loss of contact with reality. In addition, the individual stated at the hearing that she would not disclose classified information, The Hearing Officer found, however, that the individual's statements were unconvincing in view of testimony at the hearing that she was emotionally labile and subject to psychotic episodes. Accordingly, the Hearing Officer expressed the opinion that the individual's access authorization should not be restored.

Dismissals

The following submissions were dismissed.

Name	Case No.
Dykema Gossett PLLC	VFA-0362
Interstate Gulf	RF300-21691
National Starch & Chemical Co.	RF272-95738
Personnel Security Hearing	VSO-0182

[FR Doc. 98-14712 Filed 6-2-98; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Notice of Issuance of Decisions and Orders; Office of Hearings and Appeals

Week of January 26 Through January 30, 1998

During the week of January 26 through January 30, 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, D.C. 20585-0107, 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>.