

Dismissals

The following submissions were dismissed:

Name	Case No.
Blende Texaco	RF321-20302
Buckley & Company	RF321-20321
City of Vineland Electric	RF321-20236
Continental Baking Co	RF321-19854
Conway Dyno Alignment Service	RF321-20306
Courville's Garage	RF321-20773
Express Texaco	RF321-20219
Fruehauf Trailer Corp	RF321-20350
Kanab Texaco	RF321-6331
Murray's Texaco Service Station	RF321-19287
Partanna's Texaco	RF321-20239
Queen's Texaco on Providence	RF321-20387
Taylor's Texaco Service	RF321-20261
Walter Luther Texaco	RF321-11342

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, D.C. 20585, 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.

Dated: February 14, 1996.

George B. Breznay,
Director, Office of Hearings and Appeals.
[FR Doc. 96-4404 Filed 2-26-96; 8:45 am]
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Notice of Issuance of Decisions and Orders During the Week of June 19 Through June 23, 1995

During the week of June 19 through June 23, 1995, the decisions and orders summarized below were issued with respect to appeals and applications for 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.

Appeals

A. Victorian, 6/22/95, VFA-0043

Dr. A. Victorian filed an Appeal from a determination issued by the Oakland Operations Office (Oakland) of the Department of Energy in response to a request under the Freedom of Information Act (FOIA). Dr. Victorian sought documents concerning "Project Woodpecker" at Lawrence Livermore National Laboratory. The Oakland determination denied Dr. Victorian's request on the grounds that the DOE had no responsive documents. In

considering this Appeal, the DOE found that Oakland followed procedures that were reasonably calculated to uncover responsive documents. Accordingly, the DOE denied Dr. Victorian's Appeal.

Ferenc M. Szasz, 6/22/95, LFA-0254

Ferenc M. Szasz filed an Appeal from a denial by the National Archives and Records Administration of a request for information that he filed under the Freedom of Information Act (FOIA). Professor Szasz sought specified reports contained in Manhattan Project files. In considering the information that was withheld as classified material under Exemptions 1 and 3 of the FOIA, the DOE determined that all of the previously withheld material must continue to be withheld. Accordingly, the Appeal was denied.

Petition for Special Redress

State of Louisiana, 6/20/95, VEG-0001

The DOE issued a Decision and Order granting a Petition for Special Redress filed by the State of Louisiana. Louisiana sought approval to use Stripper Well funds for a project which the DOE's Assistant Secretary for Energy Efficiency and Renewable Energy held to be inconsistent with the terms of the Stripper Well Settlement Agreement. The DOE approved the State's proposal to use \$11,650,915 to establish a Louisiana Petroleum Information Center (PIC). The PIC will be a central archive for Louisiana geological data, including stratigraphic data collected by the major oil companies and the oil and gas archives of the Louisiana Department of Natural Resources. The DOE found that the PIC would bring energy-related restitutionary benefits to the citizens of Louisiana and could be approved as an energy research program under the terms of the Stripper Well Settlement Agreement. Accordingly, Louisiana's

Petition for Special Redress was approved.

Refund Applications

Gulf Oil Corp./FASCO, Inc., 6/22/95, T3RF300-8238

The DOE issued a Decision and Order concerning a refund application filed by FASGO, Inc. in the Gulf Oil Corporation refund proceeding. FASGO calculated the volume of its refined product purchased by referring to its own company records. The DOE found that the records were reasonable, and used them to calculate a refund of \$60,014, including interest, for the firm. The DOE further noted that FASGO, a bankrupt firm, was no longer in existence. The record in the case included an Order from the United States Bankruptcy Court for the Eastern District of Pennsylvania stipulating that upon payment of administrative expenses and of a certain claim by the Commonwealth of Pennsylvania, two former owners of FASGO would be entitled to all liquidated assets of the firm. These former owners submitted evidence showing that the payments had been made. Accordingly, the DOE directed that these two individuals should receive the FASGO refund.

Gulf Oil Corporation/the Circle K Corporation, Fairmont Foods, Inc., 6/22/95, RF300-19969, RF300-19994

The DOE issued a Decision and Order concerning Applications for Refund submitted in the Gulf Oil Corporation special refund proceeding by The Circle K Corporation and Fairmont Foods, Inc. The Circle K Corporation requested that the OHA grant it a refund based on separate presumptions of injury for each of three subsidiaries which purchased Gulf products. The OHA found that while the three subsidiaries were operated as separate entities during the

refund period, they are no longer operationally distinct. Accordingly, the OHA determined that they do not qualify for consideration under separate presumptions of injury. The OHA also found that The Circle K Corporation could not receive a full volumetric refund for purchases made by a

subsidiary for end-use, in addition to benefitting from the small claims presumption of injury for its two subsidiaries that were retailers of Gulf products. Instead, the OHA ordered that the applicant be granted a full volumetric refund for end-use purchases, and refunds under the mid-

range presumption of injury for purchases made by its retailer subsidiaries. Accordingly, the Circle K Corporation was granted a total refund of \$15,046. In addition, the OHA denied a competing Application for Refund filed by Fairmont Foods, Inc.

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.

Gulf Oil Corporation/Bracknell Oil Co., Inc	RF300-19716	06/22/95
Quality Gulf	RF300-19987	
Valley View Gulf	RF300-19991	
Gulf Oil Corporation/Denison Oil Co., Inc	RF300-20066	06/22/95
H.R. Higgins Excavating et al	RF272-97036	06/23/95
Old Colony Transportation et al	RF272-90436	06/23/95
Roane County et al	RF272-97600	06/23/95
Sequim School District et al	RF272-97701	06/23/95
Texaco Inc./Look Oil Co	RF321-20305	06/23/95

Dismissals

The following submissions were dismissed:

Name	Case No.
Acme Resin Corporation	RF272-58053
Brattleboro Memorial Hospital	RF272-99147
Butler Landmark Inc	RG272-194
Dallas County Schools	RF272-55467
Digital Equipment Corporation	RF272-53469
DSM Copolymer	RF272-58418
Farmers Elevator & Cooperative Association	RG272-279
International Flavors & Fragrance	RF272-14036
Jamaica Bay Oil Co	RF321-20562
MacArthur Petroleum & Solvent Co	RF321-20576
McLaurin's Texaco	RF321-19757
Nash Equity Exchange	RG272-25
National Standard Company	RF272-17314
Pollard Delivery Service	RF272-89521
Windsor Village Texaco	RF321-20166
Wyatt's Service	RF315-10163

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Dated: February 14, 1996.

George B. Breznay,
Director, Office of Hearings and Appeals.
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Notice of Issuance of Decisions and Orders; Week of July 24 Through July 28, 1995

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

Appeal

Blumberg, Seng, Ikeda & Albers, 7/25/95, VFA-0052

Blumberg, Seng, Ikeda & Albers filed an Appeal from a partial denial by the DOE's Office of the Inspector General of a Request for Information that it submitted under the Freedom of Information Act (FOIA). In considering

the Appeal, the DOE found that the FOIA's Exemptions 6 and 7(C) had been properly invoked to withhold the names and other personal identifiers of subjects, sources, witnesses and investigators in connection with the Inspector General's investigation of the death of a particular individual at the Naval Petroleum Reserves in Elk Hills, California. Accordingly, the Appeal was denied.

Petition for Special Redress

State of Louisiana, 7/28/95, VEG-0002

The DOE issued a Decision and Order denying a Petition for Special Redress filed by the State of Louisiana. Louisiana sought approval to use Stripper Well funds to match a DOE grant to establish a Natural Gas Pre-Utilization Center at Southern University. Louisiana wished to use the Stripper Well funds to study the