

85,036 (1982); *Vickers Energy Corp./Koch Industries, Inc.*, 10 DOE ¶ 85,038 (1982), *Motion for Modification denied*, 10 DOE ¶ 85,062 (1983).

Finally, we hereby establish a minimum amount of \$15 for refund claims. We have found in prior refund proceedings that the cost of processing claims in which refunds are sought for amounts less than \$15 outweighs the benefits of restitution in those situations. See, e.g., *Uban Oil Co.*, 9 DOE ¶ 82,541 at 85,225 (1982). See also 10 C.F.R. § 205.286(b).

#### *Refund Application Requirements*

To apply for a refund from either the Houma or Jedco settlement fund, a claimant should submit an Application for Refund containing all of the following information:

(1) Identifying information including the claimant's name, current business address, business address during the refund period, taxpayer identification number, a statement indicating whether the claimant is an individual, corporation, partnership, sole proprietorship, or other business entity, the name, title, and telephone number of the person to contact for any additional information, and the name and address of the person who should receive any refund check.<sup>1</sup> If the applicant operated under more than one name or under a different name during the price control period, the applicant should specify these names;

(2) The applicant's use of motor gasoline from Houma and/or Jedco during the audit period: e.g., consumer (end-user), cooperative, or reseller;

(3) A statement certifying that the applicant purchased motor gasoline from Houma during the period May 1, 1979 through April 30, 1980, or from Jedco during the period November 1, 1973 through March 31, 1974;

(4) A statement as to whether the applicant or a related firm has filed, or has authorized any individual to file on its behalf, any other application in the Houma and/or Jedco refund proceeding. If so, an explanation of the circumstances of the other filing or authorization should be submitted;

(5) If the applicant is or was in any way affiliated with Houma and/or Jedco, it should explain this affiliation, including the time period in which the affiliation existed;

(6) A statement as to whether the ownership of the applicant's firm changed during or since the respective audit periods.

<sup>1</sup> Under the Privacy Act of 1974, the submission of a social security number by an individual applicant is voluntary. An applicant that does not wish to submit a social security number must submit an employer identification number if one exists. This information will be used in processing refund applications, and is requested pursuant to our authority under the Petroleum Overcharge Distribution and Restitution Act of 1986 and the regulations codified at 10 C.F.R. Part 205, Subpart V. The information may be shared with other Federal agencies for statistical, auditing or archiving purposes, and with law enforcement agencies when they are investigating a potential violation of civil or criminal law. Unless an applicant claims confidentiality, this information will be available to the public in the Public Reference Room of the Office of Hearings and Appeals.

If an ownership change occurred, the applicant should list the names, addresses, and telephone numbers of any prior or subsequent owners. The applicant should also provide copies of any relevant Purchase and Sale Agreements, if available. If such written documents are not available, the applicant should submit a description of the ownership change, including the year of the sale and the type of sale, e.g., sale of corporate stock, sale of company assets;

(7) A statement as to whether the applicant has ever been a party in a DOE enforcement action or a private Section 210 action. If so, an explanation of the case and copies of the relevant documents should also be provided;

(8) The following statement signed by the individual applicant or a responsible official of the firm filing the refund application:<sup>2</sup>

I swear (or affirm) that the information contained in this application is true and correct to the best of my knowledge and belief. I understand that anyone who is convicted of providing false information to the federal government may be subject to a fine, a jail sentence, or both, pursuant to 18 U.S.C. § 1001. I understand that the information contained in this application is subject to public disclosure. I have enclosed a duplicate of this entire application which will be placed in the OHA Public Reference Room.

Applications should be either typed or printed and clearly labeled "Houma Oil Company Special Refund Proceeding, Case No. VEF-0023" or "Jedco, Inc. Special Refund Proceeding, Case No. VEF-0024." Each applicant must submit an original and one copy of the application. If the applicant believes that any of the information in its application is confidential and does not wish for this information to be publicly disclosed, it must submit an original application, clearly designated "confidential," containing the confidential information, two copies of the application with the confidential information deleted and an explanation of the basis for its confidentiality claim. All refund applications should be postmarked no later than 90 days from the publication of this Decision and Order in the Federal Register, and sent to: Houma Oil Company, OR, Jedco, Inc., Special Refund Proceeding, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0107.

Any representative that requests that it be a payee of a refund check must file with the OHA if it has not already done so a statement certifying that it maintains a separate escrow account at a bank or other financial institution for the deposit of all refunds received on behalf of applicants, and that its normal business practice is to deposit all Subpart V refund checks in that account within two business days of receipt and to disburse refunds to applicants within 30 calendar days thereafter. Unless such certification is received by the OHA, all refund checks approved will be made

<sup>2</sup> We will not process applications signed by filing services or other representatives. In addition, the statement must be dated on or after the date of this Decision and Order. Any application signed and dated before the date of this Decision will be summarily dismissed.

payable solely to the applicants. Representatives who have not previously submitted an escrow account certification form to the OHA may obtain a copy of the appropriate form by contacting: Marcia B. Carlson, Chief, Docket & Publications Division, Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20585-0107.

#### *Distribution of Funds Remaining After First Stage*

Any funds that remain after all first-stage claims have been decided will be distributed in accordance with the provisions of PODRA. PODRA requires that the Secretary of Energy determine annually the amount of all overcharge funds that will not be required to refund monies to injured parties in Subpart V proceedings and make those funds available to state governments for use in four energy conservation programs. The Secretary has delegated these responsibilities to OHA. Any funds in the Houma and/or Jedco escrow accounts the OHA determines will not be needed to effect direct restitution to injured customers of either Houma or Jedco will be distributed in accordance with the provisions of PODRA.

It Is Therefore Ordered That:

(1) Applications for Refund from the funds remitted to the Department of Energy by the Houma Oil Company pursuant to the Consent Judgment that became effective on February 9, 1995, may now be filed.

(2) Applications for Refund from the funds remitted to the Department of Energy by Jedco, Inc., pursuant to a final bankruptcy distribution effective July 23, 1995, may now be filed.

(3) All Applications for Refund must be postmarked no later than 90 days after publication of this Decision and Order in the Federal Register.

Dated: February 7, 1997.

George B. Breznay,

*Director, Office of Hearings and Appeals.*

[FR Doc. 97-3874 Filed 2-14-97; 8:45 am]

BILLING CODE 6450-01-P

## **ENVIRONMENTAL PROTECTION AGENCY**

[FRL-5690-3]

### **National Environmental Justice Advisory Council Public Participation and Accountability Subcommittee; Notice of Meeting**

March 17-18, 1997.

Pursuant to the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Public Participation and Accountability Subcommittee of the National Environmental Justice Advisory Council will hold a subcommittee meeting on Monday, March 17, 1997, from 1-5 p.m. ET in Room 6226 and Tuesday, March 18, 1997 from 8:30 a.m. to 5 p.m. ET in Room 7216. Both meetings are located

in the National Enforcement Training Institute, Ariel Rios Buildings, 1200 Pennsylvania Avenue NW., Washington, DC 20460, accessible by public transportation via the Federal Triangle Metro Stop.

On Monday, March 17, the subcommittee will participate in a seminar on environmental risk communication principles as they are applied to public participation in the federal sector. On Tuesday, March 28, the subcommittee will meet to plan the next National Environmental Justice Advisory Council meeting scheduled for May 12-15, 1997, at the Potawatomi Indian Springs Lodge & Conference Center, Wabena, Wisconsin (91 miles North of Green Bay). The subcommittee's activities are part of the Council's efforts to provide independent advice, consultation, and recommendations to the Administrator of the U.S. Environmental Protection Agency on matters related to environmental justice. A limited amount of seating for the public will be available on a first-come basis. To reserve a space, send your name, mailing address, fax and telephone number to: Mr. Robert J. Knox, Designated Federal Official, U.S. EPA (2201A), 401 M Street SW., Washington, DC 20460 or FAX to 202-501-0740 or E-mail to: Environmental-Justice-EPA@epamail.epa.gov or E-mail to: Knox.Robert@epamail.epa.gov.

Additional information may be requested by calling 1-800-962-6215.

Dated: February 12, 1997.

Clarice E. Gaylord,

*Director, Office of Environmental Justice.*

[FR Doc. 97-3922 Filed 2-14-97; 8:45 am]

BILLING CODE 8010-01-M

[FRL-5690-5]

**Notice of Proposed Administrative De Micromis Settlement Under Section 122(g)(4) of the Comprehensive Environmental Response, Compensation and Liability Act, Regarding the Pollution Abatement Services Superfund Site, in the City Of Oswego, NY**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed administrative agreement and opportunity for public comment.

**SUMMARY:** In accordance with Section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. 9622(i), the U.S. Environmental

Protection Agency ("EPA"), Region II, announces a proposed administrative "de micromis" settlement pursuant to Section 122(g)(4) of CERCLA, 42 U.S.C. 9622(g)(4), relating to the Pollution Abatement Services Superfund Site ("Site"). The Site is located in the City of Oswego, New York, and is included on the National Priorities List established pursuant to Section 105(a) of CERCLA. This notice is being published pursuant to Section 122(i) of CERCLA to inform the public of the proposed settlement and of the opportunity to comment. EPA will consider any comments received during the comment period and may withdraw or withhold consent to the proposed settlement if such comments disclose facts or considerations which indicate that the proposed settlement is inappropriate, improper, or inadequate.

The proposed administrative settlement has been memorialized in an Administrative Order on Consent ("Order") between EPA and the settling party, Syracuse University ("Respondent"). The Order resolves an EPA claim against Respondent under Sections 106 and 107 of CERCLA. Consistent with EPA's June 3, 1996 *Revised Guidance on CERCLA Settlements with De Micromis Waste Contributors*, the Order does not require the Respondent to make a monetary contribution toward cleanup costs at the Site.

**DATES:** Comments must be provided on or before March 20, 1997.

**ADDRESSES:** Comments should be sent to the individual named below and should refer to: "Pollution Abatement Services Superfund Site, U.S. EPA Index No. II-CERCLA-96-0211". For a copy of the settlement document, contact the individual listed below.

**FOR FURTHER INFORMATION CONTACT:**

Carol Y. Berns, Assistant Regional Counsel, New York/Caribbean Superfund Branch, Office of Regional Counsel, U.S. Environmental Protection Agency, 17th Floor, 290 Broadway, New York, New York 10007. Telephone: (212) 637-3177.

Dated: January 29, 1997.

William J. Muszynski,

*Acting Regional Administrator.*

[FR Doc. 97-3928 Filed 2-14-97; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL DEPOSIT INSURANCE CORPORATION**

**Notice of Agency Meeting**

Pursuant to the provisions of the "Government in the Sunshine Act" (5

U.S. 552b), notice is hereby given that at 10 a.m. on Tuesday, February 11, 1997, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider the following matters:

Matters relating to the Corporation's supervisory activities.

Matters relating to the probable failure of a certain insured depository institution.

Matters relating to the Corporation's liquidation activities.

Matters relating to the activities of the Corporation's Audit Committee.

In calling the meeting, the Board determined, on motion of Director Joseph H. Neely (Appointive), seconded by Mr. John Downey, acting in the place and stead of Director Nicolas P. Retsinas (Director, Office of Thrift Supervision), concurred in by Director Eugene A. Ludwig (Comptroller of the Currency) and Chairman Ricki Helfer, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9) (A)(ii), (c)(9)(B), and (c)(10) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9) (A)(ii), (c)(9)(B), and (c)(10)).

The meeting was held in the Board Room of the FDIC Building located at 550-17th Street, N.W., Washington, D.C.

Dated: February 11, 1997.

Federal Deposit Insurance Corporation.

Valerie J. Best,

*Assistant Executive Secretary.*

[FR Doc. 97-4076 Filed 2-13-97; 2:45 pm]

BILLING CODE 6714-01-M

**FEDERAL RESERVE SYSTEM**

**Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies**

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal