

m. Pursuant to Section 4.32(b)(7) of 18 CFR of the Commission's regulations, if any resource agency, Indian Tribe, or person believes that an additional scientific study should be conducted in order to form an adequate factual basis for a complete analysis of the application on its merit, the resource agency, Indian Tribe, or person must file a request for a study with the Commission not later than 60 days from the issuance date of this notice and

serve a copy of the request on the applicant.

David P. Boergers,

Acting Secretary.

[FR Doc. 98-19759 Filed 7-23-98; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Cases Filed During the Week of May 18 Through May 22, 1998

During the Week of May 18 through May 22, 1998, the appeals, applications, petitions or other requests listed in this

Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who will be aggrieved by the DOE action sought in any of these cases may file written comments on the application within ten days of publication of this Notice or the date of receipt of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20585-0107.

Dated: July 16, 1998.

George B. Breznay,

Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of May 18 through May 22, 1998]

Date	Name and location of applicant	Case No.	Type of submission
5/18/98	Florida, Tallahassee, Florida	VEG-0004	Petition for Special Redress. If granted: The Office of Hearings and Appeals would review the State of Florida's Revised Amendment #2 to its Thirteenth Stripper Well Plan to determine whether it is consistent with the Stripper Well Settlement Agreement.
5/22/98	Goodell, Stratton, Edmonds, Palme, Topeka, Kansas.	VFA-0420	Appeal of an Information Request Denial. If granted: The April 21, 1998 Freedom of Information Request Denial issued by the Southwestern Power Administration would be rescinded, and Goodell, Stratton, Edmonds & Palmer, L.L.P. would receive access to certain DOE information.

[FR Doc. 98-19814 Filed 7-23-98; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of June 15 Through June 19, 1998

During the week of June 15 through June 19, 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: July 16, 1998.

George B. Breznay,

Director, Office of Hearings and Appeals.

Decision List No. 90

Appeals

Godell, Stratton, Edmonds & Palmer, L.L.P., 6/17/98, VFA-0420

DOE denied an appeal of a determination issued by the Southwestern Power Administration. OHA found that the search conducted was reasonably calculated to uncover material responsive to the request.

Lee M. Graham, 6/17/98, VFA-0236

Lee M. Graham appealed a denial by the Albuquerque Operations Office of a request for information that he filed under the Freedom of Information Act. Albuquerque responded by stating that it could neither confirm nor deny the existence of records responsive to Mr. Graham's request. Based on its review of the nature of the request, the DOE determined that Albuquerque's *Glomar* response was appropriate. Accordingly, the Appeal was denied.

Personnel Security Hearing

Personnel Security Hearing, 6/18/98, VSO-0197

A hearing officer determined that an individual had not mitigated security concerns concerning a diagnosis of narcissistic personality disorder, and a conviction for illegally intercepting oral communication. Accordingly, the hearing officer recommended that the individual's access authorization should not be restored.

Refund Applications

Enron Corp./Moon Scott Joint Venture, 6/19/98, RF340-00007

The DOE granted a refund to the Moon Scott Joint Venture (the Joint Venture) for product purchased by NGL Supply, Inc. (NGL Supply) in the Enron Corporation (Enron) special refund proceeding. The DOE found that the Joint Venture possessed the right to refund of NGL Supply. The DOE found that NGL Supply's butane purchases from Enron were spot purchases and not eligible for a refund. DOE also excluded its 1973 natural gasoline purchases because they were made pursuant to a fixed price contract that was established prior to price controls. The DOE then found that NGL Supply had shown that it was injured by its purchases of natural gasoline from Enron from 1975 through 1979 and was entitled to a full volumetric refund. However, it limited the firm's refund for its Enron propane

purchases to volumes of propane that it purchased from Enron at above market prices.

Howard Cab, Inc. Hoquiam Plywood Company, INC., 6/18/98, RJ272-00061, RJ272-00062, RJ272-04818, RJ272-04819

The DOE rescinded two Applications for Supplemental Refund filed by

Federal Action, a private filing service, in the crude oil overcharge refund proceeding. The DOE found that Federal Action violated its Escrow Certification in its handling of the two supplemental refunds. Federal Action was ordered to repay the refund amounts to the DOE and the supplemental refunds were reissued directly to the Applicants.

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.

FARMLAND COOPERATIVE, INC RF272-95739

6/17/98

Dismissals

The following submissions were dismissed.

Name	Case No.
FLORIDA	VEG-0004
PERSONNEL SECURITY REVIEW	VSA-0176

[FR Doc. 98-19813 Filed 7-23-98; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of June 8 Through June 12, 1998

During the week of June 8 through June 12, 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: July 16, 1998.

George B. Breznay,
Director, Office of Hearings and Appeals.

Decision List No. 89

Appeals

Jones, Walker, Waechter, Poitevent Carrère and Denègre, 6/8/98, VFA-0419

Jones, Walker, Waechter, Poitevent Carre & Denègre, L.L.P., appealed a determination issued to it by the Federal Energy Technology Center (FETC) in response to a Request for Information submitted under the Freedom of Information Act. The law firm sought records of a never-issued contract for the Mound Site Plume Treatment System at the Rocky Flat Environmental Technology Site. FETC withheld all responsive documents in full under the competitive harm standard of Exemption 4 because the Rocky Flats Field Office (RFFO) was in the process of finalizing a contract for similar work. During the course of the Appeal, the DOE determined that RFFO had issued the Mound Site Plume Treatment

System contract. Because the factual predicate for the FETC determination no longer existed, the DOE remanded the matter for FETC to issue a new determination.

The National Security Archive, 6/11/98, VFA-0327, VFA-0365

The National Security Archive filed Appeals from denials by the Department of the Air Force of a request for information that it filed under the Freedom of Information Act (FOIA). Because the withheld information was classified under the Atomic Energy Act, the Air Force withheld it as the direction of the DOE under Exemption 3. The DOE determined on appeal that the information must continue to be withheld under Exemption 3. Accordingly, the Appeals were denied.

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.

ENRON CORPORATION/WALLACE OIL RECLAIMING COMPANY	RF340-173	6/11/98
GARY VOGT	RJ272-00060	6/11/98
GULF OIL CORPORATION/REEDY CREEK UTILITIES CO., INC	RF300-17085	6/11/98
SHIELDALLOY METALLURGICAL CORP. ET AL	RF272-94619	6/11/98
SPRINGFIELD COLLEGE	RK272-04816	6/10/98
ST. JOHN PARISH SCHOOL BOARD ET AL	RF272-80644	6/11/98

Dismissals

The following submissions were dismissed.

Name	Case No.
COBLE DAIRY PRODUCTS, INC.	RF272-98951