

DEPARTMENT OF ENERGY**Notice of Issuance of Decisions and Orders by the Office of Hearings and Appeals During the Week of June 22 Through June 26, 1998**

During the week of June 22 through June 26, 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., 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>.

Date: July 20, 1998.

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

Decision List No. 91*Appeals*

Michael J. Ravnitzky, 6/22/98 VFA-0188

Brewster Central School <i>et al</i>	RF272-95345	6/26/98
Crude Oil Supplemental Dist	RB272-00137	6/22/98
Walter L. Burnham <i>et al</i>	RK272-04784	6/22/98

Dismissals

The following submissions were dismissed.

Name	Case No.
Personnel Security Hearing	VSO-0212.

[FR Doc. 98-20126 Filed 7-27-98; 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 29 through July 3, 1998**

During the week of June 29 through July 3, 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., 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

the DOE consultant psychiatrist's diagnosis of borderline personality disorder. However, the Hearing Officer found that the DOE consultant psychiatrist's diagnosis of cannabis abuse was not well-founded and that the individual's attention deficit disorder was not causing and would not cause a significant defect in her judgment or reliability. The Hearing Officer also found that the individual's two suicide attempts, arrests for negligent use of a firearm and violation of a restraining order, and her one-time use of marijuana demonstrated that she had engaged in unusual conduct or to have been subject to circumstances which tend to show that she was not honest, reliable, or trustworthy; or which furnished reason to believe that she may be subject to pressure, coercion, exploitation, or duress which may cause her to act contrary to the best interests of the national security. Accordingly, the Hearing Officer recommended that the individual not be granted access authorization.

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.

World Wide Web site at <http://www.oha.doe.gov>.

Date: July 20, 1998.

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

Decision List No. 92,*Personnel Security Hearing*

Personnel Security Hearing, 7/1/98, VSO-0200

A Hearing Officer found that an individual had not successfully mitigated security concerns arising from his habitual use of alcohol and his

alcohol dependence. Accordingly, the Hearing Officer recommended that the individual's access authorization not be restored.

Refund Application

Champion Spark Plug Co., 7/1/98, RR272-270

The DOE issued a Decision and Order granting an Application for Refund that Champion Spark Plug Company filed in the Subpart V crude oil refund proceeding. The DOE originally denied Champion's Application, based on its

finding that Cooper Industries, a current affiliate of Champion, had waived the right of Champion to a crude oil refund when it filed a claim in the Stripper Well Surface Transporters refund proceeding. However, because Champion was not affiliated with Cooper Industries as of the Payment Date in the Surface Transporters proceeding. The DOE reconsidered Champion's Application. The DOE found that the Applicant was an end-user of the petroleum products for which it sought a refund, and was

therefore presumed injured. Based upon purchases of 3,770,806 gallons of petroleum products, the DOE granted a refund of \$6,033.

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.

Augusta Petroleum Coop., Inc. <i>et al</i>	RF272-95695	6/30/98
Crude Oil Supply Refund Dist	RB272-00138	7/2/98
Our Lady of Sorrows Parish <i>et al</i>	RF272-98902	7/1/98

Dismissals

The following submissions were dismissed.

Name	Case No.
Primco, Inc	RK272-04633

[FR Doc. 98-20127 Filed 7-27-98; 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 July 6 Through July 10, 1998

During the week of July 6 through July 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, 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>.

Date: July 20, 1998.

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

Decision List No. 93

Appeal

Karen Coleman Wiltshire, 7/6/98, VFA-0422

The Department of Energy (DOE) issued a Decision and Order (D&O) denying a Freedom of Information Act (FOIA) Appeal that was filed by Karen Coleman Wiltshire. In her Appeal, Ms. Wiltshire challenged the adequacy of the search for responsive documents. In the Decision, the OHA found that the search was adequate.

Personnel Security Hearing

Personnel Security Hearing, 7/9/98, VSO-0194

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 Personnel Security Division

alleged that the individual 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 (l). The parties convened for an evidentiary hearing in which seven witnesses testified. After carefully examining the record of the proceeding, the Hearing Officer determined that the individual had failed to mitigate security concerns connected with his acts of domestic violence. Accordingly, the Hearing Officer recommended that DOE Security not restore the individual's access authorization.

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/Liquid Petroleum Corp	RF340-9	7/10/98
Evelyn Neuman <i>et al</i>	RK272-01896	7/9/98
V & B Drilling Co <i>et al</i>	RF272-94376	7/9/98
Wilma E. Taylor	RK272-04815	7/6/98

Dismissals

The following submissions were dismissed.