

Homes of Merit, Inc	RJ272-00046	
Mary Ann Haman et al	RK272-01897	10/20/97
Royce & Gerald Woolfolk et al	RK272-04047	10/20/97
Shirley E. Smith	RJ272-49	10/24/97
Speck Cab Co., Inc	RK272-04651	10/20/97
Transit Mix Concrete & Materials Co	RK272-04625	10/20/97
Tuscarora Incorp	RK272-04636	10/20/97

Dismissals

The following submissions were dismissed.

Name	Case No.
GRA-PAT Gulf Mini Mart	RR300-291
Yellow Cab of Dallas, Inc	RK272-04578

[FR Doc. 98-2839 Filed 2-4-98; 8:45 am]
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DEPARTMENT OF ENERGY

Notice of Issuance of Decisions and Orders by the Office of Hearings and Appeals; Week of October 6 Through October 10, 1997

During the week of October 6 through October 10, 1997, 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, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C. 20585-0107, 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. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: January 27, 1998.
George B. Breznay,
Director, Office of Hearings and Appeals.

Department of Energy
Office of Hearings and Appeals

[Decision List No. 54]

Week of October 6 Through October 10, 1997

Appeal

Dennis Kirson, 10/6/97, VFA-0333

Dennis Kirson (Kirson) filed an Appeal from a determination issued to him by the Albuquerque Operations Office (AL) of the Department of Energy (DOE). In his Appeal, Kirson asserted that AL improperly withheld a document listing the potential Reduction-in-Force affected positions at AL pursuant to Exemption 5 of the FOIA. After reviewing the document, the DOE determined that AL had properly applied Exemption 5 to most of the information in the document but that a small portion of the document, consisting of segregable factual material, could be released. Consequently, Kirson's Appeal was granted in part.

Personnel Security Hearing

Personnel Security Hearing, 10/10/97, VSO-0148

An Office of Hearings and Appeals Hearing Officer issued an opinion

recommending restoration of the security clearance of an individual whose clearance had been suspended because the Department had obtained derogatory information that fell within 10 CFR § 710.8(l). In reaching his conclusion, the Hearing Officer found that while the individual had trespassed, the entire record indicated that he was not dishonest and untrustworthy. In addition, the Hearing Officer found that inconsistencies the individual told the police were overcome by his honesty to DOE security once a security investigation was started. The Hearing Officer concluded that the individual is sufficiently honest, reliable and trustworthy within the meaning of 10 CFR § 710.8(l) to hold an 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.

Bob Shaefer et al	RK272-1984	10/10/97
Crude Oil Supple	RB272-00120	10/6/97
Crude Oil Supple	RB272-00121	10/6/97
Crude Oil Supple	RB272-00122	10/7/97
Excavating & Painting Co. et al	RK272-1840	10/8/97
Gibson Drilling Co.	RJ272-47	10/9/97
Mary F. Gibson	RK272-4644	
Kenneth L. Gibson	RK272-4645	
Harold Walter et al	RK272-01737	10/7/97
Holverson Farming Assoc et al	RK272-01921	10/7/97
I. Neuman & Sons, Inc. et al	RK272-04575	10/8/97
Kentucky-American Water Co. et al	RF272-94751	
Lois A. Ronan et al	RK272-04627	10/10/97
Moog Enterprises et al	RK272-02569	10/9/97
Vessels Gas Processing Co./Petroleum Trading & Transport	RF354-00006	10/6/97

Dismissals

The following submissions were dismissed.

Name	Case No.
Karen Coleman-Wiltshire	VFA-0325

[FR Doc. 98-2840 Filed 2-4-98; 8:45 am]
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DEPARTMENT OF ENERGY

Notice of Issuance of Decisions and Orders by the Office of Hearings and Appeals; Week of December 1 through December 5, 1997

During the week of December 1 through December 5, 1997, 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, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW, Washington, D.C. 20585-0107, 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. Some decisions and orders are available on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: January 27, 1998.

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

**Department of Energy
Office of Hearings and Appeals**

[Decision List No. 62]

Week of December 1 through December 5, 1997

Appeal

Glen M. Jameson, 12/2/97
[VFA-0345]

Glen M. Jameson filed an Appeal from a determination that the Office of Headquarters Procurement Services (PS) of the Department of Energy (DOE) issued to him on September 17, 1997. In that determination, PS identified a responsive document, but concluded that portions of this document were exempt from mandatory disclosure pursuant to Exemption 4 of the FOIA. In his Appeal, Mr. Jameson contended that the disclosure of the requested information is not likely to impair

the Government's ability to obtain similar information in the future and that its disclosure is not likely to cause substantial harm to the competitive position of the submitter, PAI Corporation. The DOE found that release of the requested information is likely to cause competitive harm to the submitter under Exemption 4. However, the DOE remanded the matter to PS for further segregation and release of possibly non-exempt material. Consequently, the Appeal filed by Mr. Jameson was granted as set forth in the Decision and Order and denied in all other respects.

Refund Applications

Atlantic Richfield Company/Major Oil, Inc. K.C. Distributing, Inc., 12/2/97
[RF304-15508; RF304-15509]

The DOE found that firms having common ownership had filed applications in the ARCO special refund proceeding without revealing their relationship. The DOE found that the two firms should have been considered together in calculating the amount of their refunds. The DOE rescinded the refunds in part and directed the firms to refund the amount of the excessive refund.

Philippine Airlines, Inc., 12/5/97
[RG272-01075]

The DOE granted an Application for Refund filed on behalf of Philippine Airlines, Inc., in the crude oil overcharge refund proceeding conducted under 10 CFR part 205, Subpart V. The DOE found that Philippine Airlines is the proper party to receive the refund. The Philippine Government had also claimed the refund by arguing that it had owned the stock of Philippine Airlines during the refund period. The DOE found that Philippine Airlines has been in business continually since the refund period and, as a corporation, is entitled to the refund regardless of who owns the corporate stock.

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.

CITY OF SANTA PAULA ET AL	RF272-96352	12/5/97
CRUDE OIL SUP- PLE REF DIST	RB272-00127	12/5/97
CRYSTAL, INC. ET AL	RK272-03055	12/2/97
OZINGA BROS. INC. ET AL	RK272-4529	12/5/97

RICHARD B. GENTRY ET AL	RK272-1966	12/5/97
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Dismissals

The following submissions were dismissed.

NAME	CASE NO.
PERSONNEL SECURITY HEARING	VSO-0175
T & T LEASING CORP.	RK272-04686
WISCONSIN ELECTRIC POWER CO.	RK272-04713

[FR Doc. 98-2841 Filed 2-4-98; 8:45 am]
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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5962-2]

Agency Information Collection Activities: Proposed Collection; Comment Request; Evaluation of the Burden of Waterborne Disease Within Communities in the United States

AGENCY: Environmental Protection Agency (EPA).
ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that EPA is planning to submit the following continuing Information Collection Request (ICR) to the Office of Management and Budget (OMB):

Evaluation of the burden of waterborne disease within communities in the United States. EPA ICR Number: 1727.02. OMB Control Number: 2080-0050. Current expiration date: July 31, 1998. Before submitting the ICR to OMB for review and approval, EPA is soliciting comments on specific aspects of the proposed information collection as described below.

DATES: Comments must be submitted on or before April 6, 1998.

ADDRESSES: US EPA, National Health and Environmental Effects Research Laboratory, Human Studies Division, Epidemiology and Biomarkers Branch, Mail Drop 58-A, Research Triangle Park, North Carolina 27711.