

information relevant to his eligibility for access authorization. He thus recommended against reinstating 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.

American Aggregates Corp. et al .....	RF272-76986	4/1/98
John R. Olivares, Inc. et al .....	RK272-04778	4/1/98

### Dismissals

The following submissions were dismissed.

Name	Case No.
Cass County, North Dakota .....	RF272-86469
Ikard & Newsom .....	RF340-00134
Patricia McCracken .....	VFA-0392
Personnel Security Hearing .....	VSO-0196

[FR Doc. 98-15722 Filed 6-11-98; 8:45 am]  
BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Office of Hearings and Appeals

#### Notice of Issuance of Decisions and Orders; Week of April 27 Through May 1, 1998

During the week of April 27 through May 1, 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, DC, 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: June 2, 1998.

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

#### Decision List No. 83; Week of April 27 through May 1, 1998

##### Appeals

*Diane C. Larson, 4/30/98, VFA-0405*

The DOE denied a Freedom of Information Act (FOIA) Appeal filed by Diane C. Larson. Larson sought the

release of names withheld from investigative files released to her by the DOE's Office of the Inspector General. In its decision, the DOE found that the withholding of the names was appropriate under FOIA Exemptions 6 and 7(C).

*Eva Glow Brownlow, 4/30/98, VFA-0397*

Eva Glow Brownlow appealed a determination issued to her by the Albuquerque Operations Office (AL) that denied a request for information she filed under the Freedom of Information Act (FOIA). In her Appeal, Ms. Brownlow contended that AL improperly withheld the requested information from disclosure under Exemption 5, of the FOIA. The DOE found that AL properly applied Exemption 5, and concluded that the release of the document would not be in the public interest. Consequently, the Appeal filed by Ms. Brownlow was denied.

*McGraw-Hill Companies, 4/28/98, VFA-0398*

The DOE denied a Freedom of Information Act (FOIA) Appeal that was filed by McGraw-Hill Companies (McGraw-Hill). In its Appeal, McGraw-Hill contested the adequacy of the search for responsive documents carried out by the DOE's Office of Civilian Radioactive Waste Management. The DOE found that the search was adequate.

*Tamara L. Mix, 4/27/98, VFA-0394*

Tamara L. Mix (Mix) appealed a determination issued to her by the Oak Ridge Operations Office (OR). In her Appeal, Mix asserted that OR failed to conduct an adequate search for various Oak Ridge community relations documents she sought pursuant to a Freedom of Information Act Request. The DOE determined that OR had

conducted an adequate search for documents responsive to Mix's Request. Consequently, Mix's Appeal was denied.

##### Whistleblower Proceeding

*Daniel Holsinger, VWC-0001; K-Ray Security, Inc., 4/27/98, VWC-0002*

Upon remand by the Deputy Secretary, the Director of the OHA considered whether K-Ray Security, Inc., a subsequent contractor, should be required to reinstate Daniel Holsinger, who was terminated by a prior DOE contractor after making a disclosure protected under 10 CFR, Part 708 (Contractor Employee Protection Program). After considering all the equities involved, and in particular the important goals of Part 708, the Director found that K-Ray had not shown that it would experience any undue burden if it were required to reinstate Holsinger for one eight-hour shift per week.

##### Refund Application

*Gulf Oil Corp./Amerigas Propane, Inc., RR300-00292; Gulf Oil Corp./Utility Propane Co., 4/28/98, RF300-21843*

The DOE granted a Motion for Reconsideration filed by Amerigas Propane, Inc. (Amerigas) in the Gulf refund proceeding. The DOE had previously determined that Utility Propane Co., rather than Amerigas was entitled to a refund based on the purchases of Utility Propane. Upon reconsideration, the DOE determined that the sale and purchase agreement between Utility Propane and Amerigas contained sufficiently broad language to transfer the right to the refund to Amerigas. Accordingly, the refund granted to Utility Propane was

rescinded, and a refund was granted to Amerigas.

### 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.

Advance Publications, Inc .....	RR272-00305	4/28/98
McCann-Shields Paint Co .....	RF272-94052	5/1/98
N. Central Local Schl Dist. et al .....	RF272-95741	5/1/98
Pritchard & Van Zandt et al .....	RK272-04794	4/30/98

### Dismissals

The following submissions were dismissed.

Name	Case No.
William H. Payne .....	VFA-0408

[FR Doc. 98-15723 Filed 6-11-98; 8:45 am]

BILLING CODE 6450-01-P

### ENVIRONMENTAL PROTECTION AGENCY

[FRL-6110-9]

#### Agency Information Collection Activities: Submission for OMB Review; Comment Request; State Small Business Stationary Source Technical and Environmental Compliance Assistance Program Annual Reporting Form

**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 the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: State Small Business Stationary Source Technical and Environmental Compliance Assistance Program Annual Reporting Form, OMB Control Number 2060-0337, expiration date 7/31/98. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before July 13, 1998.

**FOR FURTHER INFORMATION CONTACT:** For a copy of the ICR, call Sandy Farmer at EPA, by phone at (202) 260-2740, by E-Mail at Farmer.Sandy@epamail.epa.gov or download off the Internet at <http://www.epa.gov/icr/icr.htm>, and refer to EPA ICR No. 1748.02.

#### SUPPLEMENTARY INFORMATION:

**Title:** State Small Business Stationary Source Technical and Environmental Compliance Assistance Program Annual

Reporting Form, OMB Control Number 2060-0337, EPA ICR Number 1748.02, expiration date 7/31/98. This is a request for extension of a currently approved collection.

**Abstract:** As part of the Clean Air Act Amendments of 1990, The U.S. Congress included, as part of Section 507, the requirement that each state establish a Small Business Stationary Source Technical and Environmental Compliance Assistance Program (SBTCP) to assist small businesses comply with the Act. EPA must provide the Congress with periodic reports from the EPA Small Business Ombudsman (SBO) on these programs, including their effectiveness, difficulties encountered, and other relevant information. Each state assistance program will submit requested information to EPA for compilation and summarization.

This collection of information is mandatory pursuant to section 507 (a), (d), and (e) of the Clean Air Act as amended in 1990, Public Law 101-549, November 15, 1990. This Act directs EPA to monitor the SBTCs and to provide a report to Congress. This responsibility has been delegated to the EPA SBO.

Response to the collection is not required to obtain or retain a benefit.

Information in the Annual Report to Congress is aggregated and is not of a confidential nature. None of the information collected by this action results in or requests sensitive information of any nature from the states.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d),

soliciting comments on this collection of information was published on 2/26/98 (63 FR 9791); 15 comments were received.

**Burden Statement:** The annual public reporting and recordkeeping burden for this collection of information is estimated to average 80 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:** Respondents will be one of the following state offices: environmental agency (SIC 9511), commerce or economic development department (SIC 9611), governor's office (SIC 9111), or ombudsman's office (SIC 9511). These departments/agencies typically are responsible for the conduct of the SBTCs.

**Estimated Number of Respondents:** 53.

**Frequency of Response:** Annual.

**Estimated Total Annual Hour Burden:** 4,240 hours.

**Estimated Total Annualized Cost Burden:** 0.

Send comments on the Agency's need for this information, the accuracy of the