

satisfied the DOE's claim against Dane. There is a total of \$870,000, plus interest, available from Dane for restitution.

II. The Proposed Decisions

On October 26, 1993, May 20, 1994, and June 6, 1994, we issued Proposed Decisions and Orders (PDOs) that tentatively concluded that ERA's Petitions to implement Subpart V proceedings with respect to the funds collected from these five firms should be approved. *Gil-Mc Oil Corp.*, 58 FR 57595 (October 26, 1993) (also included LeClair and SRG); *Petroleum Carrier Co.*, 59 FR 26493 (May 20, 1994); *Dane Energy Co.*, 59 FR 29287 (June 6, 1994). In each of the PDOs, we tentatively determined that the funds obtained from these firms should be distributed in accordance with the DOE's Modified Statement of Restitutionary Policy in Crude Oil Cases, 51 FR 27899 (August 4, 1986) (the MSRP). The MSRP was issued as a result of a court-approved Settlement Agreement. *In re: The Department of Energy Stripper Well Exemption Litigation*, 653 F. Supp. 108 (D. Kan. 1986) (the Stripper Well Settlement Agreement). The MSRP establishes that 40 percent of the crude oil funds will be remitted to the federal government, another 40 percent to the states, and up to 20 percent may be initially reserved for payment of claims to injured parties.

The MSRP also specifies that any monies remaining after all valid claims by injured purchasers are paid be disbursed to the federal government and the states in equal amounts.

The OHA has utilized the MSRP in all Subpart V proceedings involving alleged crude oil violations. See Order Implementing the MSRP, 51 FR 29689 (August 20, 1986). This Order provided a period of 30 days for filing of comments or objections to our proposed use of the MSRP as the groundwork for evaluating claims in crude oil refund proceedings. Following this period, the OHA issued a Notice evaluating the numerous comments which it had received pursuant to the Order Implementing the MSRP. This notice was published at 52 FR 11737 (April 10, 1987).

The April 10, 1987 Notice contained guidance to assist potential claimants wishing to file refund applications for crude oil monies under the Subpart V regulations. Generally, all claimants would be required to (1) document their purchase volumes of petroleum products during the August 19, 1973 through January 27, 1981 crude oil price control period, and (2) show that they were injured by the alleged crude oil overcharges. We also specified that end-users of petroleum products whose businesses were unrelated to the petroleum industry will be presumed to have been injured by the alleged crude oil overcharges. End-users, therefore, need only submit documentation of their purchase volumes. See *City of Columbus, Georgia*, 16 DOE ¶ 85,550 (1987). Additionally, we stated that we would calculate crude oil refunds on a per gallon (or volumetric) basis. We obtained this figure by dividing the crude oil refund pool by the total consumption of petroleum products in the United States during the crude oil price

control period. OHA is currently paying crude oil refund claims at the rate of \$0.0016 per gallon. We will decide whether sufficient crude oil overcharge funds are available for additional refunds when we are better able to determine how much additional money will be collected from firms that have either outstanding obligations to the DOE or enforcement cases currently in litigation.

III. The Refund Procedure

No comments were received on the PDOs, and we adopt the tentative determination to distribute these funds in accordance with the MSRP. These standard crude oil procedures will be used to distribute the funds remitted by Gil-Mc, LeClair, SRG, Petroleum Carrier and Dane. Accordingly, we shall initially reserve 20 percent of these funds, \$228,110.56, plus accrued interest, for direct refunds to claimants in order to ensure sufficient funds will be available for injured parties. As we have stated in prior decisions, a crude oil refund applicant need only submit one application for its share of all available crude oil overcharge funds. See, e.g., *A. Tarricone, Inc.*, 15 DOE ¶ 85,495 (1987). June 30, 1995, was the final deadline for filing Applications for Refund from the crude oil funds. See 60 FR 19914 (April 21, 1995). A party that submitted a timely claim in the crude oil refund proceeding need not file another claim in order to share in the funds at issue in this Decision.

Under the terms of the MSRP, the remaining 80 percent of the funds collected from these five firms shall be disbursed in equal shares to the states and the federal government for indirect restitution. Refunds to the states will be in proportion to the consumption of petroleum products in each state during the period of price controls. The share or ratio of the funds which each state will receive is contained in Exhibit H of the Stripper Well Settlement Agreement, 6 Fed. Energy Guidelines ¶ 90,509 at 90,687. When disbursed, these funds will be subject to the same limitations and reporting requirements as all other crude oil monies received by the states under the Stripper Well Settlement Agreement.

It Is Therefore Ordered That: The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take all steps necessary to transfer \$10,273, plus all accrued interest, from the Gil-Mc subaccount (Account No. 670C00339T), \$70,386, plus all accrued interest from the LeClair subaccount (Account No. 600C20071T), \$171,041, plus all accrued interest from the SRG subaccount (Account No. 400C00200T), \$18,853, plus all accrued interest from the Petroleum Carrier subaccount (Account No. 6A0X00253Z) and \$870,000, plus all accrued interest, from the Dane subaccount (Account No. 6A0X00320Z), for a total of \$1,140,553, plus all accrued interest, pursuant to Paragraphs (2), (3), and (4) of this Decision.

(2) The Director of Special Accounts and Payroll shall transfer \$456,221 (plus interest) of the funds obtained pursuant to Paragraph (1) above into the subaccount denominated "Crude Tracking—States," Number 999DOE003W.

(3) The Director of Special Accounts and Payroll shall transfer \$456,221 (plus interest) of the funds obtained pursuant to Paragraph (1) above into the subaccount denominated "Crude Tracking—Federal," Number 999DOE002W.

(4) The Director of Special Accounts and Payroll shall transfer \$228,111 (plus interest) of the funds obtained pursuant to Paragraph (1) above into the subaccount denominated "Crude Tracking—Claimants 4," Number 999DOE010Z.

(5) This is a final Order of the Department of Energy.

Dated: May 16, 1996.

George B. Breznay,

Director, Office of Hearings and Appeals.

[FR Doc. 96-13245 Filed 5-24-96; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5510-1]

San Gabriel Valley Superfund Sites, Areas 1-4; Proposed Notice of Administrative Settlement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice; Request for public comment.

SUMMARY: In accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), 42 U.S.C. 9600 *et seq.*, notice is hereby given that a proposed prospective purchaser agreement associated with the San Gabriel Valley Superfund Sites, Areas 1-4 was executed by the United States Environmental Protection Agency ("EPA") on May 13, 1996. The proposed prospective purchaser agreement would resolve certain potential claims of the United States under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and section 7003 of the Solid Waste Disposal Act, as amended, 42 U.S.C. 6973, against the Monsanto Company (the "Purchaser"). The proposed settlement would require the purchaser to pay EPA a one-time payment of \$150,000.

For thirty (30) calendar days following the date of publication of this notice, EPA will receive written comments relating to the proposed settlement. If requested prior to the expiration of this public comment period, EPA will provide an opportunity for a public meeting in the effected area. EPA's response to any comments received will be available for public

inspection at the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

DATES: Comments must be submitted on or before June 27, 1996.

AVAILABILITY: The proposed prospective purchaser agreement and additional background documentation relating to the settlement are available for public inspection at the U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105. A copy of the proposed settlement may be obtained from Mark Klaiman, Assistant Regional Counsel (RC-3-1), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105. Comments should reference "Monsanto Company, San Gabriel Valley Superfund Sites, Areas 1-4" and "Docket No. 96-09" and should be addressed to Mark Klaiman at the above address.

FOR FURTHER INFORMATION CONTACT: Mark Klaiman, Assistant Regional Counsel (RC-3-1), Office of Regional Counsel, U.S. EPA Region IX, 75 Hawthorne Street, San Francisco, CA 94105; E-mail: KLAIMAN.MARK@EPAMAIL.EPA.GOV; phone: (415) 744-1473.

Keith Takata,
Acting Director, Hazardous Waste Management Division, U.S. EPA, Region IX.
[FR Doc. 96-13191 Filed 5-24-96; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

FCC Amends Charter of Network Reliability and Interoperability Council

April 18, 1996.

The Federal Communications Commission has renewed and amended the charter of its advisory committee, the "Network Reliability Council" and renamed it the "Network Reliability and Interoperability Council" (the "Council"). Under its amended charter, the Council will develop recommendations to the Commission as to how it might best accomplish responsibilities placed on it by Section 256 of the Telecommunications Act of 1996.

These include developing procedures to oversee coordinated network planning by providers of telecommunications service and participating in the development, by standards-setting organizations, of public telecommunications network interconnectivity standards. The purposes of Section 256 are, first, to promote nondiscriminatory accessibility

by the broadest number of users and vendors of telecommunications products and services to public telecommunications networks through (a) coordinated network planning and design and (b) interconnectivity of public networks and devices to those networks, and, second, to ensure the ability of users and information providers to seamlessly and transparently transmit and receive information between and across telecommunications networks.

The Council will also continue to provide recommendations to the Commission and to the industry that will help assure optimal reliability of the public telecommunications networks.

Building on the accomplishments of the committee to date and in view of the wider purposes of the committee under the amended charter, the Commission has selected members of the Council on the basis of their technical knowledge, the impact of their activities on network reliability and the impact of network availability on the constituencies the members represent. Any new members will be chosen so that the largest possible diversity of interests, given the function to be performed, will be represented.

The continuation of the Council is necessary and in the public interest to prepare recommendations of the FCC as to how it might best accomplish responsibilities placed on it by Section 256 of the Telecommunications Act of 1996. Continuation is also necessary to prepare recommendations to the industry and to the FCC for avoiding, and minimizing the impact of, future network outages. Continuation of the Council is also necessary so that the telecommunications industry and the Commission can effectively monitor and encourage the implementation of the Council's prior recommendations by the industry, and assess the effectiveness of the implemented recommendations on network access during outages and help assure maximum availability of crucial telecommunications services.

For additional information, contact Robert Kimball 202/418-2339.

Federal Communications Commission.
William F. Caton,

Acting Secretary.

[FR Doc. 96-13248 Filed 5-24-96; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1112-DR]

Illinois; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Illinois, (FEMA-1112-DR), dated May 6, 1996, and related determinations.

EFFECTIVE DATE: May 20, 1996.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Illinois, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of May 6, 1996:

Adams, Brown, Hamilton, Hancock, Menard, Schuyler and Vermilion Counties for Public Assistance and Hazard Mitigation. Cass, Douglas, Jackson, Sangamon, White and Williamson Counties for Individual Assistance, Public Assistance and Hazard Mitigation.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Dennis H. Kwiatkowski,
Deputy Associate Director, Response and Recovery Directorate.

[FR Doc. 96-13280 Filed 5-24-96; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1112-DR]

Illinois; Amendment to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Illinois (FEMA-1112-DR), dated May 6, 1996, and related determinations.

EFFECTIVE DATE: May 20, 1996.

FOR FURTHER INFORMATION CONTACT: Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this disaster is closed effective May 17, 1996.