

remanded the request for release of non-exempt information.

Personnel Security Hearing

Personnel Security Hearing, 6/4/97, VSO-0130

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 is a user of alcohol habitually to excess, or has been

diagnosed by a board-certified psychiatrist as alcohol dependent or as suffering from alcohol abuse. See 10 CFR § 710.8(j). The parties convened for an evidentiary hearing in which nine witnesses testified. After carefully examining the record of the proceeding, the Hearing Officer determined that the individual had demonstrated that he is sufficiently rehabilitated and reformed from his past alcohol abuse problems. Accordingly, the Hearing Officer

recommended that DOE Security 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.

Breman's Express Co	RG272-83	6/4/97
C.J. Vignolo Farms	RG272-74	6/5/97
Maxine Vancloostere	RK272-2007	6/4/97
Nabors Drilling USA, Inc et al	RK272-03672	6/5/97
Rufus Morrison, Sr. et al	RF272-38479	6/5/97

Dismissals

The following submissions were dismissed.

Name	Case No.
Chilcote, Inc	RG272-00684
H.C. Oil Company	RR340-00004
Mystic Fuel, Inc	RR300-00284

[FR Doc. 97-17892 Filed 7-8-97; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Notice of Issuance of Decisions and Orders by the Office of Hearings and Appeals

Week of June 9 Through June 13, 1997

During the week of June 9 through June 13, 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: July 1, 1997.

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

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

[Decision List No. 37]

Appeals

Information Focus on Energy, Inc., 6/12/97, VFA-0295

The DOE issued a Decision and Order denying a Freedom of Information Act (FOIA) Appeal that was filed by Information Focus on Energy (IFOE). In its Appeal, IFOE sought access to information that was withheld by the DOE's Office of General Counsel pursuant to the attorney work product privilege of Exemption 5. The withheld information consisted of the amounts of settlements negotiated in lawsuits involving DOE contractors. The DOE determined that this information was properly withheld under Exemption 5, and that release of the information was not in the public interest.

Sandra Clayton, 6/13/97, VFA-0289

The DOE denied a Freedom of Information Act (FOIA) Appeal filed by Sandra Clayton. Clayton sought information concerning an investigation of sexual harassment allegedly conducted at the Western Area Power Administration (WAPA). The DOE found that WAPA's use of the Glomar

response, neither confirming or denying the existence of relevant material, was appropriate under FOIA Exemption 6. The DOE found no overriding public interest in disclosure, and further concluded that the release of any information would constitute a clearly unwarranted invasion of the personal privacy of anyone allegedly involved. Accordingly, the Appeal was denied.

Personnel Security Hearing

Personnel Security Hearing, 6/10/97, VSO-0132

A Hearing Officer issued an Opinion regarding the eligibility of an individual for access authorization under the provisions of 10 CFR Part 710. After considering the record, the Hearing Officer found that the individual had demonstrated financial irresponsibility for approximately 12 years and that this conduct, as specified by 10 CFR § 710.8(l) (Criterion L), indicated that the individual (i) may not be honest, reliable or trustworthy or (ii) may be subject to pressure, coercion, exploitation or duress.

At the hearing, the individual presented some evidence that in the past 6 months he had changed the manner in which he had handled his financial affairs. However, the Hearing Officer concluded that the individual had not presented evidence sufficient to conclude that the individual had reformed his conduct regarding his

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

Refund Application

Eason Oil Company/Presidio Exploration, Inc., 6/11/97, RF352-9

The DOE granted an application for refund submitted by Presidio Exploration, Inc. (Presidio) in the Eason Oil Company (Eason) special refund proceeding, based on purchases by Home Petroleum Company (Home). Home was a reseller that purchased

truck load lots of butane and propane from Eason, its base period supplier. The DOE concluded that Home's butane and propane purchases from Eason probably were not discretionary in nature, but were dictated by Home's requirements for supplying its regular customers. The DOE granted Presidio a full volumetric refund for Home's butane purchases, based on a competitive disadvantage analysis using imputed butane prices drawn from regional propane prices. The DOE limited Presidio's refund for Home's propane purchases from Eason to

\$5,776, Home's total gross excess cost for these purchases. Accordingly, the DOE granted Presidio a total refund, including interest, of \$44,037.

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.

Frank's Burner Service, Inc	RF272-57472	6/13/97
Gulf Oil Corporation/O.M. Johnson Gulf	RF300-16900	6/10/97
A.W. Strout, Inc	RF300-16923
Hendries, Inc	RF300-21657
Inland Transport Co	RF300-18794
Hagglunds Denison Corp./MacGregor	RK272-04088	6/10/97
Luckey Farmers, Inc	RG272-75	6/10/97
Finland Cooperative Co	RG272-654
Florence Cnty Coop	RR272-290
Lydall, Inc.	RF272-18674	6/13/97
M & S Transport, Inc	RF272-57209	6/11/97
Patsy K. Manning et al	RK272-01476	6/11/97
Robert Sellhorst	RF272-15100	6/13/97
Sanitary Dairy of Sleepy Eye et al	RK272-04247	6/13/97
Stone Container Corporation	RK272-04304	6/13/97
Tate Logistics, Inc	RK272-01868	6/13/97
W.R. Grace & Co	RG272-793	6/13/97
White Heavy Haulers, Inc	RG272-606	6/11/97

Dismissals

The following submissions were dismissed.

Name	Case No.
Cherry Hill Processing, Inc	RK272-3739
County of Bergen	RG272-00536
Hennenpin Co-op Seed Exchange	RK272-03403
Leckie Smokeless Coal Co	RK272-03367
Ranger Truck Lines, Inc	RF272-76441
Roderick L. Ott	VFA-0296
Schrof Oil Company	RF300-20195
Valley Steel Products Co	RK272-3732

[FR Doc. 97-17893 Filed 7-8-97; 8:45 am]

BILLING CODE 6450-01-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5855-3]

Underground Injection Control Program; Hazardous Waste Injection Restrictions; Petition for Exemption—Class I Hazardous Waste Injection; Texas Ecologist, Inc., (TECO)

AGENCY: Environmental Protection Agency.

ACTION: Notice of final decision on petition modification.

SUMMARY: Notice is hereby given that modification of an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste

Amendments to the Resource Conservation and Recovery Act has been granted to TECO, for the Class I injection well located at Robstown, Texas. As required by 40 CFR Part 148, the company has adequately demonstrated to the satisfaction of the Environmental Protection Agency by petition and supporting documentation that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for as long as the waste remains hazardous. This final decision allows the underground injection by TECO, of the specific restricted hazardous waste identified in the exemption modification, into the Class I hazardous

waste injection well at the Robstown, Texas facility specifically identified in the modified exemption, for as long as the basis for granting an approval of this exemption remains valid, under provisions of 40 CFR 148.24. As required by 40 CFR 124.10, a public notice was issued July 31, 1996, and closed on September 16, 1996, and was reopened on October 10, 1996, a public meeting and hearing was held on November 19, 1996 and the comment period was closed on December 2, 1996. The comment period was again reopened on February 5, 1997, and closed on March 24, 1997. All comments have been addressed and have been considered in the final