

Environmental Assessment (FEA) for the project. The project, which is located near Monroe City, in Sevier County, Utah, diverts water from three tributaries of Monroe Creek: Shingle Creek, First Lefthand Fork of Monroe Creek, and Serviceberry Creek.

In the FEA, the Commission's staff has analyzed the potential environmental impacts of the project and has concluded that approval of the project, with appropriate environmental protective measures, would not constitute a major federal action that would significantly affect the quality of the human environment.

Copies of the FEA are available for review in the Public Reference Branch,

Room 2A, of the Commission's offices at 888 First Street, N.E., Washington, D.C. 20426.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 97-21484 Filed 8-13-97; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Cases Filed During the Week of June 30 Through July 4, 1997

During the Week of June 30 through July 4, 1997, the appeals, applications,

petitions or other requests listed in this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Any person who will be aggrieved by the DOE action sought in any of these cases may file written comments on the application within ten days of publication of this Notice or the date of receipt of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20585-0107.

Dated: August 6, 1997.

George B. Breznay,

Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of June 30 through July 4, 1997]

Date	Name and location of applicant	Case No.	Type of submission
July 1, 1997	David R. Berg, Washington, DC	VFA-0306	Appeal of an Information Request Denial. If Granted: The May 28, 1997 Freedom of Information Request Denial issued by the DOE would be rescinded, and David R. Berg would receive access to certain DOE information.
Do.	The Cincinnati Enquirer, Cincinnati, Ohio	VFA-0307	Appeal of an Information Request Denial. If Granted: The June 13, 1997 Freedom of Information Request Denial issued by the Ohio Field Office would be rescinded, and The Cincinnati Enquirer would receive access to certain DOE information.
Do.	The Times News, Twin Falls, Idaho	VFA-0305	Appeal of an Information Request Denial. If Granted: The June 12, 1997 Freedom of Information Request Denial issued by the Idaho Operations Office would be rescinded, and The Times News would receive access to certain DOE information.
July 2, 1997	Greenpeace, Washington, DC	VFA-0308	Appeal of an Information Request Denial. If Granted: The June 10, 1996 Freedom of Information Request Denial issued by the Office of General Counsel would be rescinded, and Greenpeace would receive access to certain DOE information.

[FR Doc. 97-21540 Filed 8-13-97; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders During the Week of June 30 Through July 4, 1997

During the week of June 30 through July 4, 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 this decision and order are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234,

Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0107, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., except federal holidays. The decision is also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system and on the Office of Hearings and Appeals World Wide Web site at <http://www.oha.doe.gov>.

Dated: August 6, 1997.

George B. Breznay,

Director, Office of Hearings and Appeals.

Decision List No. 40

Week of June 30 Through July 4, 1997

Appeals

Information Focus on Energy, 7/3/97, VFA-0300

The Department of Energy (DOE) issued a Decision and Order (D&O) granting in part a Freedom of Information Act (FOIA) Appeal that was

filed by Information Focus on Energy (IFOE). In its Appeal, IFOE requested that the DOE review a fee waiver determination issued by the FOIA Officer at the Ohio Field Office. In that determination, the Officer found that IFOE was a "commercial use" requester for purposes of assessing fees, and that the fee waiver request should be denied because IFOE's commercial interests outweighed the public interest in release of the requested material. In the Decision, the DOE found that IFOE should be classified as a "representative of the news media" for fee determination purposes. The DOE further concluded that because the commercial interest of a news media requester cannot be taken into account in fee waiver decisions, the Officer's determination cannot be upheld. The DOE therefore remanded the matter to the Ohio Field Office for a new waiver determination.

International Brotherhood of Electrical Workers, 6/30/97, VFA-0299

The International Brotherhood of Electrical Workers (IBEW) filed an Appeal from a determination issued to it on April 28, 1997, by the Savannah River Operations Office (SR) of the Department of Energy (DOE). That determination was issued in response to a request for information submitted by IBEW under the Freedom of Information Act. The request sought material regarding union-related activities at SR. SR issued two determinations regarding this request on October 10, 1996, and November 8, 1996, and IBEW appealed SR's final responses to the Office of Hearings and Appeals (OHA) on December 12, 1996. In those determinations, SR partially granted IBEW's request for information and

released numerous documents responsive to IBEW's request. On Appeal, IBEW clarified its initial request and OHA remanded the clarified request back to SR for a further search for responsive documents. SR issued a determination which stated that it conducted a search of its files and found no additional documents responsive to IBEW's clarified request. This Appeal challenged the adequacy of the search conducted by SR. In considering the Appeal, the DOE found that SR conducted an adequate search which was reasonably calculated to discover documents responsive to IBEW's request. Accordingly, the Appeal was denied.

Personnel Security Hearing

Personnel Security Hearing, 7/3/97, VSO-0133

A Hearing Officer found that an individual had not successfully mitigated security concerns arising from his pattern of irresponsible behavior that tended to show that the individual was not honest, reliable, and trustworthy. Accordingly, the Hearing Officer recommended in the Opinion that the individual's access authorization not be restored.

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.

F. HURLBUT CO. LIQUIDATING PAR, ET AL	RK272-03407	6/30/97
LOIS A. SKALLERUD, ET AL	RK272-1967	7/2/97
RANDY CAPE, ET AL	RK272-04185	7/2/97
REGAL MARINE, INC.	RG272-608	6/30/97

Dismissals

The following submissions were dismissed.

Name	Case No.
DIAMOND SHAMROCK, INC	RF340-00150
ELITE AMBULANCE & MEDICAL COACH	RK272-04490

[FR Doc. 97-21539 Filed 8-13-97; 8:45 am]
BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Notice of Issuance of Decisions and Orders During the Week of July 7 Through July 11, 1997

Office of Hearings and Appeals

During the week of July 7 through July 11, 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: August 6, 1997.

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

Department of Energy

Decision List No. 41, Week of July 7 Through July 11, 1997

Appeals

Mary J. Griffin Barnett, 7/8/97, VFA-0303

Mary J. Griffin Barnett filed an Appeal from a determination issued to her by the Oak Ridge Operations Office. In her Appeal, Barnett asserted that Oak Ridge failed to conduct an adequate search for medical records requested pursuant to the FOIA. After reviewing the matter, the DOE determined that Oak Ridge had performed an adequate search. Consequently, Barnett's Appeal was denied.

Pedro Aponte Vazquez, 7/11/97, VFA-0302

Pedro Aponte Vazquez filed an Appeal from a determination issued to him by the Chicago Operations Office.

In his Appeal, Aponte asserted that the operations office failed to conduct an adequate search for records related to total body irradiation experimentation conducted at Memorial Hospital (predecessor to Memorial Sloan-Kettering Institute) between 1945 and 1959. After reviewing the matter, the DOE determined that an adequate search had been performed. Consequently, Aponte's Appeal was denied.

Personnel Security Hearing

Personnel Security Hearing, 7/7/97, VSO-0109

A Hearing Officer issued an Opinion regarding the eligibility of an individual to retain an access authorization. A drug test administered to the respondent was positive for marijuana. The respondent alleged that there must have been some problem with the drug test because he had been taking a prescription medication at the time that contained codeine which was not detected by the drug test. The Hearing Officer found that the small amount of codeine in the medication might have been below the