

purchases to volumes of propane that it purchased from Enron at above market prices.

*Howard Cab, Inc. Hoquiam Plywood Company, INC.*, 6/18/98, RJ272-00061, RJ272-00062, RJ272-04818, RJ272-04819

The DOE rescinded two Applications for Supplemental Refund filed by

Federal Action, a private filing service, in the crude oil overcharge refund proceeding. The DOE found that Federal Action violated its Escrow Certification in its handling of the two supplemental refunds. Federal Action was ordered to repay the refund amounts to the DOE and the supplemental refunds were reissued directly to the Applicants.

### 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.

FARMLAND COOPERATIVE, INC ..... RF272-95739

6/17/98

### Dismissals

The following submissions were dismissed.

Name	Case No.
FLORIDA .....	VEG-0004
PERSONNEL SECURITY REVIEW .....	VSA-0176

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### DEPARTMENT OF ENERGY

#### Office of Hearings and Appeals

#### Notice of Issuance of Decisions and Orders During the Week of June 8 Through June 12, 1998

During the week of June 8 through June 12, 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 decision and order are available in the Public Reference Room of the Office of Hearings and Appeals, 950 L'Enfant Plaza, SW, Washington, D.C., 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: July 16, 1998.

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

#### Decision List No. 89

##### Appeals

*Jones, Walker, Waechter, Poitevent Carrère and Denègre*, 6/8/98, VFA-0419

Jones, Walker, Waechter, Poitevent Carre & Denègre, L.L.P., appealed a determination issued to it by the Federal Energy Technology Center (FETC) in response to a Request for Information submitted under the Freedom of Information Act. The law firm sought records of a never-issued contract for the Mound Site Plume Treatment System at the Rocky Flat Environmental Technology Site. FETC withheld all responsive documents in full under the competitive harm standard of Exemption 4 because the Rocky Flats Field Office (RFFO) was in the process of finalizing a contract for similar work. During the course of the Appeal, the DOE determined that RFFO had issued the Mound Site Plume Treatment

System contract. Because the factual predicate for the FETC determination no longer existed, the DOE remanded the matter for FETC to issue a new determination.

*The National Security Archive*, 6/11/98, VFA-0327, VFA-0365

The National Security Archive filed Appeals from denials by the Department of the Air Force of a request for information that it filed under the Freedom of Information Act (FOIA). Because the withheld information was classified under the Atomic Energy Act, the Air Force withheld it as the direction of the DOE under Exemption 3. The DOE determined on appeal that the information must continue to be withheld under Exemption 3. Accordingly, the Appeals were denied.

### 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.

ENRON CORPORATION/WALLACE OIL RECLAIMING COMPANY .....	RF340-173	6/11/98
GARY VOGT .....	RJ272-00060	6/11/98
GULF OIL CORPORATION/REEDY CREEK UTILITIES CO., INC .....	RF300-17085	6/11/98
SHIELDALLOY METALLURGICAL CORP. ET AL .....	RF272-94619	6/11/98
SPRINGFIELD COLLEGE .....	RK272-04816	6/10/98
ST. JOHN PARISH SCHOOL BOARD ET AL .....	RF272-80644	6/11/98

### Dismissals

The following submissions were dismissed.

Name	Case No.
COBLE DAIRY PRODUCTS, INC. ....	RF272-98951

Name	Case No.
WATCHTOWER BIBLE & TRACT SOCIETY OF NY .....	RF272-98962

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-6130-5]

### Agency Information Collection Activities: Submission for OMB Review; Comment Request; Environmental Impact Assessment of Nongovernmental Activities in Antarctica

**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: Environmental Impact Assessment of Nongovernmental Activities in Antarctica, OMB Control No. 2020-0007, expiring August 8, 1998. 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 August 24, 1998.

**FOR FURTHER INFORMATION CONTACT:** Contact Sandy Farmer at EPA by phone at (202) 260-2740, by email at farmer.sandy@epamail.epa.gov, or download off the Internet at <http://www.epa.gov/icr> and refer to EPA ICR No. 1808.02.

#### SUPPLEMENTARY INFORMATION:

**Title:** Environmental Impact Assessment of Nongovernmental Activities in Antarctica, EPA ICR No. 1808.02, OMB Control No. 2020-0007, expiring August 31, 1998. This is a request for extension of a currently approved collection.

**Abstract:** The EPA promulgated an Interim Final Rule for Environmental Impact Assessment of Nongovernmental Activities in Antarctica, 40 CFR part 8, in accordance with the Antarctic Science, Tourism, and Conservation Act (Act) of 1996, 16 U.S.C. 2401 *et seq.*, as amended 16 U.S.C. 2403a, which implements the Protocol on Environmental Protection (Protocol) to the Antarctic Treaty of 1959 (Treaty).

The Interim Final Rule provides for assessment of the environmental impacts of nongovernmental activities in Antarctica, including tourism, and for coordination of the review of information regarding environmental impact assessments received from other Parties under the Protocol. The requirements of the Interim Final Rule apply to operators of nongovernmental expeditions organized in or proceeding from the territory of the United States to Antarctica and include commercial and noncommercial expeditions. The Interim Final Rule does not apply to individual U.S. citizens or groups of citizens planning to travel to Antarctica on an expedition for which they are not acting as an operator.

Persons subject to the Interim Final Rule at 40 CFR part 8 must prepare environmental documentation, as appropriate to support the operator's determination regarding the level of environmental impact of the proposed expedition. Environmental documentation includes a Preliminary Environmental Review Memorandum (PERM), an Initial Environmental Evaluation (IEE), or a Comprehensive Environmental Evaluation (CEE). The environmental documentation must be submitted to the Office of Federal Activities (OFA) in accordance with the schedule for the level of environmental documentation as provided in the Interim Final Rule.

The Protocol and the Interim Final Rule also require an operator to employ procedures to assess and provide a regular and verifiable record of the actual impacts of an activity which proceeds on the basis of an IEE or a CEE, including monitoring of key environmental indicators for an activity proceeding on the basis of a CEE, or, if necessary, an IEE.

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 April 22, 1998 (63 FR 19912). Four comment letters were received. Responses to comments are included in the ICR document.

**Burden Statement:** For the initial year no PERMs or CEEs were submitted; four IEEs were submitted on behalf of nine operators with an estimated average burden of 216 hours per IEE, or 96 hours per operator, including assessment and verification procedures. For each of the subsequent years, four IEEs that fully incorporate paperwork reduction provisions of the Interim Final Rule are anticipated on behalf of eleven operators with an estimated annual average burden of 25 hours per operator, including assessment and verification procedures. 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:** Commercial tour operators and all other nongovernmental entities including privately funded research expeditions.

**Estimated Number of Respondents:** 11.

**Frequency of Response:** Once per year.

**Estimated Total Annual Hour Burden:** 1415 hours.

**Estimated Total Annualized Cost Burden:** 0

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques, to the following addresses. Please refer to EPA ICR No. 1808.02, and OMB Control No. 2020-0007 in any correspondence.

Ms. Sandy Farmer, .S. Environmental Protection Agency, OP Regulatory Information Division (2137), 401 M Street, SW, Washington, DC 20460; and