

encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils
- Water resources, fisheries and wetlands
- Vegetation and wildlife
- Endangered and threatened species
- Public safety
- Land use
- Cultural resources
- Air quality and noise
- Hazardous waste

We will also evaluate possible alternatives to the proposed project and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we make our recommendations to the Commission.

Currently Identified Environmental Issues

We have already identified one issue that we think deserves attention based on a preliminary review of the proposed facilities and the environmental information provided by Texas Gas. Additional issues may be included based on your comments and our analysis.

- Noise levels at the nearest noise-sensitive areas would exceed a day-night sound level of 55 dBA (decibels of the A-weighted scale) with the construction of the additional compressor unit.

Also, we have made a preliminary decision to not address the impacts of the nonjurisdictional facilities. We will briefly describe their location and status in the EA.

Public Participation

You can make a difference by sending a letter addressing your specific comments or concerns about the project. You should focus on the potential environmental effects of the proposal, alternatives to the proposal, and

measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please carefully follow these instructions to ensure that your comments are received in time and properly recorded:

- Send two copies of your letter to: Lois Cashell, Secretary, Federal Energy Regulatory Commission, 888 First St., NE., Room 1A, Washington, DC 20426;
- Label one copy of the comments for the attention of the Environmental Review and Compliance Branch, PR-11.2;
- Reference Docket No. CP97-656-000; and
- Mail your comments so that they will be received in Washington, DC on or before October 6, 1997.

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding or become an "intervenor." Among other things, intervenors have the right to receive copies of case-related Commission documents and filing by other intervenors. Likewise, each intervenor must provide copies of its filings to all other parties. If you want to become an intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).

The date for filing timely motions to intervene in this proceeding has passed. Therefore, parties now seeking to file late interventions must show good cause, as required by section 385.214(b)(3), why this time limitation should be waived. Environmental issues have been viewed as good cause for late intervention. You do not need intervenor status to have your comments considered.

Lois D. Cashell,

Secretary.

[FR Doc. 97-24181 Filed 9-11-97; 8:45 am]

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DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Notice of Issuance of Decisions and Orders; Week of July 28 Through August 1, 1997

During the week of July 28 through August 1, 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: September 3, 1997.

George B. Breznay,

Director, Office of Hearings and Appeals.

Decision List No. 44—Week of July 28 Through August 1, 1997

Appeals

The Cincinnati Enquirer, 7/29/97, VFA-0307

The Cincinnati Enquirer (Appellant) filed an Appeal concerning its request under the Freedom of Information Act (FOIA). The Appellant had requested documentation for all sole-source contracts at the Fernald Environmental Management Project (FEMP). The DOE's Ohio Field Office (DOE/OFO) released some documents but found that other documents were owned by FEMP's management and operating contractor, Fluor Daniel Fernald (FDF). On appeal, the Appellant argued that FDF is an agency and that the withheld documents are agency records. The DOE rejected both of these arguments and found that the documents were not subject to release under DOE regulations. Accordingly, the Appeal was denied.

Personnel Security Hearings

Personnel Security Hearing, 7/31/97 VSO-0146

An Office of Hearings and Appeals Hearing Officer issued an opinion regarding the eligibility of an individual employed by a contractor at a DOE facility to maintain an access authorization under the provisions of 10 CFR Part 710. The individual's access authorization had been suspended because the individual had consumed alcohol habitually to excess in the past. The Hearing Officer found that the individual had mitigated the concerns raised by the DOE with respect to his alcohol use by presenting documentary and testimonial evidence indicating that

his alcohol problem was in remission and that he did not need further rehabilitation. Accordingly, the Hearing Officer recommended that the individual's access authorization be restored.

*Personnel Security Hearing, 7/30/97
VSO-0152*

An Office of Hearings and Appeals Hearing Officer issued an Opinion under 10 CFR Part 710 concerning the continued eligibility of an individual to hold an access authorization. The Hearing Officer found that the individual: (1) Had deliberately misrepresented, falsified, or omitted significant information during a personnel security interview, in responding to an official inquiry on a matter regarding his eligibility for DOE access authorization; (2) had a mental condition of a nature which caused, and may continue to cause, a significant defect in judgment or reliability; and (3) had engaged in unusual conduct which tended to show that the individual is not honest, reliable, or trustworthy. The Hearing Officer further found that the

individual had failed to mitigate the legitimate security concerns of DOE relating to these matters. Accordingly, the Hearing Officer recommended that the individual's access authorization, which had been suspended, not be restored.

Motion for Reconsideration

*Greenville Automatic Gas Co., Inc.,
7/30/97 VER-0002*

Greenville Automatic Gas Co., Inc. filed a Motion for Reconsideration of a Decision denying its Application for Exception from the Energy Information Administration requirement that it file Form EIA-782B, the "Resellers'/Retailers" Monthly Petroleum Product Sales Report." In considering Greenville's Motion, the DOE found that the firm had not demonstrated that completing the form would cause it to experience a serious hardship or gross inequity. Accordingly, the Motion for Reconsideration was denied.

Refund Application

*Chesebrough-Pond's USA Co., 7/29/97
RF272-97101*

The DOE issued a Decision and Order considering an Application for Refund in the crude oil overcharge proceeding filed by Chesebrough-Pond's USA Co. (CP). The DOE rejected a refund claim based on CP's purchases of petrolatum, finding that the firm did nothing more than heat and cool that substance in order to turn it into Vaseline. As such, the DOE found that CP was a reseller of petrolatum and not an end-user. The DOE did approve the firm's refund request based on purchases of motor gasoline and motor oil that it used in its vehicles. The total refund granted was \$930,063.

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.

CAPELETTI BROTHERS, INC. ET AL	RF272-98602	7/30/97
COLTRANS, INC	RA272-78	7/30/97
ENRON CORPORATION/NEBRASKA PUBLIC POWER DIST	RF340-196	7/29/97
UNITED LP GAS CORPORATION	RF340-201	

Dismissals

The following submissions were dismissed.

Name	Case No.
CITIZEN ACTION	VFA-0320
DEGUSSA CORPORATION	RG272-00577
DUVAL ASPHALT PRODUCTS INC.	RG272-00574
HAARMANN & REIMER CORP.	RG272-00575
PERSONNEL SECURITY HEARING	VSO-0160
PERSONNEL SECURITY HEARING	VSO-0165
PERSONNEL SECURITY HEARING	VSO-0169
SANDORE LANE GARDENS	RG272-00576
ST. AUGUSTINE TRAWLERS, INC.	RF272-57064

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5891-7]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Collection of Economic and Regulatory Impact Support Data Under RCRA

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the
Paperwork Reduction Act (44 U.S.C.
3501 *et seq.*), this notice announces that

the following Information Collection
Request (ICR) has been forwarded to the
Office of Management and Budget
(OMB) for review and approval:
"Collection of Economic and Regulatory
Impact Support Data Under RCRA,"
OMB No. 2050-0136, expiring 10/31/97.
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 October 14, 1997.

**FOR FURTHER INFORMATION OR A COPY
CALL:** Sandy Farmer at EPA, (202) 260-
2740, and refer to EPA ICR No. 1641.02.

SUPPLEMENTARY INFORMATION:

Title: "Collection of Economic and
Regulatory Impact Support Data Under
RCRA," (OMB Control No. 2050-0136;
EPA ICR No. 1641.02) expiring 10/31/
97. This is a request for extension of a
currently approved collection.

Abstract: EPA's Office of Solid Waste
(OSW) is requesting renewal for a
generic clearance to collect economic
and regulatory impact data through
surveys, interviews, or focus group
meetings with industry or other parties