

The DOE determined that HRMC and HS 3, Inc. (HS 3) had been ineligible to receive a large portion of the refunds each received for petroleum product purchases on behalf of the Hudson River Inn & Conference Center (HRICC). The DOE determined that HRICC's owner, HS 3's predecessor company, had not purchased the inn property until September 1980. Therefore, HRMC, which had obtained the original refund on HS 3's behalf, was ineligible for most of that refund. Accordingly, both the

supplemental and original refunds were modified to subtract the pre-September 1980 purchase volumes, and HRMC's Application for Supplemental Refund was denied.

*Durham Schools, 12/16/97 RR272-192*

The DOE granted two Motions for Reconsideration filed by Libson Schools and Durham Schools. DOE found that the two school systems had acted in a timely fashion in 1995 when they corrected the deficiencies which had caused DOE to dismiss their

Applications in 1995, and accordingly, determined that they should receive refunds.

**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.

ATLANTIC RICHFIELD CO./SATURN PETROLEUM CO. ....	RF304-15511	12/18/97
INSTEEL WIRE PRODUCTS CO. ET AL .....	RK272-04690	12/15/97
SOUTHWEST MOTOR FREIGHT ET AL .....	RF272-76531	12/16/97
UPSTATE MILK COOP. INC. ET AL .....	RF272-95740	12/16/97

**Dismissals**

The following submissions were dismissed.

NAME	CASE NO.
UPSTATE MILK CO-OP, INC. ....	RG272-00146

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**DEPARTMENT OF ENERGY**

**During the Week of December 22, 1997 Through December 26, 1997**

**Notice of Issuance of Decisions and Orders; Office of Hearings and Appeals**

During the week of December 22 through December 26, 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: February 2, 1998.

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

**Decision List No.65—Week of December 22 through December 26, 1997**

**Appeals**

*Homesteaders Association of the Pajarito Plateau, 12/22/97 VFA-0357*

The Homesteaders Association of the Pajarito Plateau (HAPP) Appealed a determination issued to it by the Albuquerque Operations Office (AO). In its Appeal, HAPP asserted that AO failed to conduct an adequate search for documents concerning the transfer of DOE land and had improperly withheld information in six documents pursuant to Exemption 5 of the FOIA. The DOE determined that responsive documents may exist at the DOE's Los Alamos facility and it remanded the matter to AO for a search of that facility. The DOE also found that the six documents withheld in part contain segregable factual material which can not be withheld under Exemption 5 and remanded the matter to AO to release the material or to provide another

determination explaining why the material should be withheld. Additionally, one of the documents contained a draft plan created by a local state governmental entity. The DOE remanded this matter to AO so that it could issue a new determination explaining how Exemption 5 could apply to that portion of the document. Consequently, HAPP's Appeal was granted in part.

*Rural Alliance for Military Accountability, 12/22/97 VFA-0357*

The Rural Alliance for Military Accountability (RAMA) Appealed a determination issued to it by the Rocky Flats Field Office (RF). The DOE determined that there was no merit to RAMA's assertion that RF failed to conduct an adequate search for documents concerning the transportation of hazardous materials. Consequently, RAMA's Appeal was 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.

APACHE TANK LINES, INC. ....	RJ272-52	12/23/97
GULF OIL CORPORATION/HOUDAILLE-DUVAL-WRIGHT CO. ....	RF300-18450	12/22/97
PROCTOR & GAMBLE PHARM. INC. ET AL .....	RK272-03062	12/23/97

**Dismissals**

The following submissions were dismissed.

Name	Case No.
PERSONNEL SECURITY REVIEW .....	VSA-0146

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**ENVIRONMENTAL PROTECTION AGENCY**

[AD-FRL-5964-3]

**Industrial Combustion Coordinated Rulemaking Federal Advisory Committee Notice of Upcoming Meeting**

**AGENCY:** U.S. Environmental Protection Agency (EPA).

**ACTION:** Industrial Combustion Coordinated Rulemaking (ICCR) Federal Advisory Committee notice of upcoming meeting.

**SUMMARY:** As required by section 9(a)(2) of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2, section 9(c), EPA gave notice of the establishment of the ICCR Federal Advisory Committee (hereafter referred to as the ICCR Coordinating Committee) in the **Federal Register** on August 2, 1996 (61 FR 40413).

The public can follow the progress of the ICCR through attendance at meetings (which will be announced in advance) and by accessing the Technology Transfer Network (TTN), which serves as the primary means of disseminating information about the ICCR.

**DATES:** The next meeting of the ICCR Coordinating Committee is scheduled for February 24-25, 1998. Also, most of the ICCR Work Groups—which report to the Coordinating Committee—have meetings scheduled in February, 1998. The dates of these Work Group meetings are summarized below. Further information on the dates of the Coordinating Committee meeting and

the Work Group meetings may be obtained by accessing the TTN or by calling EPA (see **FOR FURTHER INFORMATION CONTACT**).

**ADDRESSES:** The Coordinating Committee meeting on February 24-25, 1998 will be held at the Adam's Mark Hotel Winston Plaza, 425 North Cherry Street, Winston-Salem, NC. The telephone number for Adam's Mark Hotel Winston Plaza is (800) 444-2326. The locations of the Work Group meetings are summarized below. Further information on the locations of the Coordinating Committee meeting and the Work Group meetings may be obtained by accessing the TTN or by calling EPA (see **FOR FURTHER INFORMATION CONTACT**).

*Inspection of Documents:* Docket. Minutes of the meetings, as well as other relevant materials, will be available for public inspection at U.S. EPA Air and Radiation Docket and Information Center, Docket No. A-96-17. The docket is open for public inspection and copying between 8 a.m. and 4 p.m., Monday through Friday except for Federal holidays, at the following address: U.S. Environmental Protection Agency, Air and Radiation Docket and Information Center (6102), 401 M Street SW, Washington, DC 20460; telephone: (202) 260-7548. The docket is located at the above address in Room M-1500, Waterside Mall (ground floor). A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Fred Porter or Sims Roy, U.S. Environmental Protection Agency, Emission Standards Division, Combustion Group, (MD-13), Research Triangle Park, North Carolina 27711, telephone numbers (919) 541-5251 and 541-5263, respectively.

**SUPPLEMENTARY INFORMATION:**

**Technology Transfer Network (TTN)**

The TTN is one of the EPA's electronic bulletin boards.

The TTN can be accessed through the Internet at:

WWW: <http://www.epa.gov/ttn>  
FTP: [ttnftp.rtpnc.epa.gov](ftp://ttnftp.rtpnc.epa.gov)

When accessing the WWW site, select Directory of TTN Sites, then select ICCR—Industrial Combustion Coordinated Rulemaking from the Directory of TTN Sites.

Access to the TTN through FTP is a streamlined approach for downloading files, but is only useful, if the desired filenames are known.

If more information on the TTN is needed, call the help desk at (919) 541-5384.

Meetings of the ICCR Coordinating Committee and Work Groups are open to the public. All Coordinating Committee meetings will be announced in the **Federal Register** and on the TTN. Work Group meetings will be announced on the TTN and in the **Federal Register**, when possible.

The next meeting of the Coordinating Committee will be held February 24-25, 1998 at the Adam's Mark Hotel Winston Plaza, 425 North Cherry Street, Winston-Salem, NC, from about 8:00 a.m. to about 6:00 p.m. The agenda for this meeting will include reports from the Work Groups on their progress, testing needs and prioritization issues, discussion of data gathering efforts to support the ICCR, and a discussion of direction and guidance from the Coordinating Committee to the Work Groups. An opportunity will be provided for the public to offer comments and address the Coordinating Committee.

The Work Groups have currently scheduled the following meetings:

Work group	Date	Location
Incinerators .....	February 5, 1998 ....	Orlando, FL.
	April 30, 1998 .....	Fort Collins, CO.
IC Engines .....	February 26, 1998 ..	Winston-Salem, NC.
	April 30, 1998 .....	Fort Collins, CO.
Boilers .....	February 26, 1998 ..	Winston-Salem, NC.
	March 24, 1998 .....	New Orleans, LA.
	April 30, 1998 .....	Fort Collins, CO.
Stationary Combustion Turbines .....	February 26, 1998 ..	Winston-Salem, NC.
	April 30, 1998 .....	Fort Collins, CO.