

# **Notice of Issuance of Decisions and Orders; Week of June 17 Through June 21, 1996**

During the week of June 17 through June 21, 1996, 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, S.W., Washington, D.C. 20585, 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 6, 1996  
George B. Breznay,  
*Director, Office of Hearings and Appeals.*

## **Appeals**

**BURLIN MCKINNEY, 6/18/96, VFA-0168**

Burlin McKinney sought under the Freedom of Information Act information concerning safety measures at the DOE's Y-12 plant. DOE found that the determination issued by the Oak Ridge Operations Office was inadequate. Accordingly, DOE remanded the matter to Oak Ridge with instructions to correct the determination's deficiencies.

**GOVERNMENT ACCOUNTABILITY PROJECT, 6/17/96, VFA-0167**

The Government Accountability Project (GAP) filed an Appeal from a FOIA determination issued to it by the Albuquerque Operations Office denying it a waiver of fees. The DOE determined that GAP was eligible for a fee waiver and granted GAP's Appeal.

**LARSON ASSOCIATED, INC., 6/18/96, VFA-0103**

Larson Associated, Inc., filed an Appeal from a denial by the Department of Energy's Oak Ridge Operations Office (DOE/OR) of a request for information which it had submitted under the Freedom of Information Act (FOIA). Larson sought a copy of a Community Involvement Proposal submitted to

DOE/OR by Martin Marietta Corporation. DOE/OR withheld this document in its entirety pursuant to FOIA Exemption 4. In considering the Appeal, the DOE found that: (i) it is proper under the standards set forth by the federal courts to process FOIA requests on a "first-in, first-out" basis; (ii) the Manager of DOE/OR was the proper signatory of the determination; (iii) DOE/OR's determination that material should be withheld under Exemption 4 because its disclosure was likely to cause competitive harm to the submitter did not sufficiently state the reasons for believing such harm would result; and (iv) some portions of the documents can be released.

Accordingly, the Appeal was granted in part. The matter was remanded to DOE/OR for a new determination that would release information that was not protected from disclosure, and would adequately explain the reasons for withholding exempt information.

## **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.

BEAM'S ARCO .....	RG272-382	06/20/96
BOYD MILNER .....	RJ272-00013	06/19/96
LARRY MILNER .....	RJ272-00014	.....
CARL MINDELSON .....	RJ272-00016	.....
SARA MINDELSON .....	RJ272-00017	.....
DOROTHY HIGER .....	RJ272-00018	.....
CPC INTERNATIONAL, INC. ....	RJ272-15	06/21/96
PHILLIP MORRIS COMPANIES, INC. ....	RK272-3556	.....
CRUDE OIL SUPPLE REF DIST .....	RB272-00081	06/21/96
FALL RIVER FEEDLOTS, INC. ET AL .....	RK272-00030	06/20/96
GALESVILLE-ETTRICK SCHOOL DISTRICT ET AL .....	RF272-80678	06/18/96
GULF OIL CORPORATION/JAMES L. TURNBAUGH ET AL .....	RF300-20304	06/17/96
GULF OIL CORPORATION/ROUTE 40 WEST GULF .....	RF300-15030	06/19/96
SAN MATEO COUNTY REGIONAL OCCUPATIONAL PROGRAM ET AL .....	RF272-79174	06/18/96
TOWN OF HOPKINTON ET AL .....	RF272-95902	06/17/96

## **Dismissals**

The following submissions were dismissed:

Name	Case No.
BERNARD MOTOR SUPPLY .....	RF304-15415
BIGGARD DRILLING .....	RG272-00384
CHARLES L. BAILEY .....	RF304-15430
DICK'S ARCO .....	RF304-15416
GEORGE E. BURKE .....	RF304-15467
GRIFFIN ARCO SERVICE .....	RF304-15449
HARLEM & CERMAK ARCO .....	RF304-15465
HILLTOP BASIC RESOURCES, INC. ....	RF272-97840
LIMA CENTRAL CATHOLIC HIGH SCHOOL .....	RF272-97801
MARVIN W. BROWN ARCO .....	RF304-15144
MOUNT GREYLOCK REGULAR SCHOOL DISTRICT .....	RF272-97800
PATRONS' MERCANTILE COOPERATIVE .....	RG272-00378

Name	Case No.
PYROFAX GAS CORP. ....	RF304-15468
ROMAN CATHOLIC ARCHBISHOP .....	RF272-97899
SKAGWAY AIR SERVICE .....	RF272-98026
SOUTHERN MARYLAND ELECTRIC CO-OP., INC. ....	RF272-95186
SOUTHERN MARYLAND ELECTRIC CO-OP., INC. ....	RF272-98075
SOUTHERN MARYLAND ELECTRIC COOP., INC. ....	RF272-95186
SOUTHERN MARYLAND ELECTRIC COOP., INC. ....	RF272-98075
SOUTHGATE ARCO .....	RF304-13759
STU-BROCK SERVICE INC. ....	RF304-15061
STUART PETER PARSELL .....	RF272-97734
T.H. MCCANN CORP. ....	RF304-15059
W.D. YOUNG OIL & SUPPLY .....	RF304-15337

[FR Doc. 96-23890 Filed 9-17-96; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[OPPTS-44631; FRL-5395-5]

### TSCA Chemical Testing; Receipt of Test Data

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

**ACTION:** Notice.

**SUMMARY:** This notice announces EPA's receipt of test data on cyclohexane (CAS No. 110-82-7). These data were submitted pursuant to an enforceable testing consent agreement/order issued by EPA under section 4 of the Toxic Substances Control Act (TSCA). Publication of this notice is in compliance with section 4(d) of TSCA.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543B, 401 M St., SW., Washington, DC 20460, (202) 554-1404, TDD (202) 554-0551; e-mail: TSCA-Hotline@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** Under 40 CFR 790.60, all TSCA section 4 enforceable consent agreements/orders must contain a statement that results of testing conducted pursuant to testing enforceable consent agreements/orders will be announced to the public in accordance with section 4(d).

#### I. Test Data Submissions

Test data for cyclohexane were submitted by the Cyclohexane Panel of the Chemical Manufacturers Association on behalf of the following test sponsors: Chevron Chemical Company, CITGO Refining & Chemicals Inc., E.I. du Pont de Nemours & Company, Huntsman Corporation, Koch Industries Inc., Phillips Petroleum Company, and Sun Company, Inc. These data were

submitted pursuant to a TSCA section 4 enforceable consent agreement/order at 40 CFR 799.5000 and were received by EPA on August 19, 1996. The submission includes two final reports entitled (1) "90-Day Inhalation Neurotoxicity Study with Cyclohexane in Rats," and (2) "90-Day Inhalation Toxicity Study with Cyclohexane in Mice." Cyclohexane is found in a number of consumer products including spray paint and spray adhesives and is also available as a laboratory solvent.

EPA has initiated its review and evaluation process for this data submission. At this time, the Agency is unable to provide any determination as to the completeness of the submission.

#### II. Public Record

EPA has established a public record for this TSCA section 4(d) receipt of data notice (docket number OPPTS-44631). This record includes copies of all studies reported in this notice. The record is available for inspection from 12 noon to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Nonconfidential Information Center (also known as the TSCA Public Docket Office), Rm. B-607 Northeast Mall, 401 M St., SW., Washington, DC 20460.

Authority: 15 U.S.C. 2603.

#### List of Subjects:

Environmental protection, Test data.

Dated: September 9, 1996.

Charles M. Auer,

*Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

[FR Doc. 96-23904 Filed 9-17-96; 8:45 am]

BILLING CODE 6560-50-F

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collections Being Reviewed by FCC For Extension Under Delegated Authority 5 CFR 1320 Authority, Comments Requested

September 12, 1996.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

The FCC is reviewing the following information collection requirements for possible 3-year extension under delegated authority 5 CFR 1320, authority delegated to the Commission by the Office of Management and Budget (OMB).

**DATES:** Written comments should be submitted on or before November 18, 1996. If you anticipate that you will be submitting comments, but find it