

"RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. *Agency Comments*—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

David P. Boergers,

Secretary.

[FR Doc. 99-10218 Filed 4-22-99; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Announcement of Final Deadline to Request Supplemental Crude Oil Overcharge Refunds

AGENCY: Office of Hearings and Appeals, Department of Energy.

ACTION: Notice of final deadline for crude oil overcharge refund recipients to request the \$.0008 per gallon supplemental refund first announced in 1995 in the crude oil overcharge refund proceeding (RF272 Case Nos.).

SUMMARY: The Office of Hearings and Appeals of the Department of Energy has set a January 31, 2000 deadline for requesting the \$.0008 per gallon supplemental refund first announced in 1995 in the crude oil overcharge refund proceeding. The deadline applies to all refund recipients eligible for a supplemental refund of \$50 or more. Those refund recipients that do not request a supplemental refund by the deadline will forfeit the supplemental refund and any further payment from crude oil overcharge funds. Small refund recipients, i.e., those eligible for a supplemental refund less than \$50, continue to have the option of requesting a supplemental refund until

the conclusion of the crude oil overcharge refund proceeding.

FOR FURTHER INFORMATION CONTACT:

Thomas L. Wieker, Deputy Director, or Janet N. Freimuth, Deputy Assistant Director, Office of Hearings and Appeals, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585-0107, telephone number 202-426-1527, FAX 202-426-1415.

SUPPLEMENTARY INFORMATION: The Department of Energy's crude oil overcharge refund proceeding began over twelve years ago. In August 1986, the DOE announced its policy concerning the administration of a proceeding to refund crude oil overcharge funds to injured purchasers of refined petroleum products. See 51 FR 27,899 (August 4, 1986) (Modified Statement of Restitutionary Policy in Crude Oil Cases (MSRP)). That same month, the first crude oil refund application was filed. Pursuant to the MSRP, the OHA announced, in April 1987, that it would use the refund procedures at 10 CFR part 205, Subpart V, to process crude oil refund applications. 52 FR 11,737 (1987). The OHA accepted crude oil refund applications until the June 1995 deadline.

As the OHA has conducted the crude oil overcharge refund proceeding, the DOE has continued to collect additional overcharge funds. Under the MSRP, up to 20 percent of crude oil overcharge funds are reserved for direct refunds to claimants through the OHA pursuant to Subpart V. The remaining 80 percent is divided equally between the federal government (40 percent) and the states (40 percent) for indirect restitution. Because of the potential availability of additional funds, the OHA decisions approving refund applications advise the refund recipient to inform the OHA of any change of address.

The amount of a refund is based on the refund recipient's volume of refined petroleum product purchases, multiplied by a per gallon refund amount, referred to as the "volumetric refund amount" or simply the "volumetric." The larger a firm's or individual's purchases, the greater the injury from crude oil overcharges and therefore the greater the refund. As the DOE has collected additional crude oil overcharge funds, the OHA has raised the volumetric. The OHA originally paid crude oil overcharge refund recipients at a rate of \$.0002 per gallon. The OHA has raised the volumetric twice. First, in 1989, the OHA raised the volumetric to \$.0008 per gallon; the OHA sent a supplemental payment of

\$.0006 per gallon to those refund recipients that had been paid at the \$.0002 rate. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). Second, in 1995, the OHA raised the volumetric to \$.0016 per gallon; the OHA notified refund recipients that had been paid at the \$.0008 per gallon volumetric of the availability of a \$.0008 supplemental payment. See 60 FR. 15562 (March 24, 1995).

The OHA's 1995 notice advised refund recipients that if they wished to receive a supplemental payment at that time, they should verify to the OHA that certain information was still correct, such as their address. The 1995 notice stated that refund recipients could wait until the end of the proceeding to receive their supplemental payment, as well as any final payment that might be made.

The OHA mailed the 1995 notice to over 56,000 refund recipients that had filed directly with the OHA for their original refund, i.e., refund recipients that did not file through a representative. The mailing went to each such recipient whose supplemental refund would be \$50 or more, i.e., refund recipients with approved purchases of 62,500 gallons or more. Although the OHA did not mail to small refund recipients, i.e., those entitled to less than \$50, the OHA stated that those refund recipients could request a supplemental refund. In addition to the mailing to the over 56,000 recipients that did not file through a representative, the OHA mailed a notice to the representatives of an additional 12,000 refund recipients.

Since 1995, the OHA has granted supplemental refunds totaling \$268 million to 56,000 recipients. At the same time, the OHA has almost completed its consideration of the original crude oil overcharge refund applications. The OHA has granted a total of \$597 million to 91,500 recipients. Of the total 100,000 applications filed, only 1,000 remain pending.

The OHA has now determined that a January 31, 2000 deadline for requesting the \$.0008 per gallon supplemental refund announced in 1995 should be set for refund recipients whose supplemental refund would be \$50 or more, i.e., refund recipients with approved purchases of 62,500 gallons or more. Both administrative efficiency and the goal of achieving finality in the crude oil overcharge refund proceeding warrant establishing the deadline. Over the last four years, the OHA has granted supplemental refunds to 56,000 applicants, representing 335 million

gallons of approved purchases. A deadline for requesting a supplemental refund is a necessary, interim step to the completion of the crude oil overcharge refund proceeding, which has been pending over 12 years. In order to make any final payment in the proceeding, we need to determine the number of eligible recipients and the total amount available after current supplemental payments are made. When we issued original refund decisions, we advised refund recipients to keep us informed of address changes, but some refund recipients failed to do so. We are concerned that the addresses and other information for the refund recipients that did not request a supplemental payment may not be current. For example, the recipient may have a new address or the recipient may no longer exist—an individual applicant may have died or a business entity may have ceased operations. Setting a deadline for all supplemental payments will allow us to identify those recipients that are either unreachable or that are not interested in receiving a supplemental refund. Those recipients will forfeit any further refund, which will then allow us to calculate a final payment for all remaining recipients, provided sufficient crude oil overcharge funds are left over.

Based on the foregoing, we intend to mail notice of a January 31, 2000 deadline to the 10,000 refund recipients with approved purchases of 62,500 gallons or more that have not yet requested a supplemental refund. As stated above, a refund recipient with approved purchases of 62,500 gallons or more that does not request a supplemental refund by January 31, 2000 will not be eligible for any further payment from crude oil overcharge funds. The deadline does not apply to small refund recipients, i.e., those with approved purchases of less than 62,500 gallons. We have concluded that mailing notice to such refund recipients is not appropriate, given the small size of the refund (less than \$50) and the age of the addresses in our data base. Small refund recipients continue to have the option of requesting a supplemental refund until the conclusion of the crude oil overcharge refund proceeding.

Dated: April 15, 1999.

George B. Breznay,

*Director, Office of Hearings and Appeals,
Department of Energy, Washington, DC.*
[FR Doc. 99-10192 Filed 4-22-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-6241-9]

Environmental Impact Statements; Notice of Availability

RESPONSIBLE AGENCY: Office of Federal Activities, General Information (202) 564-7167 OR (202) 564-7153.

Weekly receipt of Environmental Impact Statements Filed April 12, 1999 Through April 16, 1999 Pursuant to 40 CFR 1506.9.

EIS No. 990121, Draft EIS, COE, FL, Alligator Chain of Lakes and Lake Gentry Extreme Drawdown and Habitat Enhancement Project, Implement Aquatic Habitat Enhancement, Osceola County, FL, Due: June 10, 1999, Contact: Christine Bauer (904) 232-3271.

EIS No. 990122, Draft EIS, GSA, TN, Volunteer Army Ammunition Plant, Disposal and Transfer Ownership of Property to Other Federal Agencies and Private Entities, City of Chattanooga's, Hamilton County, TN, Due: June 08, 1999, Contact: Phil Youngberg (404) 331-1831.

EIS No. 990123, Draft EIS, COE, IL, Hunter Lake New Supplemental Water Supply Reservoir, Construction, City of Springfield Application for Permit, Sangamon County, IL, Due: June 07, 1999, Contact: Charlene Carmack (309) 794-5570.

EIS No. 990124, Final EIS, DOE, TN, NY, IL, NM, Spallation Neutron Source (SNS) Facility Construction and Operation, Implementation and Site Selection, Oak Ridge National Laboratory, Oak Ridge, TN; Argonne National Laboratory, Argonne, IL; Brookhaven National Laboratory, Upton, NY; and Los Alamos National Laboratory, Los Alamos, NM, Due: May 24, 1999, Contact: David Wilfert (800) 927-9964.

EIS No. 990125, Final EIS, FHWA, WA-167 Corridor Adoption, WA-167 Freeway Extension from WA-167/Meridian Street North in the City of Puyallup to the proposed WA-509 Freeway/East-West Alignment in the City of Tacoma, Funding and COE Section 404 Permit, Pierce County, WA, Due: May 24, 1999, Contact: Jeff Sawyer (360) 357-2713.

EIS No. 990126, Draft EIS, AFS, MT, North Belts Travel Plan/Maypie Confederate Vegetation Restoration Project, Improvements, Helena National Forest, Townsend and Helena Ranger District, Broadwater, Lewis and Clark and Meagher County, MT, Due: June 07, 1999, Contact: Carol Nunn (406) 266-3425.

The US Department of Agriculture, Forest Service and the US Department of the Interior, Bureau of Land Management are Joint Lead Agencies on the above project.

EIS No. 990127, Final EIS, DOE, CA, Sutter Power Plant Project, Operation and Maintenance of a High-Voltage Electric Transmission, 500 megawatt (MW) Gas Fueled, Sutter County, CA, Due: May 24, 1999, contact Loreen McMahon (916) 353-4460.

EIS No. 990128, Draft EIS, FRC, PA, NY, Millennium Pipeline Project, Construct and Operate an Interstate Natural Gas Pipeline from United States to Canada, including PA, NY and NJ, Due: June 07, 1999, Contact: Paul McKee (202) 208-1611.

EIS No. 990129, Draft EIS, FRC, MA, Holyoke Hydroelectric Relicensing Project, (FERC Nos. 2004-073 and 11607-000), Construction, Operation and Maintenance, Located on the Connecticut River, Hampshire, Hampden and Franklin Counties, MA, Due: June 07, 1999, Contact: Allan E. Creamer (202) 219-0365.

EIS No. 990130, Revised Draft EIS, DOE, WA, Hanford Remedial Action, Revised and New Alternatives, Comprehensive Land-Use Plan, Hanford Site lies within the Pasco Basin of the Columbia Plateau, WA, Due: June 07, 1999, Contact: Thomas W. Ferns (509) 372-0649.

EIS No. 990131, Final EIS, NCP, MD, National Harbor Project, Construction and Operation along the Potomac River on a 534 acre site adjacent to the Capital Beltway and Oxon Hill Manor, COE Section 10 and 404 Permits, Prince George's County, MD, Due: May 24, 1999, Contact: Eugene Keller (202) 482-7251.

EIS No. 990132, Final EIS, DOE, KY, TN, OH, TN, Programmatic EIS—Alternative Strategies for the Long-Term Management and Use of Depleted Uranium Hexafluoride, Paducah Site, McCracken County, KY; Portsmouth Site, Pike County, OH; and K-25 Site on the Oak Ridge Reservation, Anderson and Roane Counties, TN, Due: May 24, 1999, Contact: Scott E. Harlow (301) 903-3352.

EIS No. 990133, Draft EIS, FRC, IL, MI, PA, IN, OH, NJ, Independence Pipeline and Market Link Expansion Projects, Construction and Operation, Interstate National Gas Pipeline, (Docket Nos. CP97-315-001, CP97-319-000, CP98-200-000 and CP98-540-000), NPDES and COE Section 404 Permits, IL, IN, MI, OH, PA and NJ, Due: June 07, 1999, Contact: Paul McKee (202) 208-1611.