

participants include executive summaries in their comments, and file joint comments, wherever possible. Any person who wishes to make a formal presentation to the Commission should submit a request to the Secretary of the Commission along with the written comments. The Commission will issue a separate notice at a later date organizing the public conference.

An original and 14 copies of comments on these issues should be submitted to the Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, and should refer to Docket No. PL97-1-000. All written comments will be placed in the Commission's public files and will be available for inspection in the Commission's Public Reference Room during regular business hours.

Commenters are requested to submit a diskette containing the written comments. If the Commission receives diskettes with the comments submitted in hard copy, then the Commission will make the written comments also available on the Commission Issuance Posting System (CIPS). CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing 202-208-1397 if dialing locally or 1-800-856-3920 if dialing long distance. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. The full text of this order will be available on CIPS in ASCII and WordPerfect 5.1 format. CIPS user assistance is available at 202-208-2474. CIPS is also available on the Internet through the Fed World system. Telnet software is required. To access CIPS via the Internet, point your browser to the URL address: <http://www.fedworld.gov> and select the "Go to the FedWorld Telnet Site" button. When your Telnet software connects you, log on to the FedWorld system, scroll down and select FedWorld by typing: 1 and at the command line and type: /go FERC. FedWorld may also be accessed by Telnet at the address [fedworld.gov](http://fedworld.gov).

All questions concerning the format of the conference should be directed to: Erica J. Yanoff, Office of the General Counsel, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, 202-208-0708.

By direction of the Commission.  
Lois D. Cashell,  
Secretary.

[FR Doc. 97-5535 Filed 3-5-97; 8:45 am]

BILLING CODE 6717-01-M

### **Notice of Issuance of Decisions and Orders by the Office of Hearings and Appeals; Week of February 3 Through February 7, 1997**

During the week of February 3 through February 7, 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 25, 1997.

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

Decision List No. 19

*Week of February 3 Through February 7, 1997*

Personnel Security Hearings

*Personnel Security Hearing, 2/3/97  
VSO-0106,*

An OHA Hearing Officer issued an Opinion regarding the eligibility of an individual to maintain access authorization under the provisions of 10 C.F.R. Part 710. After considering the testimony presented at the hearing and the record, the Hearing Officer found that the individual habitually used alcohol to excess and had mental conditions (alcohol abuse and alcohol dependency) that cause or may cause a significant defect in judgment or reliability. These findings were based on the individual's two charges of Driving Under the Influence (DUI), his pattern of alcohol consumption despite the negative impact it had on his life and the fact that such consumption violated the terms of his probation, and the diagnoses of two mental health professionals, including one selected by the individual himself. The Hearing Officer found the Individual was not rehabilitated or reformed from his habitually excessive use of alcohol. The Hearing Officer also found that there

was a security concern resulting from other alcohol consumption-related behavior that tended to show that the individual was not honest, reliable or trustworthy. However, the Hearing Officer found that the security concerns raised by other mental conditions diagnosed by the DOE psychiatrist were mitigated by the passage of time and a more current diagnosis in which another mental health professional expressed his opinion that such mental conditions were not present. Therefore, the Hearing Officer found that those concerns had been mitigated. Nevertheless, because of the security concerns based on his alcohol-related charges, the Hearing Officer recommended that the individual's access authorization not be restored. *Personnel Security Hearing, 2/3/97, VSO-0113*

An OHA Hearing Officer issued an Opinion regarding the eligibility of an individual to maintain access authorization under the provisions of 10 C.F.R. Part 710. After considering the testimony presented at the hearing and the record, the Hearing Officer found that the individual habitually used alcohol to excess. This finding was based on the individual's two charges of Driving Under the Influence (DUI), the high amount of alcohol that the individual consumed and his belief that he had a drinking problem. Although the individual had attended a three month counseling program, he continued to drink. The Hearing Officer found the Individual was not rehabilitated or reformed from his habitually excessive use of alcohol. The Hearing Officer also found the Individual, due to his two DUI arrests, two assault charges, two domestic violence charges, two telephone harassment charges, and his unreformed drinking habitually to excess to have engaged in unusual conduct or to have been subject to circumstances which tend to show that he was not honest, reliable, or trustworthy; or which furnished reason to believe that he may be subject to pressure, coercion, exploitation, or duress which may cause him to act contrary to the best interests of the national security. Accordingly, the Hearing Officer recommended that the individual's access authorization not be restored.

*Personnel Security Hearing, 2/7/97, VSO-0118*

A Hearing Officer found that an individual had not successfully mitigated security concerns arising from his provision of false information to the DOE and a pattern of criminal and other conduct that tended to show that the

individual was not honest, reliable, and trustworthy. Accordingly, the Hearing Officer recommended in the Opinion that the individual's access authorization not be restored.

#### Whistleblower Proceeding

*Charles Barry DeLoach, 2/5/97, VWA-0014*

Charles Barry DeLoach (DeLoach), a former employee of a Department of Energy (DOE) contractor, Westinghouse Savannah River Company (WSRC), filed a request for a hearing under the DOE's Contractor Employee Protection Program, 10 C.F.R., Part 708. DeLoach claimed that he was terminated from his job as a result of his raising issues with his superiors regarding various health and safety issues. WSRC claimed DeLoach was fired for stealing approximately \$50,000 of DOE equipment. A hearing was held in which DeLoach and witnesses for WSRC testified before an Office of Hearings and Appeals Hearing Officer. On the basis of the testimony and other evidence in the record, the Hearing Officer concluded that DeLoach proved by a preponderance of the evidence that he had made disclosures protected by Part 708. However, the Hearing Officer further concluded that WSRC had proved by clear and convincing evidence that it would have taken this action even in the absence of DeLoach's disclosures. The Hearing Officer therefore determined that DeLoach was

not entitled to any relief under 10 C.F.R. Part 708.

#### Implementation of Special Refund Procedures

*Houma Oil Co., Jedco, Inc., 2/7/97, VEF-0023, VEF-0024*

The DOE issued a Decision and Order establishing procedures for the distribution of funds obtained from Houma Oil Company and Jedco, Inc. These funds were remitted by each firm to the DOE to settle pricing violations with respect to sales of motor gasoline. The Decision sets forth procedures for customers who claim they were injured by motor gasoline purchases from Houma Oil during the period May 1, 1979 through April 30, 1980 or from Jedco, Inc. between November 1, 1973 and March 31, 1974. Any funds remaining after meritorious claims are paid will be used for indirect restitution through the states in accordance with the Petroleum Overcharge Distribution and Restitution Act of 1986.

#### Refund Applications

*Anchor Gasoline Corporation/Mid Continent Systems, Inc., Seago Enterprises, Inc., Atlantic Richfield Company/Seago Enterprises, Inc., 2/4/97, RF346-18, RF346-48, RF304-15507*

Both Seago Enterprises, Inc., and Mid Continent Systems, Inc., filed competing Applications for Refund in the Anchor special refund proceeding for the same

purchases. The Anchor purchases had been made by Seago. However, the DOE found that Seago had merged into Mid Continent, and consequently, the right to the Anchor refund belonged to Mid Continent, not to the former owner of Seago. Accordingly, the application filed by Mid Continent was granted and that filed by Seago was denied. For these same reasons, the DOE rescinded a refund previously granted to Seago in the ARCO special refund proceeding.

*Pan Ocean Shipping Co., Ltd., 2/4/97, RG272-381*

The Department of Energy (DOE) issued a Decision and Order (D&O) granting an Application for Refund that was filed by Pan Ocean Shipping Co., Ltd. (Pan Ocean) in the crude oil refund proceeding. In the Decision, the OHA approved Pan Ocean's estimation methodology, which was based on their ships' average daily fuel consumption, the number of days that their voyages lasted, and the petroleum product purchasing patterns of their vessels. Pan Ocean was granted a refund of \$184,469.

#### 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.

AJO TRADING CORPORATION .....	RJ272-35	2/4/97
BLUFF CREST, INC .....	RJ272-36	.....
ALTAIR AIRLINES, INC .....	RG272-620	2/7/97
NORTHERN COOPERATIVE, INC. ET AL .....	RG272-640	2/7/97
RUDYARD COOPERATIVE COMPANY .....	RG272-658	2/4/97

#### Dismissals

The following submissions were dismissed.

Name	Case No.
ENERGY MARKET & POLICY ANALYSIS, INC .....	VFA-0259
ENSERCH CORPORATION .....	RG272-00495
FARMERS UNION COOPERATIVE CO .....	RG272-00584
KUMM FARM INC .....	RF272-89420
L. KRUPP CONSTRUCTION CO., INC .....	RG272-00855
LANKIN FARMERS GRAIN CO .....	RG272-00770
LYNNEDALE PLANTING CO., INC .....	RF272-89268
MIK COOP TRUCKING ASSN .....	RG272-00896
NERSTRAND FARMERS MERC. & ELEV. CO .....	RG272-00664
NEW YORK TELEPHONE COMPANY .....	RF272-89009
THE CALIFORNIA STATE UNIVERSITY .....	RF272-87979
WEST SHORE CONSTRUCTION .....	RG272-00789
XEROX CORPORATION .....	RF272-93346

[FR Doc. 97-5516 Filed 3-5-97; 8:45 am]

BILLING CODE 6450-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[OPPT-00210; FRL-5592-9]

### National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances (NAC/AEGL); Open Meeting

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

**ACTION:** Notice of open meeting and chemicals to be addressed.

**SUMMARY:** A meeting of the National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances (NAC/AEGL) will be held on March 17-19, 1997, in Washington, D.C. At this meeting, the committee will continue deliberations as time permits on various aspects of the acute toxicology and development of Acute Exposure Guideline Levels (AEGLs) for the following chemicals: ethylene oxide; phosgene; aniline; toluene 2,6-diisocyanate and 2,4-isomer; isopropyl chloroformate; and hydrogen chloride.

**DATES:** A meeting of the NAC/AEGL will be held from 10 a.m. to 5 p.m. on Monday, March 17; from 8:30 a.m. to 5:00 p.m. on March 18; and from 8:30 a.m. to 11:15 a.m. on March 19, 1997.

**ADDRESSES:** The meeting will be held in Hearing Room C on the first floor of the Interstate Commerce Commission Building, 1201 Constitution Avenue NW, Washington, D.C.

**FOR FURTHER INFORMATION CONTACT:** Dr. Paul S. Tobin, Office of Prevention, Pesticides, and Toxic Substances (7406), 401 M St. SW., Washington, D.C. 20460, (202) 260-1736, e-mail: tobin.paul@epamail.epa.gov.

**SUPPLEMENTARY INFORMATION:** For further information on the scheduled meeting, the activities of the committee or the submission of information on chemicals to be discussed at the meeting, contact Dr. Paul S. Tobin, the Designated Federal Officer (DFO) (see FOR FURTHER INFORMATION CONTACT).

The meeting of the NAC/AEGL will be open to the public. Oral presentations or statements by interested parties will be limited to ten minutes. Since seating for outside observers may be limited, those wishing to attend the meeting as observers should contact the NAC/AEGL DFO at the earliest possible date to insure adequate seating arrangements. Inquiries regarding oral presentations and the submission of written

statements or chemical specific information should also be directed to the DFO.

Another meeting of the NAC/AEGL is expected to be held in Washington, D.C. in June, 1997. It is anticipated that chemicals to be addressed at this meeting will include, but not necessarily be limited to the following: ammonia, carbon tetrachloride, allyl amine, ethylene imine, methyl isocyanate, chlorine trifluoride, diborane, methyl chloroformate, and propyl chloroformate. Inquiries regarding the submission of data, written statements or chemical-specific information on these chemicals should be directed to the DFO at the earliest date possible to allow for consideration of this information in the preparation of committee materials.

#### List of Subjects

Environmental protection.

Dated: February 27, 1997.

Joseph A. Carra,

*Acting Director, Office of Pollution Prevention and Toxics.*

[FR Doc. 97-5684 Filed 3-5-97; 8:45 am]

BILLING CODE 6560-50-F

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Sunshine Act Meeting

**AGENCY HOLDING THE MEETING:** Equal Employment Opportunity Commission.

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** 62 FR 9430, Monday, March 3, 1997.

**PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING:** 2:00 p.m. (Eastern Time) Tuesday, March 11, 1997.

#### CHANGE IN THE MEETING:

##### Open Session

Item No. 2.B. Task Force presentation on Litigation Strategy has been removed from the agenda.

**CONTACT PERSON FOR MORE INFORMATION:** Frances M. Hart, Executive Officer, on (202) 663-4070.

Dated: March 3, 1997.

Frances M. Hart,

*Executive Officer, Executive Secretariat.*

[FR Doc. 97-5602 Filed 3-3-97; 4:28 pm]

BILLING CODE 6750-06-M

## FEDERAL ELECTION COMMISSION

### Sunshine Act Meeting

*Tuesday, March 11, 1997 at 10:00 a.m.*

**PLACE:** 999 E Street, N.W., Washington, DC.

**STATUS:** This meeting will be closed to the public.

#### ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.

Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.

Matters concerning participation in civil actions or proceedings or arbitration.

Internal personnel rules and procedures or matters affecting a particular employee.

*Thursday, March 13, 1997 at 10:00 a.m.*

**PLACE:** 999 E Street, N.W., Washington, DC (ninth floor).

**STATUS:** This meeting will be open to the public.

#### ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes.

Advisory Opinion 1997-01: Susan Bevill Livingston on behalf of Tom Bevill and the Bevill Foundation.

Petition for Rulemaking Filed by James Bopp, Jr., on Behalf of the National Right to Life Committee, Inc.; Notice of Availability.

Administrative Matters.

#### PERSON TO CONTACT FOR INFORMATION:

Mr. Ron Harris, Press Officer, Telephone: (202) 219-4155.

Marjorie W. Emmons,

*Secretary of the Commission.*

[FR Doc. 97-5729 Filed 3-4-97; 2:37 pm]

BILLING CODE 6715-01-M

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board