

**Standard Paragraph**

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

*Secretary.*

[FR Doc. 95-28177 Filed 11-14-95; 8:45 am]

BILLING CODE 6717-01-P

**[Docket No. CP95-614-000]****Paiute Pipeline Co.; Notice of Availability of the Environmental Assessment for the Proposed Paiute LNG Trucking Project**

November 8, 1995.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) has prepared an environmental assessment (EA) on the natural gas pipeline facilities proposed by Paiute Pipeline Company (Paiute) in the above-referenced docket.

The EA was prepared to satisfy the requirements of the National Environmental Policy Act. The staff concludes that approval of the proposed project, with appropriate mitigating measures, would not constitute a major Federal action significantly affecting the quality of the human environment.

The EA assesses the potential environmental effects of the construction project which includes the following facilities: and operation of Paiute's proposed liquefied natural gas (LNG) trucking

- About 330 feet of 3-inch-diameter transfer piping;
- A 115-foot-long drainage channel;
- A cryogenic flexible hose;
- Isolation and relief valves; and
- Other appurtenant facilities.

The purpose of the project is to construct an LNG truck unloading station to give Paiute the ability to provide its LNG storage service customers with additional options for

helping to meet their peak demand, emergency, or other requirements.

The EA has been placed in the public files of the FERC and is available for public inspection at: Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, DC 20426, (202) 208-1371.

Copies of the EA have been mailed to Federal, State and local agencies, public interest groups, interested individuals, newspapers, and parties to this proceeding.

A limited number of copies of the EA are available from: Mr. James Dashukewich, Environmental Project Manager, Environmental Review and Compliance Branch I, Office of Pipeline Regulation (PR11.1), 888 First Street, N.E., Washington, DC 20426, (202) 208-0117.

Any person wishing to comment on the EA may do so. Written comments must reference Docket No. CP95-614-000, and be addressed to: Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426.

Comments should be filed as soon as possible, but must be received no later than December 8, 1995, to ensure consideration prior to a Commission decision on this proposal. A copy of any comments should also be sent to Mr. James Dashukewich, Environmental Project Manager, at the above address.

Comments will be considered by the Commission but will not serve to make the commentor a party to the proceeding. Any person seeking to become a party to the proceeding must file a motion to intervene pursuant to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214).

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.

Additional information about this project is available from Mr. James Dashukewich, Environmental Project Manager.

Lois D. Cashell,

*Secretary.*

[FR Doc. 95-28132 Filed 11-14-95; 8:45 am]

BILLING CODE 6717-01-M

**[Project No. 2680-017 Michigan]****Consumers Power Company and the Detroit Edison Company; Notice of Availability of Final Environmental Assessment**

November 8, 1995.

A final environmental assessment (FEA) is available for public review. The FEA is for a settlement agreement containing proposed measures for fish protection and angler access at the Ludington Pumped Storage Project (FERC No. 2680). The FEA finds that approval of the settlement agreement and implementation of the proposed measures for fish protection and angler access would not constitute a major federal action significantly affecting the quality of the human environment. The Ludington Pumped Storage Project is located on the eastern shore of Lake Michigan in Mason County, Michigan.

The FEA was prepared by staff in the Office of Hydropower Licensing, Federal Energy Regulatory Commission. Copies of the FEA can be viewed at the Commission's Reference and Information Center, Room 2-A, 888 1st Street, N.E., Washington, D.C. 20426. Copies can also be obtained by calling the project manager listed below. For more information, please contact the project manager, John Mudre, at (202) 219-1208.

Lois D. Cashell,

*Secretary.*

[FR Doc. 95-28134 Filed 11-14-95; 8:45 am]

BILLING CODE 6717-01-M

**Office of Hearings and Appeals****Determination of Excess Petroleum Violation Escrow Funds for Fiscal Year 1996**

**AGENCY:** U.S. Department of Energy, Office of Hearings and Appeals

**ACTION:** Notice of Determination of Excess Monies Pursuant to the Petroleum Overcharge Distribution and Restitution Act of 1986.

**SUMMARY:** The Petroleum Overcharge Distribution and Restitution Act of 1986 requires the Secretary of Energy to determine annually the amount of oil overcharge funds held in escrow that is in excess of the amount needed to make restitution to injured parties. Notice is hereby given that \$19,800,470 of the amounts currently in escrow is determined to be excess funds for fiscal year 1996. Pursuant to the statutory directive, these funds will be made

available to state governments for use in specified energy conservation programs.

**FOR FURTHER INFORMATION CONTACT:**

Thomas O. Mann, Deputy Director,  
Roger Klurfeld, Assistant Director,  
Office of Hearings and Appeals, U.S.  
Department of Energy, 1000  
Independence Avenue, SW.,  
Washington, DC 20585, (202) 586-2094  
[Mann]; (202) 586-2383 [Klurfeld].

**SUPPLEMENTARY INFORMATION:** The Petroleum Overcharge Distribution and Restitution Act of 1986 (hereinafter PODRA), contained in Title III of the Omnibus Budget Reconciliation Act of 1986, Pub. L. No. 99-509, establishes certain procedures for the disbursement of funds collected by the Department of Energy (hereinafter DOE) pursuant to the Emergency Petroleum Allocation Act of 1973 (hereinafter EPAA) or the Economic Stabilization Act of 1970 (hereinafter ESA). These funds, commonly referred to as oil overcharge funds, are monies obtained through enforcement actions instituted to remedy actual or alleged violations of those Acts.

PODRA requires the DOE, through the Office of Hearings and Appeals (hereinafter OHA), to conduct proceedings under 10 CFR Part 205, Subpart V, to accept claims for restitution from the public and to refund oil overcharge monies to persons injured by violations of the EPAA or the ESA. In addition, PODRA requires the Secretary of Energy to determine annually the amount of oil overcharge funds that will not be required for restitution to injured parties in these refund proceedings and to make this excess available to state governments for use in four energy conservation programs. This determination must be published in the Federal Register within 45 days after the beginning of

each fiscal year. The Secretary has delegated this responsibility to the OHA Director.

Notice is hereby given that based on the best currently available information, \$19,800,470 is in excess of the amount that is needed to make restitution to injured parties.

To arrive at that figure, the OHA has reviewed all accounts in which monies covered by PODRA are deposited. PODRA generally covers all funds now in DOE escrow which are derived from alleged violations of the EPAA or the ESA, with certain exclusions. Excluded are funds which (1) have been identified for indirect restitution in orders issued prior to enactment of PODRA; (2) have been identified for direct restitution in a judicial or administrative order; or (3) are attributable to alleged violations of regulations governing the pricing of crude oil and subject to the settlement agreement in *In re The Department of Energy Stripper Well Exemption Litigation*, M.D.L. No. 378 (D. Kan., July 7, 1986). As of September 30, 1995, the total in escrow subject to the PODRA procedures was \$142,608,733.

The OHA has employed the following methodology to determine the amount of excess funds. We took special account of the provision of PODRA which directs that "primary consideration [be given] to assuring that at all times sufficient funds (including a reasonable reserve) are set aside for making [direct] restitution." Thus, in proceedings in which refund claims are pending, we have on a claim-by-claim basis examined pending claims and established reserves sufficient to pay the entire amount of these claims. The reserves also include all refunds ordered by the OHA since the end of the last fiscal year on September 30, 1995, but not yet paid. For proceedings in which all claims have been considered or in

which no claims have been filed, and the deadline for filing claims has passed, all funds remaining are excess. Small amounts of interest accrued, until transfer, on funds in accounts that were closed (with a zero balance) in the fiscal year 1995 PODRA determination (59 F.R. 56485 (1994)) are included as part of the "excess" for fiscal year 1996. Finally, a relatively small amount of oil overcharge funds is currently subject to the control of the Department's Office of General Counsel, which finds in its accompanying determination, as it has found in the past, that none of those funds are currently excess. No "other commitments" are reflected in the reserves.

As indicated above, the total escrow account equity subject to PODRA is \$142,608,733. The total amount needed as reserves for direct restitution in those cases is \$122,808,263. When this figure is subtracted from the former, the remainder—\$19,800,470—is the amount in fiscal year 1996 that is "in excess" of the amount that will be needed to make restitution to injured persons. Appendix A sets forth for each refund case within the OHA's jurisdiction the total amount eligible for distribution under PODRA and the "excess" amount. Appendix B reflects information supplied by the Office of General Counsel regarding cases subject to PODRA under its jurisdiction.

Accordingly, \$19,800,470 will be transferred to a separate account within the United States Treasury and made available to the States for use in the four designated energy conservation programs in the manner prescribed by PODRA.

Dated: November 8, 1995.

George B. Breznay,

Director Office of Hearings and Appeals.

APPENDIX A: EXCESS AMOUNT AVAILABLE IN FISCAL YEAR 1996

Name	OHA Case No.	Consent Order No.	Equity as of Sept. 30, 1995	Amount available
Texaco Inc .....	KEF-0119	RTXE006A1Z	\$32,846,164.95	12,000,000.00
Tesoro Petroleum Corp .....	KEF-0128	BUBBBBBBBB	6,342,036.67	3,000,000.00
Enron Corporation .....	KEF-0116	730V00221Z	24,291,974.49	3,000,000.00
Eason Oil Company .....	LEF-0040	740S01314Z-	6,272,562.76	1,000,000.00
Cumberland Farms Dairy Inc .....	LEF-0068	120K00497T	201,355.38	201,355.38
N C Ginther Company .....	LEF-0060	710V03022T	159,226.03	159,226.03
Dalco Petroleum .....	HEF-0060	660T00642Z	99,639.84	99,639.84
Marathon Petroleum Co .....	KEF-0021	RMNA00001Z	59,045.52	59,045.52
Sunset Blvd Car Wash .....	LEF-0091-	999K90113T	57,375.27	57,375.27
General Equities, Inc. ....	HEF-0078	110H00527Z	39,236.78	39,236.78
Mockabee Gas & Fuel Co .....	VEF-0001	311H00342W	81,297.41	20,324.35
Murphy Oil Corporation .....	KEF-0095	RMUH01983Z	9,950.20	9,950.20
Regalia's Chevron Service .....	LEF-0102	999K90110T-	9,766.38	9,766.38
Joe Berube Services .....	LEF-0099	999K90101T	9,113.80	9,113.80
Weber's Chevron Service .....	LEF-0108	999K90119T	8,790.34	8,790.34
Hughes Burlingame Shell .....	LEF-0110	999K90100T	8,003.59	8,003.59
Tenth Street Chevron .....	LEF-0104	999K90115T	7,798.94	7,798.94

## APPENDIX A: EXCESS AMOUNT AVAILABLE IN FISCAL YEAR 1996—Continued

Name	OHA Case No.	Consent Order No.	Equity as of Sept. 30, 1995	Amount available
McDowell Exxon	LEF-0100	999K90104T	7,689.72	7,689.72
Elwood Chevron Service	LEF-0085	999K90098T	7,589.88	7,589.88
Starr Union Service	LEF-0103	999K90067T	7,442.32	7,442.32
Ed Gularte Chevron	LEF-0098	999K90095T	6,851.21	6,851.21
Cutting Shell Service	LEF-0097	999K90091T	5,290.83	5,290.83
C J King Chevron	LEF-0109	999K90089T	5,258.44	5,258.44
Aptos Shell	LEF-0092	999K90083T	5,040.57	5,040.57
Tom's Coffee Tree Chevron	LEF-0105	999K90116T	4,943.13	4,943.13
Bill Wren's Shell	LEF-0096	999K90087T	4,796.80	4,796.80
Petaluma Standard Service	LEF-0101	999K90106T	4,380.14	4,380.14
Walt's Shell	LEF-0107	999K90118T	3,912.92	3,912.92
Strasburger Enterprises, Inc	LEF-0014	400H00219Z	3,796.68	3,796.68
Redhill Mobil and Towing	LEF-0088	999K90109T	3,788.35	3,788.35
Quintana Energy Corp. et al	KEF-0131	650X00356Z	3,656.30	3,656.30
Ben's Exxon Service	HEF-0512	999K90085T	3,356.74	3,356.74
A-1 Exxon	HEF-0509	999K90080T	3,294.57	3,294.57
Berryesse Chevron	LEF-0095	999K90086T	3,221.20	3,221.20
Sandusky's Union Service	LEF-0111	999K90068T	3,136.18	3,136.18
Skycrest Shell	LEF-0112	999K90112T	2,470.19	2,470.19
Reinauer Petroleum Company Inc	KEF-0110	240H00492Z	2,360.61	2,360.61
Wallace Arco Service	LEF-0106	999K90117T	2,269.03	2,269.03
Agway, Inc	KEF-0102	RTYA00001Z	2,107.89	2,107.89
Half Moon Bay Exxon	LEF-0087	999K90099T	2,063.25	2,063.25
Ed's Exxon	LEF-0078	999K90097T	2,063.25	2,063.25
Bob's Broadway	LEF-0075	900Z40056T	1,732.74	1,732.74
Alameda Chevron	LEF-0093	999K90081T	1,608.89	1,608.89
Milbrae Shell	LEF-0079	900Z06293T	1,453.94	1,453.94
Miles Union Service	LEF-0083	900Z03258T	997.58	997.58
Ron's Shell	LEF-0084	900Z10251T	954.83	954.83
Alameda Chevron	LEF-0093	900Z06251T	881.07	881.07
Quantum Chemical Corporation	LEF-0011	720V01245Z	540.05	540.05
Clearview Gulf	LEF-0076	640Z00670T	493.44	493.44
Buchanan Shell Inc	LEF-0081	900Z10250T	464.13	464.13
Crescent Oil Company	LEF-0044	930H00094Z	262.89	262.89
Bob Hutchinson, Inc	LEF-0080	900Z02252T	224.82	224.82
Jim Campbell Shell	LEF-0082	900Z03255T	160.55	160.55
Automatic Comfort Corp	LEF-0005	110H00519A	81.22	81.22
Pete Alijian Chevron	LEF-0089	999K90062T	56.77	56.77
Shaw & 99 Chevron	LEF-0090	999K90061T	46.91	46.91
Indian Wells Oil Company	KEF-0103	710V02002Z	44.97	44.97
Beacon Oil Co	HEF-0203	910S00008Z	13.47	13.47
Exxon Corporation	KEF-0087	REXL00201Z	12.22	12.22
Mobil Oil Corporation	HEF-0508	RMOA00001Z	9.98	9.98
Edgington Oil Company	KEF-0003	930S00173Z	7.25	7.25
Aminoil U.S.A., Inc	HEF-0007	740V01259Y	5.40	5.40
Starks Shell Service	LEF-0034	999K90065Z	0.99	0.99
Fuel Oil Supply & Terminating	LEF-0037	650X00284Z	0.90	0.90
Fletcher Oil & Refining Comp	LEF-0010	960S00100Z	0.84	0.84
Pester Marketing Company	KEF-0134	730S01236Z	0.82	0.82
Wallace & Wallace	HEF-0190	240H00399Z	0.71	0.71
United Refining Company	KEF-0132	340S00445Z	0.69	0.69
Northeast Petrol Industry Corp	HEF-0580	6C0X00241Z	0.68	0.68
Crown Central Petroleum Corp	KEF-0044	RCWA00000Z	0.68	0.68
John R. Adams		660H00060Z	0.62	0.62
West Coast Oil Company	KEF-0142	961S00028Z	0.59	0.59
Sauvage Gas Service Co., Inc	KEF-0024	710H06008Z	0.54	0.54
Thomas P. Reidy, Inc	KEF-0137	720H06015Z	0.49	0.49
South Hampton Refining	HEF-0222	6E0S00002Z	0.49	0.49
Paul Invests & A.B. Holding Co	LEF-0006	400H00231Z	0.36	0.36
True Oil Company	HEF-0557	733V02019Z	0.34	0.34
Meadows Realty Company	KEF-0133	910S00001Z	0.21	0.21
Elias Oil Company	KEF-0022	412H00105Z	0.21	0.21
Diamond Industries, Inc	KEF-0130	320H00097Z	0.12	0.10
Witco Chemical Corp	HEF-0227	240S00054Z	821,970.84	
Vessels Gas Processing, Ltd	VEF-0007	740V01387W	2,199,706.37	
Vermont Morgan Corp	LEF-0072	110H00514T	22,282.76	
SOS Monarch Oil Corp	LEF-0066	240H00498T	6,483.36	
Skinney's Inc	LEF-0071	400H00227T	17,583.72	
Shell Oil Company	KEF-0093	RSHA00001Z	5,109,102.39	
Reco Petroleum Inc	LEF-0065	320H00304T	29,094.44	
Permian Corporation	LEF-0035	650X00246T	1,448,669.60	

APPENDIX A: EXCESS AMOUNT AVAILABLE IN FISCAL YEAR 1996—Continued

Name	OHA Case No.	Consent Order No.	Equity as of Sept. 30, 1995	Amount available
Oasis Petroleum Corp .....	LEF-0007	940X00217Z	1,958,919.08	.....
Metropolitan Petroleum Co., Inc .....	LEF-0032	412H00171Z	31,791.08	.....
Maxwell Oil Co .....	HEF-0125	000H00425Z	16,989.66	.....
MacMillan Oil Company, Inc .....	LEF-0046	730T00031Z	776,412.71	.....
Lampton-Love Inc .....	LEF-0070	422T00013T	14,268.26	.....
Kickapoo Oil .....	LEF-0069	570H00214T	44,856.57	.....
Kenny Larson Oil Co .....	HEF-0104	000H00439W	16,698.27	.....
Jedco Inc .....	VEF-0024	421K00107W	3,900.40	.....
Jaguar Petroleum Inc .....	LEF-0059	640X00444T	70,892.67	.....
Intercoastal Oil Co .....	LEF-0057	940X00076T	31,808.81	.....
Hudson Oil Co., Inc .....	VEF-0011	740S01258W	8,302,081.45	.....
Houston/Pasadena Apache Oil Corp ...	VEF-0022	BJB BBB B B B B B	17,586.84	.....
Houma Oil Co .....	VEF-0023	640H10422W	389,866.49	.....
Gulf States Oil & Refining .....	LEF-0073	6E0S00057T	549,574.45	.....
Gulf Oil Corporation .....	HEF-0590	RGFA00001Z	4,616,812.65	.....
Gratex/Compton Corp .....	VEF-0012	6A0X00340W	2,395,517.65	.....
Good Hope Refineries Inc .....	HEF-0211	150S00154Z	3,580,301.02	.....
Getty Oil Company .....	HEF-0209	RGEA00001Z	5,869,839.59	.....
General Petroleum .....	LEF-0064	550H00075T	25,344.63	.....
G & G Oil Company .....	LEF-0063	550H00332T	53,962.59	.....
Este Oil Company .....	LEF-0062	533H00163T	69,281.20	.....
Empire Gas Corporation .....	KEF-0048	720T00521Z	494,691.10	.....
E-Z Service Inc .....	LEF-0077	400H00220T	304,476.24	.....
Crude Oil Purchasing Inc .....	LEF-0058	6A0X00269T	103,042.97	.....
Capitol 66 Oil Company .....	LEF-0067	422H00238T	17,327.19	.....
Bell Fuels Inc .....	LEF-0061	570H00195T	37,338.80	.....
Beacon Bay Enterprises, Inc .....	LEF-0074	999K90120T	83,189.99	.....
Atlantic Richfield Co (Arco) .....	HEF-0591	RARH00001Z	18,324,396.18	.....
AOC Acquisition Corporation .....	LEF-0003	RCKH016A1Z	9,164,609.23	.....
Anchor Gasoline Corporation .....	KEF-0120	740S01247Z	4,973,880.63	.....
Total .....			142,608,733.83	19,800,470.00

Department of Energy,  
 Washington, DC 20585, October 31, 1995.  
 MEMORANDUM FOR: George B. Breznay,  
 Director, Office of Hearings and Appeals.  
 FROM: Bill J. Eaton, Director, Office of  
 Administration, Office of General  
 Counsel.  
 SUBJECT: GC input for the PODRA section  
 3003 (c) report.

My office has reviewed the funds held in escrow as of September 30, 1995, which have not been petitioned under Subpart V. The purpose of the review was to identify funds held in escrow in excess of the amounts required to effect restitution to persons or classes of persons in accordance with Section 3003 (b)(1) of the Petroleum Overcharge Distribution and Restitution Act of 1986 (PODRA). Since the amount of funds which will be available and the extent of claims which will be filed are not known, the funds currently on deposit in the escrow accounts we reviewed are not excess funds for the purposes of PODRA.

[FR Doc. 95-28195 Filed 11-9-95; 3:58 pm]

BILLING CODE 6450-01-P

**ENVIRONMENTAL PROTECTION AGENCY**

[FRL-5332-1]

**Agency Information Collection Activities Under OMB Review**

**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 the Office of Management and Budget's (OMB) responses to Agency PRA clearance requests. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

**FOR FURTHER INFORMATION CONTACT:**  
 Sandy Farmer (202) 260-2740, Please refer to the EPA ICR No.

**SUPPLEMENTARY INFORMATION:**

OMB Responses to Agency PRA Clearance Requests

*OMB Approvals*

EPA ICR No. 0012.09; Motor Vehicle and Non-Road Engine Exclusion Determination; was approved 07/31/95; OMB No. 2060-0124; expires 07/31/98.

EPA ICR No. 0270.34; Public Water System Supervision Program, Public Notification and Education Requirements; was approved 09/27/95; OMB No. 2040-0090; expires 03/31/97.

EPA ICR No. 1170.05; Collection of Economic and Program Support Data; was approved 08/23/95; OMB No. 2040-0034; expires 08/31/98.

EPA ICR No. 1051.06; NSPS Subpart F, Portland Cement Plants; was approved 08/30/95; OMB No. 2060-0025; expires 08/31/98.

EPA ICR No. 0143.05; Recordkeeping Requirements for Producers of Pesticides Under Section 8 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); was approved 08/14/95; OMB No. 2070-0028;; expires 08/31/98.

EPA ICR No. 1284.04; New Source Performance Standard for the Polymeric Coating of Supporting Substrates