

(5) The statement listed below, signed by the individual applicant or a responsible official of the firm filing the refund application:

I swear (or affirm) that the information contained in this application and its attachments is true to the best of my knowledge and belief. I understand that anyone who is convicted of providing false information to the federal government may be subject to a fine, jail sentence, or both, pursuant to 18 U.S.C. § 1001. I understand that the information contained in this application is subject to public disclosure. I have enclosed a duplicate of this entire application, which will be placed in the OHA public reference room.

All applications should be either typed or printed clearly and labeled "Mockabee Gas & Fuel Oil Co. (Case No. VEF-0001) Special Refund Proceeding." Each applicant must submit an original and one copy of the application. If the applicant believes that any of the information in its application is confidential and does not wish for that information to be publicly disclosed, it must submit an original application, clearly designated "confidential," containing the confidential information, and two copies of the application with the confidential information deleted. All refund applications should be postmarked on or before September 29, 1995 and sent to: Mockabee Gas & Fuel Oil Co. Special Refund Proceeding, Office of Hearings and Appeals, Department of Energy, 1000 Independence Ave., S.W., Washington, DC 20585.

C. Refund Applications Filed by Representatives

We adopt the standard OHA procedures relating to refund applications filed on behalf of applicants by "representatives," including refund filing services, consulting firms, accountants, and attorneys. See, e.g., *Stark's Shell Service*, 23 DOE ¶ 85,017 (1993); *Texaco, Inc.*, 20 DOE ¶ 85,147 (1990); *Shell Oil Co.*, 18 DOE ¶ 85,492 (1989). We will also require strict compliance with the filing requirements as specified in 10 C.F.R. § 205.283, particularly the requirement that applications and the accompanying certification statement be signed by the applicant. The OHA reiterates its policy to closely scrutinize applications filed by filing services. Applications submitted by a filing

disadvantage. See *Marathon Petroleum Co./Pilot Oil Corp.*, 16 DOE ¶ 85,611 (1987), amended, claim denied, 17 DOE ¶ 85,291 (1988), reconsideration denied, 20 DOE ¶ 85,236 (1990). Furthermore, if an affiliate of the Remedial Order firm were granted a refund, the Remedial Order firm would be indirectly compensated from a Remedial Order fund remitted to settle its own alleged violations.

service should contain all of the information indicated in this Decision.

Finally, the OHA reserves the authority to require additional information before granting any refund in this proceeding. Applications lacking the required information may be dismissed or denied.

D. Distribution of Funds Remaining After First Stage

Any funds that remain after all first stage claims have been decided will be distributed in accordance with the provisions of the Petroleum Overcharge Distribution and Restitution Act of 1986 (PODRA), 15 U.S.C. 4501-07. The PODRA requires that the Secretary of Energy determine annually the amount of oil overcharge funds that will not be required to refund monies to injured parties in Subpart V proceedings and make those funds available to state governments for use in four energy conservation programs. The Secretary has delegated these responsibilities to the OHA, and any monies in the Mockabee fund that the OHA determines will not be needed to effect direct restitution to injured customers will be distributed in accordance with the provisions of the PODRA.

It is therefore ordered that: (1) Applications for Refund from the funds remitted to the Department of Energy by Mockabee Gas & Fuel Oil Co. pursuant to the Modified Remedial Order dated April 10, 1985 may now be filed.

(2) Applications must be postmarked no later than September 29, 1995.

Dated: June 12, 1995.

George B. Breznay,

Director, Office of Hearings and Appeals.

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ENVIRONMENTAL PROTECTION AGENCY

[FRL-5222-6]

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 that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected cost and burden.

DATES: Comments must be submitted on or before July 19, 1995.

FOR FURTHER INFORMATION CONTACT:

For further information, or to obtain a copy of the ICR contact Sandy Farmer at EPA, (202) 260-2740, please refer to EPA ICR #1753.01.

SUPPLEMENTARY INFORMATION:

Office of Research and Development

Title: National Survey of Gross Alpha Methodology (EPA ICR No. 1753.01).

Abstract: The purpose of this survey is to assess the origins of statistical variance for gross alpha (radio-analytical) measurements performed on drinking water samples by laboratories as required under Section 1401 of the Safe Drinking Water Act (SDWA). The National Primary Drinking Water Regulations required under Section 1401 of the SDWA, and as described in a recent proposed rulemaking (vol. 56, No. 138 **Federal Register**) for gross alpha contamination, establish Maximum Contaminant Levels (MCLs) for radiological contamination, including gross alpha contamination in drinking water. In support of the SDWA and MCL Goals, a survey is needed to identify the source of inaccuracies in gross alpha data presently collected by USEPA and make appropriate changes to existing methodologies to ensure the accurate measurement and calculation of gross alpha contamination.

EPA will distribute the mail questionnaires and ask laboratories to voluntarily provide information that includes: (1) name, address, location and point of contact information, (2) type of radioanalytical methodology performed by laboratories, (3) quality control information, (4) efficiency curve data, and (5) types of counting instrumentation.

The EPA will collect the questionnaires and enter the information into computerized database for statistical analysis.

Burden Statement: Public reporting burden for this collection of information is estimated to average (1) hour per response including reviewing instructions, searching existing information sources, completing and reviewing the collection of information, and submitting the information to EPA.

Respondents: Federal, State, local, and private radio-analytical laboratories. *Estimated Number of Respondents:* 350.

Frequency of Collection: One time.

Estimated Number of Responses per Respondent: 1.

Estimated Total Annual Burden on Respondents: 350 hours.

Send comments regarding the burden estimate, or any other aspect of this