

request, if granted, would permit the firm to sell a certain portion of the crude oil produced for the benefit of the working interest owners from the J. W. Richardson No. 3 Well located in Lincoln County, Mississippi, at market price levels. On October 31, 1980, the DOE issued a Proposed Decision and Order and tentatively determined that exception relief should be denied.

*Fuelgas Company, Inc., Washington, D.C.; DEE-6099, propane.*

Fuelgas Company, Inc. filed an Application for Exception from the provisions of 39 CFR 212.11(c)(1). The exception request, if granted, would permit Fuelgas to establish a single class of purchaser and pricing structure for two propane marketing firms which Fuelgas has recently acquired and consolidated into one business operation. On October 31, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

*Celty Reserve Oil Company, Denver, Colorado; BEE-1343, crude oil.*

Celty Reserve Oil Company filed an Application for exception from the provisions of 10 CFR Part 212, Section D. The exception request, if granted, would result in an extension of exception relief previously granted and would permit the firm to sell a certain portion of the crude oil which it produces from the SL-071595A and SL-093551 Leases for the benefit of the working interest owners at market price levels. On October 28, 1980, the DOE issued a Proposed Decision and Order and tentatively determined that an extension of exception relief should be granted.

*Haber Oil Products, Pleasant Hill, California; DEE-0362, motor gasoline.*

Haber Oil Products filed an Application for Exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit Haber Oil Products to receive an increased amount of unleaded gas for the purpose of producing gasoline. On October 29, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

*J. J. Doherty and Co., Inc., Trenton, NJ; BEE-0739, Gasohol.*

J. J. Doherty and Co., Inc. filed an Application for Exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit the firm to receive an increased allocation of motor gasoline for the express purpose of blending and marketing gasohol. On October 30, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be granted.

*McCall Marketing Co., Portland, Oregon; BEE-1280, Gasohol.*

McCall Marketing Co. filed an Application for Exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit the applicant to receive an additional 5.7 million gallons of unleaded gasoline per year to enable it to expand its gasohol marketing operations. On October 28, 1980, the Department of Energy issued a

Proposed Decision and Order which determined that the exception request be granted in part and that McCall's base period allocation of unleaded gasoline be increased by 350,000 gallons per month.

*Montgomery Oil Company, Leeds, Alabama; BEE-0689, Gasohol.*

Montgomery Oil Company filed an Application for Exception from the provisions of 10 CFR Part 211. The exception request, if granted, would permit Montgomery to receive an increased allocation of unleaded gasoline with which to blend gasohol. On October 31, 1980, the Department of Energy issued a Proposed Decision and Order which determined that the exception request be denied.

*Petitions Involving the Motor Gasoline Allocation Regulations*

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocation of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be granted.

*Company Name, Case Number, and Location*

Lucia Lodge, DEE-5531, Monterey, CA  
Sawyer's Gen. Store, DEE-7269, Raymond, CA  
St. Lucie County, FL, BEE-1023, Ft. Pierce, FL.

The following firms filed Applications for Exception from the provisions of the Motor Gasoline Allocation Regulations. The exception requests, if granted, would result in an increase in the firms' base period allocation of motor gasoline. The DOE issued Proposed Decisions and Orders which determined that the exception requests be denied.

*Company Name, Case Number, and Location*

Kennedy Oil Co., DEE-5762, Streator, IL  
Louis H. Long, DEE-2610, Rapid City, SD  
Sea Shell Car Wash, BEE-1329, Jupiter, FL.  
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*Western Area Power Administration*

Eastern Division, Pick-Sloan Missouri Basin Program; Final Post-1985 Marketing Plan; Correction

AGENCY: Western Area Power Administration, Department of Energy.

ACTION: Corrections in announcement of the final Post-1985 marketing plan for the Eastern Division, Pick-Sloan Missouri Basin Program.

*Post-1985 Marketing Plan*

The following are corrections in previous Federal Register notice (45 FR 71860) published October 30, 1980. The corrections are on page 71861, column one. In paragraph three, line five, the sentence should read, "Such

commitments will total 35 MW in the summer season and 40 MW in the winter season." In paragraph four, line four, "1.6461 percent" should read "1.6361 percent".

Issued at Golden, Colorado, November 17, 1980.

Robert L. McPhail,  
Administrator.

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## ENVIRONMENTAL PROTECTION AGENCY

(EN-FRI 1674-2)

California State Motor Vehicle Pollution Control Standards; Waiver of Federal Preemption

AGENCY: Environmental Protection Agency.

ACTION: Waiver of Federal preemption.

**SUMMARY:** This decision grants California a waiver of Federal preemption to enforce amendments to its exhaust emission standards and test procedures for new motor vehicles reflecting the adoption of special oxides of nitrogen (NO<sub>x</sub>) exhaust emission standards for certain model year vehicles produced by qualified "small-volume, vendor-dependent" manufacturers.

**ADDRESS:** Information relevant to this decision is available for public inspection during normal working hours (8:00 a.m. to 4:30 p.m.) at: U.S. Environmental Protection Agency, Public Information Reference Unit, Room 2404 (EPA Library), 401 M St., S.W., Washington, D.C. 20460, (202) 755-2800. Copies of the standards and test procedures are also available upon request from the California Air Resources Board, 1102 Q Street, P.O. Box 2815, Sacramento, California 95812.

**FOR FURTHER INFORMATION CONTACT:** Jerry Schwartz, Attorney/Advisor, Manufacturers Operations Division, (EN-340), U.S. Environmental Protection Agency, Washington, D.C. 20460, (202) 472-9421.

**SUPPLEMENTARY INFORMATION:**

### I. Introduction

By this decision, issued under section 209(b) of the Clean Air Act, as amended (hereinafter the "Act"),<sup>1</sup> I am granting the State of California a waiver of Federal preemption to enforce amendments to its exhaust emission standards and test procedures. These amendments embody the adoption of

<sup>1</sup> 42 U.S.C. 7543 (b)(1977).