

crude oil, (iii) delivery of the crude oil to Corco on January 2, 1980 did not violate the requirement that crude oil be furnished for a period ending on December 31, 1979, and (iv) Chevron was justified in setting its price at the maximum level allowed by the Buy/Sell Program for crude oil sold in January 1980, the month in which title passed from Chevron to Corco. The DOE further determined that the possibility of modifying the pricing provisions of the temporary exception granted to Corco could more appropriately be addressed in the context of the review of a Proposed Decision and Order which tentatively grants Corco the same relief approved in the temporary exception order.

Larco America Refining Company, Inc., Casper, Wyoming, BEX-0086, crude oil

In a Supplemental Order issued August 15, 1980, the DOE extended and modified the temporary stay relief granted to the firm on August 1, 1980. Relief was extended for an additional five business days and the list of firms from whom Larco was obligated to purchase entitlements was altered to correct for technical difficulties.

Newhall Refining Company, Inc., Newhall, California, DEX-0011, crude oil

In accordance with Decisions and Orders issued to Newhall Refining Company, Inc. which granted the firm exception relief from the provisions of 10 C.F.R. 211.67 (the Entitlements Program) the firm submitted actual financial data for its 1977 fiscal year ended March 31, 1977. Upon reviewing the level of exception relief granted to Newhall under the applicable standards, the DOE determined that Newhall received the correct amount of entitlements for its 1977 fiscal year.

Protective Orders

The following firms filed Applications for Protective Orders. The applications, if granted, would result in the issuance by the DOE of the proposed Protective Order submitted by the firm. The DOE granted the following applications and issued the requested Protective Order as an Order of the Department of Energy:

Name, Case No., and Location

Dow Chemical USA, Cities Service Co., BEJ-0118, Wash., DC
Energy Coop., Inc., Chevron USA, Inc., BEJ-0121, Wash., DC

Petitions Involving the Motor Gasoline Allocation Regulations

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

Company name, Case No., and Location

Board Oil Co., Inc., DEE-6261; Camden, SC
Braza's Electric Power Coop., Inc., BEO-8715; Waco, TX
Don's Mobil Service, DEE-7063; St. Paul, MN

Grace Standard Serv., BEO-0335; Lawrence, KS
Heath Oil & Distributing Co., DEE-2337; Mena, AR
Jesse Davis, BEO-1065; Okla. City, OK
Dismissals

The following submissions were dismissed without prejudice to refiling at a later date:

Name and Case No.

Alco Energy Inc., BEE-1034
Edward Applegate, Esq., DEA-0594
Elmwood Car Wash, Inc., BRO-0277
Farmers Coop. Oil Co., BEE-1119
Farmers Union Central Exchange, BEE-0549; BSC-0011; BEJ-0056
Gas Del Oro, Inc., FIA-1429
IU International Corporation, DEE-6871
Toney Petroleum, Inc., BEE-0754
Willowbrook Service Station, DEE-8125
Wind Energy Report, BFA-0120
Zip-N-Go Food Stores, BEE-0955

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Western Area Power Administration

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

AGENCY: Western Area Power Administration, Department of Energy.

ACTION: Announcement of the final post-1985 marketing plan for the Eastern Division, Pick-Sloan Missouri Basin Program.

Background

The Eastern Division, Pick-Sloan Missouri Basin Program, operates an integrated power system located in Montana (east of the Continental Divide), North Dakota, South Dakota, western Minnesota, western Iowa, and eastern Nebraska. The power system consists of over 7,300 circuit miles of high-voltage transmission line and 90 substations. In the Eastern Division, Western Area Power Administration (Western) markets power to 230 preference customers from eight Federal powerplants on the Missouri River and the Big Horn River. Two powerplants, Yellowtail and Canyon Ferry in Montana, are operated by the Water and Power Resources Service (formerly the Bureau of Reclamation). The other powerplants are operated by the U.S. Army Corps of Engineers, namely: Fort Peck in Montana; Garrison in North Dakota; and Big Bend, Coase, Fort Randall, and Gavins Point in South Dakota. The total installed capacity of the eight powerplants is 2,398 megawatts. The Eastern Division power system is administered by Western's Billings Area Office.

Present commitments of commercial firm power (excluding project pumping)

in the Eastern Division total 1,982 megawatts in the summer and 1,967 megawatts in the winter. Contractual commitments terminate during the period 1985-1990, with most commitments terminating on December 31, 1985.

In January 1979, Western announced it would start planning for marketing Eastern Division hydropower for the period after 1985. Preliminary meetings were held with customers and other interested parties in March 1979 in Sioux Falls, South Dakota, and Billings, Montana. Western representatives described the planning information needed and basic options open to Western. Comments and suggestions were requested.

During the balance of 1979, new depletion studies for the Missouri River were completed by the Upper Missouri Region of the Water and Power Resources Service (Service). These new depletion studies were used by the U.S. Army Corps of Engineers (USCE), Missouri River Division, in new generation studies for main-stem Missouri River powerplants. New resource data were made available to Western in March and April 1980.

Informal public information forums were held in Fargo, North Dakota; Sioux Falls, South Dakota; and Billings, Montana in May 1980. Western representatives presented a 73-page report which contained considerable detail on resources available and refined options for marketing actions. Comments were requested.

Formal public information forums were held in Sioux Falls, South Dakota; Fargo, North Dakota; and Billings, Montana, in late June 1980. Western representatives presented a 46-page report which contained Western's proposals for post-1985 marketing of Eastern Division power. All comments received following the informal public information forums held in early May were considered in the preparation of the proposed marketing plan. Comments were again requested.

Public Comment Forums were held in Billings, Montana; Bismarck, North Dakota; Moorhead, Minnesota; Sioux City, Iowa; Lincoln, Nebraska; and Mitchell, South Dakota, in late August 1980. These forums gave customers and other interested parties an opportunity to present oral and/or written comments on the marketing plan proposed in June 1980. The comment period closed on September 12, 1980. All comments received since March 1979 were carefully considered in preparing the final marketing plan.

Post-1985 Marketing Plan

Major elements of the final post-1985 marketing plan are listed below:

1. Power and energy from existing Eastern Division resources will be marketed in the existing Eastern Division marketing area. This marketing area was established in 1953 and includes Montana (east of the Continental Divide), North Dakota, South Dakota, and specific areas in western Iowa, western Minnesota, and eastern Nebraska.

2. Existing commitments to existing customers will be extended through December 31, 1990. These commitments total 1982 MW in the summer season and 1967 MW in the winter season. Customers receiving an extension will be required to adopt an approved conservation program by July 1982 as described in Public Information Forums held in June 1980.

3. New commitments will be made to preference entities within the existing marketing area which meet the criteria for new customers set forth in the June 1980 report. Such commitments will total 34 MW in the winter season. Assignments of power to new customers will be based on actual loads experienced in the 1979 summer and the 1979-80 winter, except that no such new customer will receive more than 5,000 kilowatts. New customers will be required to adopt an approved conservation program by July 1982.

4. Western will reserve the right to reduce commitments made to existing and new customers through 1990 by up to 1.6461 percent of such commitments in the summer season only. Such reductions would be made only if required because of new depletions or new project pumping requirements. Also, reductions would be made only after giving 5 years notice to customers, and existing customers would receive no reductions prior to the date their existing contract would have terminated.

5. Western will market firm power at system load factors for as long as possible. However, Western will reserve the right to limit energy deliveries to energy associated with a monthly load factor of 75 percent through 1990. Such limitations of energy deliveries will be made only after giving 3 years notice to customers.

6. Western will continue to market firm peaking power in the same manner as presently in force in firm peaking power contracts.

7. Western will commit power to customers for the period 1991 through 2000. Such commitments will total 1984 MW in the summer season and 2000

MW in the winter season. New commitments in 1991 will be 1.6361 percent less than 1990 commitments in the summer season and 0.34878 percent less than 1990 commitments in the winter season. This represents a total reduction in commitments for the 1991-2000 period of 33 MW in the summer and 7 MW in the winter. Existing customers which have annual contract commitments at this time will be required to accept seasonal commitments as of January 1991. Seasonal commitments will be based on 1976-1979 load patterns.

8. Western will reserve the right to reduce commitments made to customers for the 1991-2000 period by up to 7.3589 percent in summer seasons only (a total of 148 MW). Such reductions would be made only if required because of new depletions or new project pumping requirements. Also, reductions would be made only after giving 5 years notice to customers.

9. Western will continue to market firm power at as near to system load factors as possible, but Western will reserve the right to limit monthly load factors to 70 percent if necessary in the 1991-2000 period. A 3-year notice would be given prior to requiring such limitation.

10. Western will study each new resource available to the Eastern Division at the time it is authorized and will determine the best method of marketing new power available through a public involvement process with existing and potential new customers.

Western will market new resources from new facilities to the existing marketing area and to potential customers in an expanded marketing area on a case by case basis. The expanded marketing area would include all or parts of the Missouri Basin States of Montana, North Dakota, South Dakota, Minnesota, Iowa, Nebraska, and Kansas.

Comments

A total of 202 comments were received from customers and other interested parties. Most comments were very favorable.

A majority of those commenting agreed with elements 1-9 of the marketing plan as described above. Many elements were agreed to by a large majority of entities commenting. For example, 95 percent agreed with marketing existing resources within the existing marketing area. A large majority of comments suggested that new resources from new facilities be marketed to the existing marketing area or that customers within the existing marketing area be given priority or a

right of first refusal before such resources are marketed to an expanded marketing area. Western believes that new resources at new facilities, when and if authorized, may be such that it will be desirable to market a portion of them to an expanded marketing area on a case by case basis. This does not necessarily mean that all new resources at new facilities would be marketed to an expanded area. However, Western believes the flexibility to take such action would be desirable.

ADDRESS: Inquiries regarding this final marketing plan should be directed to: Mr. James D. Davies, Area Manager, Billings Area Office, U.S. Department of Energy, Western Area Power Administration, P.O. Box EGY, Billings, MT 59101, Telephone: (406) 657-6532.

SUPPLEMENTARY INFORMATION:

Transcripts were made of the June 1980 public information forums and the August 1980 public comment forums. Comments on the marketing plan have been received from March 1979 through September 1980. Transcripts and all comments received and Western's responses are on file at Western's Billings Area Office in the Federal Building at North 28th Street and 3rd Avenue North in Billings, Montana, and at Western's Headquarters Office at 1536 Cole Boulevard in Golden, Colorado. Interested parties may examine transcripts and comment files at those locations. In addition, a copy of all comments received and Western's responses may be obtained for the cost of reproduction by request to the Billings Area Office.

Issued at Golden, Colorado, October 24, 1980.

Robert L. McPhail,
Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

[FNL 1620-8; OPTS-51144]

Ethene-Alkene-Vinyl Carbonyl Amine Polymer; Premanufacture Notice

Correction

On page 65030 in the issue of Wednesday, October 1, 1980, the document on Ethene-Alkene-Vinyl carried a misprinted Federal Register document number. At the bottom of the third column of page 65031, "FR Doc. 80-3037" should have read "FR Doc. 80-30371".

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