

the Public Docket Room of the Office of Hearings and Appeals, Room B-120, 2000 M Street, N.W., Washington, D.C. 20461, Monday through Friday, between the hours of 1:00 p.m. and 5:00 p.m., e.s.t., except Federal holidays. They are also available in *Energy Management: Federal Energy Guidelines*, a commercially published loose leaf reporter system.

Melvin Goldstein,
Director, Office of Hearings and Appeals.
March 30, 1979.

[FR Doc. 79-10713 Filed 4-5-79; 8:45 am]

BILLING CODE 6450-01-M

Objections Filed; Week of March 19 Through March 25, 1979

Notice is hereby given that during the week of March 19 through March 23, 1979 the Notices of Objection to a Proposed Remedial Order listed in the Appendix to this notice were filed with the Office of Hearings and Appeals of the Department of Energy.

On or before April 26, 1979, any person who wishes to participate in any of the proceedings which the Department of Energy will conduct concerning the Proposed Remedial Orders described in the Appendix to this notice must file a request to participate, pursuant to 10 CFR 205.194 (44 Fed. Reg. 7926, February 7, 1979). On or before May 7, 1979, the Office of Hearings and Appeals will determine those persons who may participate on an active basis in these proceedings, and will prepare official service lists which it will mail to all persons who filed requests to participate in the proceeding. Persons may also be placed on the official service list as nonparticipants for good cause shown. All requests regarding these proceedings shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

Issued in Washington, D.C., March 30, 1979.

Melvin Goldstein,
Director, Office of Hearings and Appeals.

Delta Refining Company (a subsidiary of Earth Resources Company of Dallas), Dallas, Texas; DRO-0185, crude oil

On March 22, 1979, the Delta Refining Company, a subsidiary of Earth Resources Company of Dallas, filed a Notice of Objection to a Proposed Remedial Order which the DOE National Office of Enforcement issued to the firm on March 8, 1979. In the Proposed Remedial Order, the Office of Enforcement found that during the period November 1974 through December 1976 Delta Refining Company had included in its crude oil runs to stills on its refiner's monthly report volumes of natural gas liquids (NGL's) which were not permitted by 10 CFR, Part 211. According to the Proposed Remedial Order Delta Refining Company's violations of the provisions of 10 CFR, Part 211 resulted in the firm receiving \$404,465.71 in excess entitlement benefits. Delta's mailing address is: Delta Refining Company, 1200 One Energy Square, Dallas, Texas 75206.

Glenn Martin Heller, Boston, Massachusetts; DRO-0184, motor gasoline

On March 21, 1979, Glenn Martin Heller d/b/a Beacon Hill Gulf filed a Notice of Objection to a Proposed Remedial Order that the DOE Region I Office issued to him on March 6, 1979. In the Proposed Remedial Order, the Regional Office found that during the period from August 18, 1976 to the present, Heller sold and is selling motor gasoline to customers at his Boston, Massachusetts retail sales outlet at prices which were and continue to be in excess of the ceiling price levels specified in 10 CFR, Part 212. According to the Proposed Remedial Order, Heller's violations of the provisions of 10 CFR, Part 212 resulted in overcharges to his customers of \$77,406.22 during the period December 1, 1976 through December 6, 1978. Since December 7, 1978, the Regional Office found that Heller has increased his selling prices and is likely to be in further violation of 10 CFR, Part 212. Heller's address is: Beacon Hill Gulf, 358 Cambridge Street, Boston, Massachusetts 02114.

McCormick Oil and Gas Corporation, Houston, Texas; DRO-0186, crude oil

On March 22, 1979, McCormick Oil and

Gas Corporation filed a Notice of Objection to a Proposed Remedial Order which the DOE Region VI Office issued to the firm on March 12, 1979. The Proposed Remedial Order tentatively determined that during the period September 1, 1973 through December 31, 1975, McCormick violated 6 CFR 150.354 and 10 CFR 212.73 by selling crude oil at prices which were in excess of the ceiling price. According to the Proposed Remedial Order the violations found to exist resulted in overcharges to McCormick's customers of \$78,277.22. McCormick's mailing address is: McCormick Oil and Gas Corporation, 1204 Tenneco Building, Houston, Texas 77002.

[FR Doc. 79-10711 Filed 4-5-79; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF ENERGY

Office of Hearings and Appeals

Cases Filed; Week of March 2 Through March 9, 1979

Notice is hereby given that during the week of March 2, 1979 through March 9, 1979, the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under the DOE's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the DOE action sought in such cases may file with the DOE written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be April 6, 1979, or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, D.C. 20461.

March 29, 1979.

Melvin Goldstein,
Director, Office of Hearings and Appeals.

Appendix.—List of Cases Received by the Office of Hearings and Appeals

[Week of Mar. 2, 1979 through Mar. 9, 1979]

Date	Name and Location of Applicant	Case No.	Type of Submission
Mar. 2, 1979	Amoco Oil Company, Chicago, Ill.	DES-0338; DEST-0338; DEA-0338.	Request for stay; Request for temporary stay; appeal of ERA decision and order, if granted: The ERA's February 21, 1979 decision and order regarding Amoco Oil Co.'s supply obligations to Rock Island Refining Corp. would be rescinded. Amoco Oil Co. would receive a temporary stay and stay of the decision and order pending a final determination on its appeal.
Do	Commonwealth Oil & Refining Co., Inc., Puerto Rico.	DEE-2245 and DES-2245.	Price exception (sec. 212.83); request for stay. If granted: Commonwealth Oil & Refining Co., Inc. would be permitted to increase its selling price of gasoline on the basis of the cost of naphtha and crude oil used in the production of that product. A stay would be granted pending a final determination on the application for exception.

Appendix.—List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Mar. 2, 1979 through Mar. 9, 1979]

Date	Name and Location of Applicant	Case No.	Type of Submission
Do	Diamond Gas & Fuel Co., Englewood, Colo	DEE-2248	Allocation exception. If granted: Diamond Gas & Fuel Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Harrison Oil & Gas, Los Angeles, Calif	DES-0160 and DEE-2548.	Stay request; allocation exception. If granted: Harrison Oil & Gas would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Ken Warbrick Chevron, Corona, Calif	DEE-2249 and DES-2249.	Allocation exception. If granted: Ken Warbrick Chevron would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Richard Levy, Alexandria, Va	DFA-0339.	Appeal of an information request denial. If granted: Richard Levy would receive access to certain DOE documents regarding the class of purchaser determinations.
Do	Richard Levy, Alexandria, Va	DFA-0341.	Appeal of an information request denial. If granted: Richard Levy would receive access to certain DOE documents regarding the FEA/DOE price and allocation regulations.
Do	Floyd Miller, Jr., Detroit, Mich	DEE-2242	Allocation exception. If granted: Floyd Miller Jr. would receive an adjustment in its base period allocation of motor gasoline.
Do	Office of Special Counsel, Washington, D.C.	DFF-0001	Refund exception. If granted: The Office of Hearings and Appeals would implement the special refund procedures set forth in 10 CFR, Part 205, Subpart V for the disposition and distribution of refunds made by the Gulf Oil Corp.
Do	Pilot Petroleum Associates, Inc., New York, N.Y.	DEE-2243; DES-2243; DEST-2243.	Allocation exception; request for stay; request for temporary stay. If granted: Pilot Petroleum Associates, Inc., would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Joe E. Smith, Austin, Tex.	DHS-0162	Request for stay. If granted: Joe E. Smith would receive a stay of the refund obligations specified in Case No. 610C00359.
Do	Joe E. Smith, Austin, Tex.	DEE-2246	Price exception (Sec. 212.73). If granted: Joe E. Smith would be permitted to sell the crude oil produced from the L. Tortoris Lease, located in Hardin County, Tex., at strip-per well prices.
Do	Southland Oil Co./VGS Corp., Jackson, Miss	DEE-2247	Allocation exception. If granted: Southland Oil Co./VGS Corp. would receive an exception from the provisions of 10 CFR 211.67 regarding its entitlement purchase obligations.
Do	Stechschulte Oil & Gas Co., Alexandria, Va	DST-0015	Request for temporary stay. If granted: Stechschulte Oil & Gas Co. would receive a temporary stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	West Haven Auto Trans, Inc., Orange, Conn	DFA-0340	Appeal of information request denial. If granted: West Haven Auto Trans, Inc., would receive access to certain DOE data related to a 1973 ruling concerning motor gasoline allocation.
Mar. 5, 1979	Belco Petroleum Corp., Uintah County, Utah	DXE-2251	Extension of relief granted in <i>Belco Petroleum Corp.</i> 2 DOE Par. — (Nov. 24, 1978). If granted: Belco Petroleum Corp. would be permitted to sell crude oil produced from the White River unit, located in Uintah County, Utah, at upper tier ceiling prices.
Do	Cuatro Petroleum Co., Wewoka, Okla.	DEE-2276	Exception from reporting requirements. If granted: Cuatro Petroleum Co. would not be required to file Form EIA-23.
Do	Dalee Oil Co., Okawville, Ill	DEE-2241, DST-2241.	Allocation exception; request for temporary stay. If granted: Dalee Oil Co. would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Exxon Corp., Houston, Tex.	DFA-0342	Appeal of an information request denial. If granted: The DOE's Feb. 1, 1979, information request denial would be rescinded and Exxon Corp. would be granted access to certain DOE documents as specified in the DOE's Nov. 1, 1978, decision and order (Case No. DFA-0216).
Do	J. E. DeWitt, Inc., South El Monte, Calif	DEE-2253 and DES-2253.	Allocation exception; request for stay. If granted: J. E. DeWitt, Inc., would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Kerr-McGee Corp., Houston Tex	DEE-2244	Allocation exception. If granted: Kerr-McGee Corp., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	King & King Enterprises, Inc., Kansas City, Mo	DEE-2240 and DST-2240.	Allocation exception. If granted: King & King Enterprises, Inc., would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Lucia Lodge, Monterey, Calif	DRD-0162	Motion for discovery. If granted: Lucia Lodge would be granted discovery with respect to the objections submitted in response to the proposed remedial order issued by the DOE in Case No. DRO-0162.
Do	Priam Trading Co., Inc., Dallas, Tex	DES-0164 and DSG-0048.	Petition for special redress; request for stay. If granted: The Office of Hearings and Appeals would review the application to quash a subpoena submitted by Priam Trading Co., Inc. A stay of the subpoena would be granted pending a determination on the petition for special redress.
Do	Rachles Gasoline Co., Clifton, N.J	DEE-2256	Allocation exception. If granted: Rachles Gasoline Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Trans Oil Co., Statesboro, Ga	DEE-2258	Allocation exception. If granted: Trans Oil Co., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Trzynka Automotive, Fort Wayne, Ind	DEE-2250	Exception to change supplier. If granted: Trzynka Automotive would be granted a new supplier of motor gasoline to replace its present base period supplier, Smith Petroleum, Inc.
Do	Wells Petroleum Co., Chicago, Ill	DEE-2252	Allocation exception. If granted: Wells Petroleum Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.

Appendix.—List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Mar. 2, 1979 through Mar. 9, 1979]

Date	Name and Location of Applicant	Case No.	Type of Submission
Mar. 6, 1979	Action Gas Co., Sullivan, Ind	DEE-2260 and DST-2260.	Allocation exception; request for temporary stay. If granted: Action Gas Co. would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Amoco Oil Co., Chicago, Ill	DEE-2257	Allocation exception. If granted: Amoco Oil Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Bagwell Oil Co., Onancock, Va	DEE-2267	Allocation exception. If granted: Bagwell Oil Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Barnes & Rogers, Long Beach, Calif	DST-0020	Request for temporary stay. If granted: Barnes & Rogers would receive a temporary stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Central Florida Gas Corp., White Haven, Fla	DEE-2270	Exception to reporting requirements. If granted: Central Florida Gas Corp. would not be required to file Form EIA-8.
Do	Craig Oil Co., Macon, Ga	DEE-2466; DST-2466; DES-0131.	Application for exception; request for temporary stay; request for stay. If granted: Craig Oil Co. would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Devon Corp./D'Arbonne Energy Corp., Louisiana	DES-0165	Request for stay. If granted: Devon Corp./D'Arbonne Energy Corp. would receive a stay of the requirement to file Form P110.
Do	Duncan Oil Co., Xenia, Ohio	DEE-2258; DES-2259; DST-2259.	Allocation exception; request for stay; request for temporary stay. If granted: Duncan Oil Co. would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Earman Oil Co., Inc., Vero Beach, Fla	DEE-2264 and DST-2264.	Allocation exception; request for temporary stay. If granted: Earman Oil Co., Inc., would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Gish Oil Co., Valdosta, Ga	DEE-2280	Allocation exception. If granted: Gish Oil Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Gottlieb Corp., Kansas City, Mo	DEE-2269; DES-2269; DST-2269.	Allocation exception; request for stay; request for temporary stay. If granted: Gottlieb Corp. would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Gulf Oil Corp., Houston, Tex	DEE-2271	Price exception (Sec. 212.73). If granted: Gulf Oil Corp. would be permitted to sell the crude oil produced from the South Liberty Field located in Liberty County, Tex., at upper tier ceiling prices.
Do	Charles F. Haas, San Patricio County, Tex	DEE-2273	Price exception (Sec. 212.73). If granted: Charles F. Haas would be permitted to sell the crude oil produced from the Taft Field, G. W. Pullin Lease, located in San Patricio County, Tex., at upper tier ceiling prices.
Do	J. Austin Oil Co., Flint, Mich	DEE-2255	Allocation exception. If granted: J. Austin Oil Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	J. H. Williams Oil Co., Inc., Plant City, Fla	DST-0017	Request for temporary stay. If granted: J. H. Williams Oil Co., Inc., would receive a temporary stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Kerr McGee Corp., Oklahoma City, Okla	DES-2244 and DST-2244.	Request for temporary stay; request for stay. If granted: Kerr McGee Corp. would receive a temporary stay and stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Marcum Oil Co., Savannah, Mo	DEE-2263; DST-2263; DES-2263.	Allocation exception; request for temporary stay; request for stay. If granted: Marcum Oil Co. would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Murray Oil Co., Ash Grove, Mo	DEE-2284; DST-2284; DES-2284.	Allocation exception; request for temporary stay; request for stay. If granted: Murray Oil Co. would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Nelson Oil Co., Long Beach, Calif	DST-0021	Request for temporary stay. If granted: Nelson Oil Co. would receive a temporary stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Northlake Chevron, Tucker, Ga	DST-0019	Request for temporary stay. If granted: Northlake Chevron would receive a temporary stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Pogge Oil Co., Tallahassee, Fla	DST-0018	Request for temporary stay. If granted: Pogge Oil Co. would receive a temporary stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Priebe Brothers Oil Co., Benton Harbor, Mich	DEE-2286	Allocation exception. If granted: Priebe Brothers Oil Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.

Appendix.—List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Mar. 2, 1979 through Mar. 9, 1979]

Date	Name and Location of Applicant	Case No.	Type of Submission
Do	Publix Oil Co., Inc., Morristown, Tenn	DEE-2254 and DST-2254.	Allocation exception; request for temporary stay. If granted: Publix Oil Co., Inc., would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Red Rock Petroleum Co., Inc., Oklahoma City, Okla	DEE-2277	Allocation exception. If granted: Red Rock Petroleum Co., Inc., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Riverdale Chevron, Riverdale, Ga	DEE-2285	Allocation exception. If granted: Riverdale Chevron would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Service Oil Co., Belleville, Ill	DEE-2261 and DST-2261.	Allocation exception; request for temporary stay. If granted: Service Oil Co. would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Southland Royalty Co., Fort Worth, Tex	DXE-2274 and DXE-2275.	Price exception (Sec. 212.73). If granted: Southland Royalty Co. would be permitted to sell the crude oil produced from the House Creek Federal 12-1 and the Joss Federal Lease at upper tier ceiling prices.
Do	Stubbs Oil Co., Inc., Savannah, Ga	DEE-2268	Allocation exception. If granted: Stubbs Oil Co., Inc. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Sun Co., Inc., Dallas, Tex	DEE-2272	Price exception (Sec. 212.73). If granted: Sun Co., Inc. would be permitted to sell the crude oil produced from the Southwest Nena Lucia Unit, located in Nolan County, Tex., at upper tier ceiling prices.
Do	James Tidwell, Nipomo, Calif	DEE-2398 and DES-2398.	Allocation exception; request for stay. If granted: James Tidwell would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Frank L. Toole, Jr., Macon, Ga	DST-0016	Request for temporary stay. If granted: Frank L. Toole, Jr. would receive a temporary stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Mar. 7, 1979	Akin, Gump, Hauer & Feld, Washington, D.C	DFA-0343	Appeal of an information request denial. If granted: The DOE's February 6, 1979, information request denial would be rescinded and Akin, Gump, Hauer, & Feld would receive access to certain DOE data related to various proposals to amend the entitlements program and the mandatory oil import program.
Do	Central City Shell Ferguson, Mo	DEE-2281 and DES-2281.	Allocation exception; request for stay. If granted: Central City Shell would receive a stay of and an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Cole & Myers Inc., Bethany, Mo	DEE-2313 and DES-2313.	Allocation exception; request for stay. If granted: Cole & Myers Inc., would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Deacon Corner, Clearwater, Fla	DEE-2278 and DST-2278.	Allocation exception; request for temporary stay. If granted: Deacon Corner would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Devon Corp./D'Arbonne Energy Corp., Louisiana	DEE-2315	Price exception. If granted: Devon Corp./D'Arbonne Energy Corp. would be permitted to calculate their increased costs of natural gas shrinkage on a plant-by-plant rather than on a firmwide basis.
Do	Myers Oil Co., Inc., Statesville, N.C	DEE-2265	Allocation exception. If granted: Myers Oil Co., Inc. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Nu-Way Service, Inc., St. Louis, Mo	DEE-2283; DES-2283; DST-2283.	Allocation exception; request for stay; request for temporary stay. If granted: Nu-Way Service, Inc., would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Pro Oil, Inc., Sidney, Nebr	DEE-2279 and DES-2279.	Allocation exception; request for stay. If granted: Pro Oil, Inc., would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	St. Johns Oil Co., Inc., St. Augustine, Fla	DEE-2262 and DES-2262.	Allocation exception; request for stay. If granted: St. Johns Oil Co., Inc., would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Stadium Oil Sales, Inc., Williamsburg, Va	DEE-2286; DES-2286; DST-2286.	Allocation exception; request for temporary stay; request for stay. If granted: Stadium Oil Sales, Inc., would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Standish Oil Co. and Osceola Refining Co., Standish, Mich.	DEE-2288	Allocation exception. If granted: Standish Oil Co. and Osceola Refining Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Trueblood Oil Co., Cameron, Mo	DEE-2282 and DES-2282.	Allocation exception; request for stay. If granted: Trueblood Oil Co. would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Zarda Brothers Dairy, Inc., Kansas	DEE-2287; DES-2287; DST-2287.	Allocation exception; request for temporary stay; request for stay. If granted: Zarda Brothers Dairy, Inc., would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.

Appendix.—List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Mar. 2, 1979 through Mar. 9, 1979]

Date	Name and Location of Applicant	Case No.	Type of Submission
Mar. 8, 1979	Bag-Mor Food, Rome, Ga	DEE-2296; DST-2298; DES-2298.	Allocation exception; request for temporary stay; request for stay. If granted: Bag-Mor Food would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Beall Oil Co., Lenoir, N.C.	DEE-2289	Allocation exception. If granted: Beall Oil Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	C. M. Spiegel Oil Co., St. Louis, Mo	DEE-2308; DST-2308; DES-2308.	Allocation exception; request for temporary stay; request for stay. If granted: C. M. Spiegel Oil Co. would receive a temporary stay, stay and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Coffin's Corner, Grand Island, Neb	DEE-2311	Allocation exception. If granted: Coffin's Corner would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Emery Oil Co., Inc., Cincinnati, Ohio	DEE-2292	Allocation exception. If granted: Emery Oil Co., Inc., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Eversole-Jay, Inc., Monroe, Mich	DEE-2299	Allocation exception. If granted: Eversole-Jay, Inc., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Gas-Way Inc., Indianapolis, Ind.	DEE-2304 and DES-2304.	Allocation exception request for stay. If granted: Gas-Way Inc. would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Gurley Oil Co., Memphis, Tenn	DEE-2296	Allocation exception. If granted: Gurley Oil Co. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	H & H Oil Co., Inc., Dickson, Tenn	DEE-2302	Allocation exception. If granted: H & H Oil Co., Inc., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Holland Oil Co., Valdosta, Ga	DEE-2305 and DST-2305.	Allocation exception; request for temporary stay. If granted: Holland Oil Co. would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Huskey Budget Fuel, Springville, Utah	DEE-2314 and DES-2314.	Allocation exception; request for stay. If granted: Huskey Budget Fuel would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	J.W. Smith Lumber Co., Inc., Williamsburg, Ohio	DEE-2307	Allocation exception. If granted: J.W. Smith Lumber Co., Inc., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Kimberly Gas Mart, Kimberly, Idaho	DEE-2291 and DST-2291.	Allocation exception; request for temporary stay. If granted: Kimberly Gas Mart would receive a temporary stay of and exception from the activation of standby petroleum product allocation regulations with respect to motor gasoline.
Do	Leon's Shopping Center, Wyandotte, Okla	DEE-2294	Allocation exception. If granted: Leon's Shopping Center would receive an exception from the activation of standby petroleum product allocation regulations with respect to motor gasoline.
Do	M & B Oil Co., Monmouth, Ill	DEE-2297	Allocation exception. If granted: M & B Oil Co. would receive an exception from the activation of standby petroleum product allocation regulations with respect to motor gasoline.
Do	Mike's Save-On Handi Shop, Sarasota, Fla	DEE-2293 and DST-2293.	Allocation exception; request for temporary stay. If granted: Mike's Save-On Handi Shop would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	New York Petroleum Corp., New Orleans, La	DRS-0170	Request for stay. If granted: New York Petroleum Corp. would be granted a stay of the provisions of the remedial order issued to the firm on July 29, 1977, as affirmed on appeal in the DOE's January 19, 1979, decision and order pending resolution of the action filed on March 7, 1979, in the U.S. District Court for the Southern District of Mississippi.
Do	Parramore Oil Co., Quincy, Fla	DEE-2306 and DST-2306.	Allocation exception; request for temporary stay. If granted: Parramore Oil Co. would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Phillips Petroleum Co., Bartlesville, Okla	DEE-2310	Price exception (Sec. 212.73). If granted: Phillips Petroleum Co. would be permitted to sell the crude oil produced from the Government A Lease, located in Golden Valley County, N. Dak., at upper tier ceiling prices.
Do	Phillips Petroleum Co., Bartlesville, Okla	DEE-2317 and DES-2317.	Exception to the entitlements program; request for stay. If granted: Phillips Petroleum Co. would receive an exception from the provisions of 10 CFR 211.67, insofar as they apply to entitlements for naphtha imported into Puerto Rico. The firm would also be granted a stay pending a determination on the application for exception.
Do	Pioneer Oil Co., Inc., Bradenton, Fla	DEE-2295 and DST-2295.	Allocation exception; request for temporary stay. If granted: Pioneer Oil Co., Inc., would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.

Appendix.—List of Cases Received by the Office of Hearings and Appeals—Continued

[Week of Mar. 2, 1979 through Mar. 9, 1979]

Date	Name and Location of Applicant	Case No.	Type of Submission
Do	Preway Inc., Wisconsin Rapids, Wis.	DEE-2316	Exception from appliance energy conservation program test procedures (10 CFR, Part 430). If granted: Preway, Inc., would be granted an exception from the appliance energy conservation program test procedure requirements applicable to vented gas and oil space heaters.
Do	Sheridan Oil Co., Inc., Bloomington, Ill.	DEE-2290 and DES-2290.	Allocation exception; request for stay. If granted: Sheridan Oil Co., Inc., would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Smith Service Oil Co., Savannah, Ga.	DEE-2331	Allocation exception. If granted: Smith Service Oil Co., would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	R.C. Strother, Bogalusa, La.	DEE-2301 and DES-2301.	Allocation exception; request for stay. If granted: R.C. Strother would receive a stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Thomas Oil Co., Gainesville, Fla.	DEE-2312 and DST-2312.	Allocation exception; request for temporary stay. If granted: Thomas Oil Co. would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Tom McDonald Oil Co. Inc., Tampa, Fla.	DEE-2309	Allocation exception. If granted: Tom McDonald Oil Co., Inc. would receive an exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Toney Petroleum, Inc., Terre Haute, Ind.	DEE-2303 and DST-2303.	Allocation exception; request for temporary stay. If granted: Toney Petroleum, Inc., would receive a temporary stay of and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Town & County Markets Inc., Wichita, Kans.	DES-0169	Request for stay. If granted: Town & Country Markets Inc. would receive a stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Do	Valley Car Wash, Rosemead, Calif.	DES-0168	Request for stay. If granted: Valley Car Wash would receive a stay of the activation of the standby petroleum product allocation regulations with respect to motor gasoline.
Mar. 9, 1979	Rally Oil Co., Linden, N.J.	DEE-2542, DST-0022, DES-2542.	Allocation exception; request for temporary stay; request for stay. If granted: Rally Oil Co. and would receive a temporary stay, stay, and exception from the activation of the standby petroleum product allocation regulations with respect to motor gasoline.

Notices of Objection Received

Date	Name and location of applicant	Case No.
Mar. 2, 1979	Triangle Shell, Baltimore, Md.	DEO-0180
Mar. 6, 1979	Laketon Asphalt Refining, Inc., Laketon, Ind.	DXE-2113
Mar. 5, 1979	Rhodes Petroleum Corp., Texas	DRO-0181

[FR Doc. 79-10743 Filed 4-5-79; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

Fuels and Fuel Additives: Gasohol; Marketability

AGENCY: Environmental Protection Agency.

ACTION: Notice is hereby given that, effective December 16, 1978, a waiver of the prohibitions and limitations of section 211(f) of the Clean Air Act (Act), 42 U.S.C. 7545(f), as amended, was granted for Gasohol, a fuel consisting of 90% unleaded gasoline and 10% ethyl alcohol, by operation of the Act.

SUMMARY: Section 211(f)(1) states that

"[e]ffective upon March 31, 1977, it shall be unlawful for any manufacturer of any fuel or fuel additive to first introduce into commerce, or to increase the concentration in use of, any fuel or fuel additive for general use in light duty motor vehicles manufactured after model year 1974 which is not substantially similar to any fuel or fuel additive utilized in the certification of any model year 1975, or subsequent model year, vehicle or engine under section 206 [of the Act]." Section 211(f)(3) states that "[a]ny manufacturer of any fuel or fuel additive which prior to March 31, 1977, and after January 1, 1974, first introduced into commerce or increased the concentration in use of a

fuel or fuel additive that would otherwise have been prohibited under [section 211(f)(1)] if introduced on or after March 31, 1977 shall, not later than September 15, 1978, cease to distribute such fuel or fuel additive in commerce * * *

Section 211(f)(4) provides that the Administrator of the Environmental Protection Agency (EPA), " * * * upon application of any manufacturer of any fuel or fuel additive may waive the prohibitions [of section 211(f)], * * * if he determines that the applicant has established that such fuel or fuel additive * * * will not cause or

contribute to a failure of any emission control device or system (over the useful life of any vehicle in which such device or system is used) to achieve compliance by the vehicle with the emission standards with respect to which it has been certified pursuant to section 206 [of the Act]. If the Administrator has not acted to grant or deny an application within [180] days of receipt of such application, the waiver * * * shall be treated as granted."

An application for a section 211(f)(4) waiver for Gasohol was received on June 19, 1978, from "Gas Plus", Inc. and the Illinois Department of Agriculture. The expiration of the 180 day review period was December 16, 1978.

Since the Administrator elected not to act to grant or deny the waiver request by December 16, 1978, the waiver was granted by operation of the statute as provided in section 211(f)(4) of the Act. Therefore, as of December 16, 1978, introduction into commerce of Gasohol is not subject to the prohibitions of section 211(f) of the Act.

FOR FURTHER INFORMATION CONTACT: Thomas E. Moore, Attorney-Advisor, Mobile Source Enforcement Division (EN-340), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, D.C. 20460, (202) 755-2816.

Dated: March 29, 1979.

Marvin B. Durning,
Assistant Administrator for Enforcement.

[FRL-1095-3]

[FR Doc. 79-10727 Filed 4-5-79; 8:45 am]

BILLING CODE 6560-01-M

Idaho and Montana Departments of Agriculture; Issuance of Specific Exemption to Use Metribuzin to Control Cheatgrass in Winter Wheat

AGENCY: Environmental Protection Agency (EPA), Office of Pesticide Programs.

ACTION: Issuance of specific exemptions.

SUMMARY: EPA Has issued specific exemptions to the Idaho and Montana Departments of Agriculture (hereafter referred to as the "Applicants" collectively and "Idaho" and "Montana" individually) to use metribuzin to control cheatgrass in winter wheat. Idaho's specific exemption ends on April 15, 1979; Montana's specific exemption ends on June 15, 1979.

FOR FURTHER INFORMATION CONTACT: Emergency Response Section, Registration Division (TS-767), Office of Pesticide Programs, EPA, 401 M Street, S.W., Room E-315, Washington, D.C. 20460, Telephone: 202/755-4851.

SUPPLEMENTARY INFORMATION:

According to the Applicants, cheatgrass (downy brome) is an annual grass weed found in the northern counties of Idaho and in central and eastern Montana. Cheatgrass infestation of winter wheat is a problem every year, but the problem is particularly severe this year due to increased moisture that has produced favorable conditions for seed germination. Idaho-estimated that losses of winter wheat due to competition with cheatgrass could reach a high of 85% if an effective herbicide was not applied; Montana estimated a loss of up to 75% of the seriously infested acreage.

Atrazine is registered for cheatgrass control; however, atrazine should not be applied post-emergence and the winter wheat is presently emerging. Therefore, the Applicants proposed a single post-emergence application of metribuzin, distributed under the trade names of Sencor and Lexone. A maximum of 70,000 acres in the following counties of Idaho may require treatment: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, and Nez Perce. A maximum of 160,000 acres in the following counties of Montana may require treatment: Cascade, Chouteau, Fergus, Hill, Ponderosa, Stillwater, Teton, and Yellowstone.

Residues from the proposed use are not likely to exceed levels which have been determined by EPA to be adequate to protect the public health. Application of metribuzin to wheat in these two States is expected to pose minimal hazard to the environment.

After reviewing the applications and other available information, EPA determined that (a) pest outbreaks of cheatgrass on winter wheat have occurred; (b) there is no effective pesticide presently available for use to control cheatgrass in Idaho and Montana; (c) there are no alternative means of control, taking into account the efficacy and hazard; (d) significant economic problems may result if the cheatgrass is not controlled; and (e) the time available for action to mitigate the problems posed is insufficient for a pesticide to be registered for this use. Accordingly, the Applicants have been granted specific exemptions to use the pesticide noted above until April 15, 1979 in Idaho and June 15, 1979 in Montana, to the extent and in the manner set forth in the applications. The specific exemptions are also subject to the following conditions:

1. A single post-emergence application of Lexone 50WP (EPA Reg. No. 352-375) or Sencor 50WP (EPA Reg. 3125-277) may be made at a rate of 0.25 to 0.50 pound active ingredient per acre;

2. Applications will be made with ground or air equipment;

3. Spray mixture volumes of 10-40 gallons per acre will be applied by ground equipment or 5-10 gallons by aircraft;

4. A maximum of 70,000 acres in the Idaho counties named above and 160,000 acres in the Montana counties named above may be treated;

5. All applications will be made by qualified growers or by State-licensed commercial applicators. Information on rates and timing will be furnished by the manufacturers and University of Idaho Extension personnel in Idaho and by the Montana Department of Agriculture, Montana State university specialists, Experiment Station personnel, and county agents in Montana;

6. Precautions will be taken to avoid spray drift to non-target areas;

7. Residue levels of metribuzin and its triazinone metabolites are not expected to exceed 0.75 part per million (ppm) in or on wheat grain, 1.0 ppm in or on wheat straw, and 2.0 ppm in or on wheat forage. Wheat grain and straw with residues which are not in excess of these levels may enter interstate commerce. The Food and Drug Administration, U.S. Department of Health, Education, and Welfare, has been advised of this action;

8. Treated fields may not be grazed for 14 days following application;

9. All applicable directions, restrictions, and precautions on the EPA-registered label must be followed;

10. Idaho and Montana are responsible for ensuring that all of the provisions of these specific exemptions are met, and must submit reports of summarizing the results of these programs by August 30, 1979 in Idaho, and by September 30, 1979 in Montana; and

11. The EPA shall be immediately informed of any adverse effects resulting from the use of metribuzin in connection with these exemptions.

Statutory Authority: Section 18 of the Federal Insecticide, fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136).

Dated: April 2, 1979.

Edwin L. Johnson,
Deputy Assistant Administrator for Pesticide Programs.

[FRL 1095-5; OPP-180275]

[FR Doc. 79-10728 Filed 4-5-79; 8:45 am]

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