

Dated: July 8, 2008.

**Beth Ransel,**

*Acting Assistant Field Manager, Division of Lands, Las Vegas, Nevada.*

[FR Doc. E8-16997 Filed 7-23-08; 8:45 am]

**BILLING CODE 4310-HC-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AK-930-08-1310-DR-NESP]

#### Notice of Availability of the Record of Decision for the Northeast National Petroleum Reserve—Alaska (NPR-A) Supplemental Integrated Activity Plan (IAP)

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Availability of Record of Decision (ROD).

**SUMMARY:** The BLM announces the availability of the ROD for the Northeast NPR-A planning area, located within the NPR-A in northern Alaska.

**ADDRESSES:** Copies of the Northeast NPR-A Supplemental IAP ROD are available upon request from Jim Ducker, Alaska State Office, Bureau of Land Management, 222 W. 7th Avenue, Anchorage, AK 99513, or via the Internet at <http://www.blm.gov/ak>.

**FOR FURTHER INFORMATION CONTACT:** Jim Ducker, Environmental Program Analyst, Alaska State Office, Bureau of Land Management, 222 W. 7th Avenue, Suite #13, Anchorage, AK 99513, (907) 271-3130.

**SUPPLEMENTARY INFORMATION:** The Northeast NPR-A Supplemental IAP ROD completes a planning effort initiated in 2003 to amend the Northeast NPR-A IAP of 1998. The BLM completed the Northeast NPR-A Amended IAP/EIS in 2005 and issued a ROD based on the IAP/EIS in January 2006. In September 2006, the U.S. District Court for the District of Alaska found the Amended IAP/EIS's analysis inadequate and vacated the ROD for the Amended IAP/EIS. The BLM initiated the Supplemental IAP/EIS to address the inadequacies of the Amended IAP/EIS. The BLM issued a Draft Supplemental IAP/EIS for the planning area in August 2007 and a Final Supplemental IAP/EIS in May 2008.

The plan adopted in the Supplemental IAP ROD is essentially the same as Alternative D, the Preferred Alternative, in the Final Supplemental IAP/EIS. The ROD makes approximately 4 million acres available for oil and gas leasing immediately and approximately 430,000 additional acres available for

leasing after ten years. The ROD provides for protection of surface values in lands available for leasing through a range of protective measures, such as restrictions on where permanent oil and gas facilities may be located, seasonal restrictions on certain activities, and restrictions on how activities may be conducted to minimize impacts. Most changes between the Final Supplemental IAP/EIS and the ROD reflect adoption of potential mitigation measures to provide additional protection for air quality, fish, birds, and public health.

**Thomas P. Lonnie,**

*State Director.*

[FR Doc. E8-16978 Filed 7-23-08; 8:45 am]

**BILLING CODE 4310-JA-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Avalanche Hazard Reduction by Burlington Northern Santa Fe Railway in Glacier National Park and Flathead National Forest, Montana Final Environmental Impact Statement, Glacier National Park, MT

**AGENCY:** National Park Service, Department of the Interior.

**ACTION:** Notice of Availability of the Final Environmental Impact Statement for the Avalanche Hazard Reduction by Burlington Northern Santa Fe Railway in Glacier National Park and Flathead National Forest, Montana.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), the National Park Service announces the availability of a Final Environmental Impact Statement for the Avalanche Hazard Reduction by Burlington Northern Santa Fe Railway in Glacier National Park and Flathead National Forest, Montana. Four alternatives were analyzed: (A) No Action, (B-Preferred) No Explosive Use Permitted except under emergency extenuating circumstances, (C) Explosive Use Permitted for up to 10 Years, provided that BNSF agrees to construct snowsheds, and (D) Permanent ongoing explosive use in the park for up to 3 snow events each year, under a special use permit. The preferred alternative would permit BNSF to install weather forecasting equipment in the park for more accurate forecasting. It would permit BNSF to install new avalanche detection technology along the southern boundary of the park to detect avalanche activity. The alternative also provides for the emergency use of explosives when all

other avalanche hazard reduction methods including train delays have been employed.

**DATES:** The National Park Service will execute a Record of Decision (ROD) no sooner than 30 days following publication by the Environmental Protection Agency of the Notice of Availability of the Final Environmental Impact Statement.

**ADDRESSES:** Information will be available for public inspection online at <http://parkplanning.nps.gov>, in the office of the Superintendent, Glacier National Park Headquarters, West Glacier, Montana 59936, 406-888-7901.

**FOR FURTHER INFORMATION CONTACT:** Mary Riddle, Glacier National Park, West Glacier, MT 59936, 406-888-7898, [mary\\_riddle@nps.gov](mailto:mary_riddle@nps.gov).

Dated: July 1, 2008.

**Michael D. Snyder,**

*Director, Intermountain Region, National Park Service.*

[FR Doc. E8-16894 Filed 7-23-08; 8:45 am]

**BILLING CODE 4310-94-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging Proposed Consent Decree

In accordance with Departmental Policy, 28 CFR 50.7, notice is hereby given that a proposed Consent Decree in *United States v. Richmond American Homes of Maryland, Inc.*, Civ. No. 2:08-CV-01654, was lodged with the United States District Court for the Eastern District of California on July 18, 2008. This proposed Consent Decree concerns a complaint filed by the United States against Richmond American Homes of Maryland, Inc., pursuant to Sections 301(a) and 404 of the Clean Water Act ("CWA"), 33 U.S.C. 1311(a), 1344, to obtain injunctive relief from and impose civil penalties against the Defendant for violating the Clean Water Act by discharging pollutants without a permit into waters of the United States. The proposed Consent Decree resolves these allegations by requiring the Defendant to pay a civil penalty and a fee in lieu of direct mitigation for its impacts to waters of the United States.

The Department of Justice will accept written comments relating to this proposed Consent Decree for thirty (30) days from the date of publication of this Notice. Please address comments to Sylvia Quast, Assistant United States Attorney, 501 I Street, Suite 10-100, Sacramento, California 95814 and refer to *United States v. Richmond American Homes of Maryland, Inc.*, DJ # 90-5-1-1-18307.

The proposed Consent Decree may be examined at the Clerk's Office, United States District Court for the Eastern District of California, 4-200 Robert T. Matsui United States Courthouse, 501 I Street, Sacramento, California 95814. In addition, the proposed Consent Decree may be viewed at [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html).

**Stephen Samuels,**

*Assistant Chief, Environmental Defense Section, Environment & Natural Resources Division.*

[FR Doc. E8-16976 Filed 7-23-08; 8:45 am]

**BILLING CODE 4410-15-P**

**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

**Importer of Controlled Substances; Notice of Registration**

By Notice dated January 11, 2006 and published in the **Federal Register** on January 23, 2006, (71 FR 3545), Cody Laboratories, Inc., 601 Yellowstone Avenue, Cody, Wyoming 82414-9321, made application to the Drug Enforcement Administration (DEA) to be registered as an importer of the basic classes of controlled substances listed in schedule II:

Drug	Schedule
Raw Opium (9600) .....	II.
Poppy Straw (9650) .....	II.
Concentrate of Poppy Straw (9670).	II.

The company plans to import narcotic raw materials for manufacturing and further distribution to its customers. The company is registered with DEA as a manufacturer of several controlled substances that are manufactured from raw opium, poppy straw, and concentrate of poppy straw.

Comments, objections, and requests for a hearing were received. However, after a thorough review of this matter DEA has concluded that, per 21 CFR 1301.34(a), the objectors are not entitled to a hearing. As explained in the Correction to Notice of Application dated January 25, 2007, pertaining to Cody Laboratories *et al.* (72 FR 3417), comments and requests for hearings on applications to import narcotic raw material are not appropriate.

DEA has considered the factors in 21 U.S.C. 823(a) and 952(a) and determined that the registration of Cody Laboratories, Inc. to import the basic classes of controlled substances is consistent with the public interest, and with United States obligations under international treaties, conventions, or

protocols in effect on May 1, 1971. DEA investigated Cody Laboratories, Inc. to ensure that the company's registration would be consistent with the public interest. The investigation included inspection and testing of the company's physical security systems, verification of the company's compliance with state and local laws, and a review of the company's background and history. After investigating these and other matters, I have concluded that registering Cody Laboratories, Inc. to import raw opium, poppy straw, and concentrate of poppy straw is consistent with the factors set forth in 21 U.S.C. 823(a)(2)-(6), as incorporated in 21 U.S.C. 958(a).

The DEA also considered whether the registration of Cody Laboratories, Inc. would be consistent with 21 U.S.C. 823(a)(1) that requires the DEA to limit the importation of certain controlled substances (including raw opium, poppy straw, and concentrate of poppy straw) "to a number of establishments which can produce an adequate and uninterrupted supply of these substances under adequately competitive conditions\* \* \*." I find that the establishments currently registered with DEA to import raw opium, poppy straw, and concentrate of poppy straw provide an adequate and uninterrupted supply of those substances. The DEA found no evidence that the supply of such substances was inadequate or interrupted in supplying the needs of the United States for legitimate medical, scientific, research, and industrial purposes.

However, I find that the adequate and uninterrupted supply of these substances did not occur under adequately competitive conditions. Specifically, I find that Cody Laboratories, Inc. has demonstrated that the current importers of raw opium, poppy straw, and concentrate of poppy straw have, in some cases, refused to sell these substances to Cody Laboratories, Inc. Some of the current importers also use their position to demand restrictive contractual terms when selling narcotic raw material to Cody Laboratories, Inc. Many of the current importers also manufacture active pharmaceutical ingredients or have corporate ties to firms that manufacture active pharmaceutical ingredients from raw opium, poppy straw, and concentrate of poppy straw. These importers have a direct financial interest in refusing to sell narcotic raw material to Cody Laboratories, Inc. or in demanding significant contractual restrictions when selling narcotic raw material to Cody Laboratories, Inc.

Based on the information in the investigative file that is summarized herein, I find that the current importation of raw opium, poppy straw, and concentrate of poppy straw is not being conducted under adequately competitive conditions. Therefore, under 21 U.S.C. 823(a)(1), DEA may grant the application of Cody Laboratories, Inc. to import raw opium, poppy straw, and concentrate of poppy straw. Having already found that registering Cody Laboratories, Inc. to import raw opium, poppy straw, and concentrate of poppy straw is consistent with the factors set forth in 21 U.S.C. 823(a)(2)-(6), I find that the statutory factor set forth in 21 U.S.C. 823(a)(1) also weighs in favor of granting the application.

Therefore, pursuant to 21 U.S.C. 952(a) and 958(a), and in accordance with 21 CFR 1301.34, the above named company is granted registration as an importer of the basic classes of controlled substances listed.

Dated: July 18, 2008.

**Joseph T. Rannazzisi,**

*Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.*

[FR Doc. E8-16906 Filed 7-23-08; 8:45 am]

**BILLING CODE 4410-09-P**

**DEPARTMENT OF JUSTICE**

**Drug Enforcement Administration**

**Manufacturer of Controlled Substances; Notice of Registration**

By Notice dated February 13, 2008 and published in the **Federal Register** on February 21, 2008, (73 FR 9592), Johnson Matthey, Inc., Custom Pharmaceuticals Department, 2003 Nolte Drive, West Deptford, New Jersey 08066-1742, made application by letter to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of Lisdexamfetamine (1205), a basic class of controlled substance listed in schedule II.

The company plans to manufacture the listed controlled substance in bulk for sale to its customers.

No comments or objections have been received. DEA has considered the factors in 21 U.S.C. 823(a) and determined that the registration of Johnson Matthey, Inc. to manufacture the listed basic class of controlled substance is consistent with the public interest at this time. DEA has investigated Johnson Matthey, Inc. to ensure that the company's registration is consistent with the public interest. The investigation has included inspection