to the Navajo Generating Station. The proposed project no longer includes the originally-proposed project components associated with supplying coal to the Mohave Generating Station, although the final EIS continues to analyze them in one of the EIS alternatives.

OSM is the lead Federal agency preparing the EIS. The BLM, EPA, Navajo Nation, Hopi Tribe, Hualapai Tribe, County of Mohave, Arizona, and City of Kingman, Arizona are cooperating agencies.

The preferred alternative in the final EIS is for OSM to approve the permit application submitted by Peabody under the Surface Mining Control and Reclamation Act and for BLM to approve the mining plan submitted by Peabody under Secretarial Order No. 3087, Amendment No. 1 (February 7, 1983), and the Tribal Lands Leasing Act (25 U.S.C. 396a).

The final EIS analyzes the potential direct, indirect, and cumulative impacts of approval of the proposed project and alternative actions on the physical, biological, and human environments. The final EIS is not a decision document. OSM will use it to make an informed decision on the permit application. In accordance with the Council on Environmental Quality's regulation at 40 CFR 1506.10(b)(2), the BLM and OSM records of decision can be made no sooner than 30 days after EPA's weekly **Federal Register** notice announcing that the Black Mesa Project EIS has been filed with it. OSM is timing this notice to coincide with the date of publication of the EPA notice.

You may view and download a copy of the final EIS on the OSM Internet Web site at *http://www.wrcc.osmre.gov/WR/BlackMesaEIS.htm.* Limited numbers of compact disk and paper copies of the final EIS are available by contacting the person listed in **FOR FURTHER INFORMATION CONTACT.**

Dated: October 22, 2008.

Allen D. Klein,

Regional Director, Western Region, OSM.

[FR Doc. E8–26382 Filed 11–6–08; 8:45 am]

BILLING CODE 4310–05–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–317P]

Controlled Substances: Proposed Aggregate Production Quotas for 2009

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Notice of proposed year 2009 aggregate production quotas.

SUMMARY: This notice proposes initial year 2009 aggregate production quotas for controlled substances in schedules I and II of the Controlled Substances Act (CSA).

DATES: Comments or objections must be received on or before December 8, 2008.

ADDRESSES: To ensure proper handling of comments, please reference ''Docket No. DEA–317P'' on all written and electronic correspondence. Written comments should be sent to the DEA Headquarters, Attn: DEA **Federal Register** Representative/ODL, 8701 Morrissette Drive, Springfield, Virginia 22152. Comments may be directly sent to DEA electronically by sending an electronic message to *dea.diversion.policy@usdoj.gov.* Comments may also be sent electronically through *http://www.regulations.gov* using the electronic comment form provided on that site. An electronic copy of this document is also available at the *http://www.regulations.gov* Web site. DEA will accept attachments to electronic comments in Microsoft Word, WordPerfect, Adobe PDF, or Excel file formats only. DEA will not accept any file format other than those specifically listed here.

FOR FURTHER INFORMATION CONTACT: Christine A. Sannerud, PhD, Chief, Drug and Chemical Evaluation Section, 8701 Morrissette Drive, Springfield, Virginia 22152, Telephone: (202) 307–7183.

SUPPLEMENTARY INFORMATION: Section 306 of the CSA (21 U.S.C. 826) requires that the Attorney General establish aggregate production quotas for each basic class of controlled substance listed in schedules I and II. This responsibility has been delegated to the Administrator of the DEA by 28 CFR 0.100. The Administrator, in turn, has redelegated this function to the Deputy Administrator, pursuant to 28 CFR 0.104.

The proposed year 2009 aggregate production quotas represent those quantities of controlled substances that may be produced in the United States in 2009 to provide adequate supplies of each substance for: The estimated medical, scientific, research, and industrial needs of the United States; lawful export requirements; and the establishment and maintenance of reserve stocks. These quotas do not include imports of controlled substances for use in industrial processes.

In determining the proposed year 2009 aggregate production quotas, the Deputy Administrator considered the following factors: Total actual 2007 and estimated 2008 and 2009 net disposals of each substance by all manufacturers; estimates of 2008 year-end inventories of each substance and of any substance manufactured from it and trends in accumulation of such inventories; product development requirements of both bulk and finished dosage form manufacturers; projected demand as indicated by procurement quota applications filed pursuant to 21 CFR 1303.12; and other pertinent information.

Pursuant to 21 CFR 1303, the Deputy Administrator of the DEA will adjust aggregate production quotas and individual manufacturing quotas allocated for the year based upon 2008 year-end inventory and actual 2008 disposition data supplied by quota recipients for each basic class of schedule I or II controlled substance.

Therefore, under the authority vested in the Attorney General by Section 306 of the CSA of 1970 (21 U.S.C. 826), and delegated to the Administrator of the DEA by 28 CFR 0.100, and redelegated to the Deputy Administrator pursuant to 28 CFR 0.104, the Deputy Administrator hereby proposes that the year 2009 aggregate production quotas for the following controlled substances, expressed in grams of anhydrous acid or base, be established as follows:

Basic class—Schedule I	Proposed 2009 quotas (g)
2,5-Dimethoxyamphetamine	2
2,5-Dimethoxy-4-ethylamphetamine (DOET)	2
3-Methylfentanyl	2
3-Methylthiofentanyl	2
3,4-Methylenedioxyamphetamine (MDA)	25
3,4-Methylenedioxy-N-ethylamphetamine (MDEA)	10
3,4-Methylenedioxymethamphetamine (MDMA)	20
3,4,5-Trimethoxyamphetamine	2

Basic class—Schedule I	Proposed 2009 quotas (g)
4-Bromo-2,5-dimethoxyamphetamine (DOB)	2
4-Bromo-2,5-dimethoxyphenethylamine (2–CB)	2
4-Methoxyamphetamine	27
4-Methylaminorex	2
4-Methyl-2,5-dimethoxyamphetamine (DOM)	2
5-Methoxy-3,4-methylenedioxyamphetamine	2
5-Methoxy-N,N-diisopropyltryptamine	5
Acetyl-alpha-methylfentanyl	2
Acetyldihydrocodeine	2
Acetylmethadol	2
Allylprodine	2
Alphacetylmethadol	2
Alpha-ethyltryptamine	2
Alphameprodine	2
Alphamethadol	2
Alpha-methylfentanyl	2
Alpha-methylthiofentanyl	2
Aminorex	2
Benzylmorphine	2
Betacetylmethadol	2
Beta-hydroxy-3-methylfentanyl	2
Beta-hydroxyfentanyl	2
Betameprodine	2
Betamethadol	2
Betaprodine	2
Bufotenine	3
Cathinone	3
Codeine-N-oxide	602
Diethyltryptamine	2
Difenoxin	50
Dihydromorphine	2,549,000
Dimethyltryptamine	3
Gamma-hydroxybutyric acid	21,940,000
Heroin	20
Hydromorphinol	2
Hydroxypethidine	2
Ibogaine	1
Lysergic acid diethylamide (LSD)	10
Marihuana	4,500,000
Mescaline	7
Methaqualone	5
Methcathinone	4
Methyldihydromorphine	2
Morphine-N-oxide	605
N,N-Dimethylamphetamine	7
N-Ethylamphetamine	2
N-Hydroxy-3,4-methylenedioxyamphetamine	2
Noracymethadol	2
Norlevorphanol	52
Normethadone	2
Normorphine	16
Para-fluorofentanyl	2
Phenomorphan	2
Pholcodine	2
Psilocybin	7
Psilocyn	7
Tetrahydrocannabinols	312,500
Thiofentanyl	2
Trimeperidine	2 g

Basic class—Schedule II	Proposed 2009 quotas (g)
1-Phenylcyclohexylamine	2
Alfentanil	8,000
Alphaprodine	2
Amobarbital	3
Amphetamine (for sale)	17,000,000
Amphetamine (for conversion)	5,000,000
Cocaine	247,000
Codeine (for sale)	39,605,000
Codeine (for conversion)	65,000,000
Dextropropoxyphene	106,000,000

Basic class—Schedule I	Proposed 2009 quotas (g)
Dihydrocodeine	1,200,000
Diphenoxylate	947,000
Ecgonine	83,000
Ethylmorphine	2
Fentanyl	1,428,000
Glutethimide	2
Hydrocodone (for sale)	55,000,000
Hydromorphone	3,300,000
Isomethadone	2
Levo-alphacetylmethadol (LAAM)	3
Levomethorphan	5
Levorphanol	10,000
Lisdexamfetamine	6,200,000
Meperidine	8,600,000
Metazocine	1
Methadone (for sale)	25,000,000
Methadone Intermediate	26,000,000
Methamphetamine	3,130,000
[680,000 grams of levo-desoxyephedrine for use in a non-controlled, non-prescription product; 2,405,000 grams for methamphetamine mostly for conversion to a schedule III product; and 45,000 grams for methamphetamine (for sale)]	
Methylphenidate	50,000,000
Morphine (for sale)	35,000,000
Morphine (for conversion)	100,000,000
Nabilone	5,502
Noroxymorphone (for sale)	10,000
Noroxymorphone (for conversion)	9,000,000
Opium (powder)	1,050,000
Opium (tincture)	230,000
Oripavine	15,000,000
Oxycodone (for sale)	70,000,000
Oxycodone (for conversion)	3,400,000
Oxymorphone (for sale)	2,000,000
Oxymorphone (for conversion)	12,000,000
Pentobarbital	28,000,000
Phenazocine	1
Phencyclidine	20
Phenmetrazine	2
Phenylacetone	1
Racemethorphan	2
Remifentanil	500
Secobarbital	67,000
Sufentanil	10,300
Thebaine	126,000,000

The Deputy Administrator further proposes that aggregate production quotas for all other schedules I and II controlled substances included in 21 CFR 1308.11 and 1308.12 be established at zero.

All interested persons are invited to submit their comments in writing or electronically regarding this proposal following the procedures in the **ADDRESSES** section of this document. A person may object to or comment on the proposal relating to any of the above-mentioned substances without filing comments or objections regarding the others. If a person believes that one or more of these issues warrant a hearing, the individual should so state and summarize the reasons for this belief.

In the event that comments or objections to this proposal raise one or more issues which the Deputy Administrator finds warrant a hearing, the Deputy Administrator shall order a public hearing by notice in the **Federal Register**, summarizing the issues to be heard and setting the time for the hearing.

The Office of Management and Budget has determined that notices of aggregate production quotas are not subject to centralized review under Executive Order 12866.

This action does not preempt or modify any provision of state law; nor does it impose enforcement responsibilities on any state; nor does it diminish the power of any state to enforce its own laws. Accordingly, this action does not have federalism implications warranting the application of Executive Order 13132.

The Deputy Administrator hereby certifies that this action will have no significant impact upon small entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The establishment of aggregate production quotas for schedules I and II controlled substances is mandated by law and by international treaty obligations. The quotas are necessary to provide for the estimated medical, scientific, research and industrial needs of the United States, for export requirements and the establishment and maintenance of reserve stocks. While aggregate production quotas are of primary importance to large manufacturers, their impact upon small entities is neither negative nor beneficial. Accordingly, the Deputy Administrator has determined that this action does not require a regulatory flexibility analysis.

This action meets the applicable standards set forth in Sections 3(a) and

3(b)(2) of Executive Order 12988 Civil Justice Reform.

This action will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $120,000,000 or more in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

This action is not a major rule as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This action will not result in an annual effect on the economy of $100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Dated: October 31, 2008.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. E8–26609 Filed 11–6–08; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importer of Controlled Substances; Notice of Registration

By Notice dated July 29, 2008, and published in the **Federal Register** on August 6, 2008, (73 FR 45780), Wildlife Laboratories, 1401 Duff Drive, Suite 400, Fort Collins, Colorado 80524, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as an importer of Etorphine Hydrochloride (9059), a basic class of controlled substance listed in schedule II.

The company plans to import the listed controlled substance 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 952(a) and determined that the registration of Wildlife Laboratories to import the basic class of controlled substance is consistent with the public interest, and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971, at this time. DEA has investigated Wildlife Laboratories to ensure that the company's registration is consistent with the public interest. The investigation has 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. 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 class of controlled substance listed.

Dated: October 30, 2008.

Joseph T. Rannazzisi,

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

[FR Doc. E8–26598 Filed 11–6–08; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

November 3, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAMain* or by contacting Amy Hobby on 202–693–4553 (this is not a toll-free number)/e-mail: *DOL_PRA_PUBLIC@dol.gov*.

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment and Training Administration (ETA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202–395–7316/Fax: 202–395–6974 (these are not toll-free numbers), e-mail: *OIRA_submission@omb.eop.gov* within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Employment and Training Administration.

Type of Review: Extension without change of an existing OMB Control Number.

Title of Collection: Labor Condition Application for H–1B, H–1B1, and E–3 Nonimmigrants.

OMB Control Number: 1205–0310.

Agency Form Number(s): ETA–9035, ETA–9035CP, ETA–9035E, and WH–4.

Affected Public: Businesses or other for-profits, not-for-profit institutions.

Total Estimated Number of Respondents: 77,500.

Total Estimated Annual Burden Hours: 368,991.

Total Estimated Annual Costs Burden: $0.

Description: The application form and other information collection instruments are to be used by employers seeking to use nonimmigrants (H–1B, H–1B1, E–3) in specialty occupations and as fashion models or by those who want to report violations. The collection of information will permit the Department to meet its statutory responsibilities for program administration, management, and oversight. For additional information, see related notice published at 73 FR 36357 on June 26, 2008.

Darrin A. King,

Departmental Clearance Officer.

[FR Doc. E8–26544 Filed 11–6–08; 8:45 am]

BILLING CODE 4510–FP–P

DEPARTMENT OF LABOR

Office of the Secretary

Senior Executive Service; Appointment of Members to the Performance Review Board

Title 5 U.S.C. 4314(c)(4) provides that Notice of the Appointment of an individual to serve as a member of the