

III. Sanction

Where, as here, the Government has established grounds to revoke Respondent's registration, the burden shifts to the registrant to show why he can be entrusted with the responsibility carried by a registration. *Garret Howard Smith, M.D.*, 83 FR 18882, 18910 (2018). When a registrant has committed acts inconsistent with the public interest, he must both accept responsibility and demonstrate that he has undertaken corrective measures. *Holiday CVS, L.L.C., dba CVS Pharmacy Nos 219 and 5195*, 77 FR 62316, 62339 (2012) (internal quotations omitted). Trust is necessarily a fact-dependent determination based on individual circumstances; therefore, the Agency looks at factors such as the acceptance of responsibility, the credibility of that acceptance as it relates to the probability of repeat violations or behavior, the nature of the misconduct that forms the basis for sanction, and the Agency's interest in deterring similar acts. *See, e.g., Robert Wayne Locklear, M.D.*, 86 FR 33738, 33746 (2021).

Here, although Respondent initially requested a hearing, he withdrew his hearing request and did not otherwise avail himself of the opportunity to refute the Government's case. As such, Respondent has made no representations as to his future compliance with the CSA nor made any demonstration that he can be entrusted with registration. In fact, despite having already been subject to state action and a Federal citation in 2017 and thus put on notice of the impropriety of his actions, Respondent failed to change his ways and continued to commit much of the same misconduct. Moreover, the evidence presented by the Government clearly shows that Respondent violated the CSA, further indicating that Respondent cannot be entrusted. Accordingly, the Agency will order the revocation of Respondent's registration.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. AK7830640 issued to Jagjit Kaleka, D.V.M. Further, pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 823(g)(1), I hereby deny any pending applications of Jagjit Kaleka, D.V.M., to renew or modify this registration, as well as any other pending application of Jagjit Kaleka, D.V.M., for additional registration in Wisconsin. This Order is effective December 7, 2023.

Signing Authority

This document of the Drug Enforcement Administration was signed on October 31, 2023, by Administrator Anne Milgram. That document with the original signature and date is maintained by DEA. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DEA Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of DEA. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Heather Achbach,

Federal Register Liaison Officer, Drug Enforcement Administration.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA-1285]

Importer of Controlled Substances Application: Mylan Technologies Inc.

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of application.

SUMMARY: Mylan Technologies Inc. as applied to be registered as an importer of basic class(es) of controlled substance(s). Refer to **SUPPLEMENTARY INFORMATION** listed below for further drug information.

DATES: Registered bulk manufacturers of the affected basic class(es), and applicants therefore, may submit electronic comments on or objections to the issuance of the proposed registration on or before December 7, 2023. Such persons may also file a written request for a hearing on the application on or before December 7, 2023.

ADDRESSES: The Drug Enforcement Administration requires that all comments be submitted electronically through the Federal eRulemaking Portal, which provides the ability to type short comments directly into the comment field on the web page or attach a file for lengthier comments. Please go to <https://www.regulations.gov> and follow the online instructions at that site for submitting comments. Upon submission of your comment, you will receive a Comment Tracking Number. Please be aware that submitted comments are not instantaneously available for public view on <https://www.regulations.gov>. If

you have received a Comment Tracking Number, your comment has been successfully submitted and there is no need to resubmit the same comment. All requests for a hearing must be sent to: (1) Drug Enforcement Administration, Attn: Hearing Clerk/OALJ, 8701 Morrisette Drive, Springfield, Virginia 22152; and (2) Drug Enforcement Administration, Attn: DEA Federal Register Representative/DPW, 8701 Morrisette Drive, Springfield, Virginia 22152. All requests for a hearing should also be sent to: Drug Enforcement Administration, Attn: Administrator, 8701 Morrisette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.34(a), this is notice that on October 5, 2023, Mylan Technologies Inc. 110 Lake Street, Saint Albans, Vermont 05478-2266 applied to be registered as an importer of the following basic class(es) of controlled substance(s)

Controlled substance	Drug code	Schedule
Fentanyl	9801	II
Methylphenidate	1724	II

The company plans to import the listed controlled substances in finished dosage form (FDF) from foreign sources for analytical testing and clinical trials in which the foreign FDF will be compared to the company's own domestically manufactured FDF to foreign markets. No other activities for these drug codes are authorized for this registration.

Approval of permit applications will occur only when the registrant's business activity is consistent with what is authorized under 21 U.S.C. 952(a)(2). Authorization will not extend to the import of Food and Drug Administration-approved or non-approved finished dosage forms for commercial sale.

Claude Redd,

Acting Deputy Assistant Administrator.

[FR Doc. 2023-24573 Filed 11-6-23; 8:45 am]

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DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Modification to Consent Decree Under the Clean Water Act

On October 25, 2023, the Department of Justice lodged a proposed a Material Modification to the Consent Decrees' Wet Weather Improvement Program ("Modification") with the United States District Court for the Southern District

of Ohio in the lawsuit entitled *United States et al. v. Board of County Commissioners of Hamilton County and the City of Cincinnati*, Civil Action No. C-1-02-107. The Modification (a) moves two projects back in priority order; (b) changes the descriptions and design criteria for a few projects; (c) adds a process to the Wet Weather Improvement Plan (“WWIP”) to address previously unidentified CSO or SSO outfalls; (d) adds an additional short “phase” of work to the WWIP’s scheduling process; and (e) makes a few clarifying changes to other aspects of the WWIP. The parties’ approval is conditioned on the Court’s entry of this Modification.

The publication of this notice opens a period for public comment on the proposed Modification, which is available for public review as described below. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States et al. v. Board of County Commissioners of Hamilton County and the City of Cincinnati*, D.J. Ref. No. 90-5-1-6-341A. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	pubcomment-ees.enrd@usdoj.gov.
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the Modification may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the Modification upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$10.75 (25 cents per page reproduction cost payable to the United States Treasury.

Patricia A. McKenna,
Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2023-24545 Filed 11-6-23; 8:45 am]

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DEPARTMENT OF JUSTICE

[OMB Number 1121-0030]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension of a Previously Approved Collection; Capital Punishment Report of Inmates Under Sentence of Death

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Bureau of Justice Statistics (BJS), Department of Justice (DOJ), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until January 8, 2024.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Tracy L. Snell, Statistician, Bureau of Justice Statistics, 810 Seventh St NW, Washington, DC 20531 (email: Tracy.L.Snell@usdoj.gov; telephone: 202-598-1660).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, 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;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; 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.

Abstract: Capital punishment information is collected by the Bureau of Justice Statistics (BJS) annually as part of the National Prisoner Statistics data series (NPS-8). These establishment surveys provide BJS with the capacity to report annually on changes in the size and composition of persons under State or Federal sentence of death and changes to the laws regulating the imposition and implementation of death sentences in the United States. The NPS-8 covers all persons held in a State or Federal correctional facility under sentence of death at any time during the calendar year. The coverage includes capital prisoners transferred from death row to non-correctional institutions, such as mental hospitals, and prisoners who may have escaped custody. Excluded are capital prisoners who for any reason remain in local correctional institutions outside the jurisdiction of State or Federal correctional authorities from whom data are collected for this series. NPS-8 also excludes persons who were convicted and sentenced to death under the Uniform Code of Military Justice. Information such as statutory, demographic, and criminal history data collected through NPS-8 is not attainable from any other single data source.

Overview of This Information Collection

- (1) Type of Information Collection: Extension of a currently approved collection.
- (2) The Title of the Form/Collection: Capital Punishment Report of Inmates Under Sentence of Death.
- (3) The agency form number, if any, and the applicable component of the Department sponsoring the collection: The Capital Punishment Report of Inmates Under Sentence of Death (NPS-8) contains four forms: NPS-8 (Report of Inmates Under Sentence of Death; NPS-8A (Update Report of Inmates Under Sentence of Death); NPS-8B (Status of Death Penalty Statutes—No Statute in Force); and NPS-8C (Status of Death Penalty Statutes—Statute in Force). The applicable component: Bureau of Justice Statistics, OJP.
- (4) Affected public who will be asked or required to respond, as well as the obligation to respond: staff from State departments of correction, offices of State attorneys general, the Federal Bureau of Prisons, and the U.S. Attorney for the District of Columbia. The obligation to respond is voluntary.
- (5) An estimate of the total number of respondents and the amount of time