

by Order dated November 17, 1994. By letter dated November 15, 1995, the Respondent waived a hearing in this matter and submitted a copy of a letter dated October 16, 1995, which he had previously filed with the American Board of Family Practice.

Therefore, the Deputy Administrator, after considering the investigative file and the letters submitted by the Respondent, enters his final order in this matter without a hearing pursuant to 21 CFR 1301.54(e) and 1301.57.

The Deputy Administrator finds that the Respondent was issued DEA Certificate of Registration AS5639286 for his practice in Nicholasville, Kentucky, and that this registration is due to expire on February 28, 1997. However, DEA received a copy of a Final Order of Revocation from the Kentucky Board of Medical Licensure (Medical Board) dated November 17, 1994, revoking the Respondent's medical license. The final order accepted and incorporated a Hearing Officer's Findings of Fact and Conclusions of Law reached after a hearing was held on August 23, 1994. Also, by order dated January 3, 1995, the Jefferson Circuit Court, Division Eight, Commonwealth of Kentucky, dismissed the Respondent's appeal of the Medical Board's action, finding that the Respondent had failed to perfect his appeal.

In these proceedings, the Respondent has not challenged the authenticity of the Medical Board's final revocation order or the court's dismissal order.

The DEA does not have statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which he conducts his business. 21 U.S.C. 802(21), 823(f), and 824(a)(3). This prerequisite has been consistently upheld. See Dominick A. Ricci, M.D., 58 FR 51,104 (1993); James H. Nickens, M.D., 57 FR 59,847 (1992); Roy E.

Hardman, M.D., 57 FR 49,195 (1992); Myong S. Yi, M.D., 54 FR 30,618 (1989); Bobby Watts, M.D., 53 FR 11,919 (1988).

Here, it is clear that the Respondent is not currently authorized to practice medicine in the Commonwealth of Kentucky. From this fact, the Deputy Administrator infers that, since the Respondent is not authorized to practice medicine, he also is not authorized to handle controlled substances. Therefore, because the Respondent lacks state authority to handle controlled substances, he currently is not entitled to a DEA registration.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824, and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration AS5639286, issued to Walter William Stoll, Jr., M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for the renewal of such registration be, and they hereby are, denied. This order is effective May 20, 1996.

Dated: April 5, 1996.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96-9724 Filed 4-18-96; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

April 16, 1996.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) 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). Copies of these

individual ICRs, with applicable supporting documentation, may be obtained by calling the Department of Labor Acting Departmental Clearance Office, Theresa M. O'Malley (202 219-5095). Individuals who use a telecommunications device for the deaf (TTY/TDD) may call (202 219-4720) between 1:00 p.m. and 4:00 p.m. Eastern time, Monday through Friday.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OAW/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, Room 10235, Washington, DC 20503 (202 395-7316), within 30 days from the date of this publication in the Federal Register.

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: Bureau of Labor Statistics.

Title: Consumer Price Index Commodities and Services Survey.

OMB Number: 1220-0039.

Affected Public: Business or other for-profit; State, Local or Tribal Government.

| Form # | Respondents | Frequency | Average time per response |
|-------------------|-------------|-------------------|---------------------------|
| BLS 3400 | 15,340 | once | 4 minutes |
| BLS 3400A.2 | 15,340 | once | 36 minutes |
| BLS 3400B | 15,340 | once | 22.8 minutes |
| BLS 3400C | 4,075 | once | 4 minutes |
| BLS 3401 | 36,764 | Monthly bimonthly | 13.8 minutes |

Total Burden Hours: 91,487.

Total Annualized capital/startup costs: \$0.

Total annual cost (operating/maintaining systems or purchasing services): \$0.

Description: The collection of prices directly from a wide spectrum of retain

establishments and government agencies is essential for the timely and accurate calculation of the Commodities and Services component of the Consumer Price Index.

Agency: Bureau of Labor Statistics.
 Title: Response Analysis Survey of BLS 790 and ES-202 Reports.
 OMB Number: 1220-0089.
 Agency Number: CES/UI RAS.
 Frequency: On occasion.
 Affected Public: Business or other for-profit; Not-for-profit institutions; State, Local or Tribal Government.
 Number of Respondents: 8,000.
 Estimated Time Per Respondent: 30 minutes.

Total Burden Hours: 4,000.
 Total Annualized capital/startup costs: \$0.

Total annual cost (operating/maintaining systems or purchasing services): \$0.

Description: The Current Employment Statistics Survey and Employment and Wages Program are the primary sources of employment and wage information used to measure economic performance. The Response Analysis Survey (RAS) continues the Bureau of Labor Statistics' efforts to review the sources of information available to respondents, to better match available records to program definitions, and to improve the quality of the data.

Agency: Employment Standards Administration.

Title: Payment of Compensation Without Award.

OMB Number: 1215-0022.

Agency Number: LS-206.

Frequency: On occasion.

Affected Public: Business or other for-profit.

Number of Respondents: 34,200.

Estimated Time Per Respondent: 15 minutes.

Total Burden Hours: 8,550.

Total Annualized capital/startup costs: \$0.

Total annual costs (operating/maintaining systems or purchasing services): \$12,000.

Description: The Longshore and Harbor Workers' Compensation Act requires an insurance carrier or self-insured employer to pay compensation within 14 days after the employer has knowledge of the injury or death. Upon making the first payment, the employer or carrier shall immediately notify the deputy commissioner of the payment. The LS-206 is the form on which report of payment is made.

Agency: Employment Standards Administration.

Title: Notice of Controversion of Right to Compensation.

OMB Number: 1215-0023.

Agency Number: LS-207.

Frequency: On occasion.

Affected Public: Business or other for-profit.

Number of Respondents: 900.
 Estimated Time Per Respondent: 15 minutes.

Total Burden Hours: 18,900.

Total Annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): \$7,000.

Description: The Longshore and Harbor Workers' Compensation Act provides benefits to workers injured in maritime employment on the navigable waters of the United States or adjoining areas. Under the Act, if an employer controverts the right to compensation, he must file with the deputy commissioner a notice that the right to compensation is controverted. The information is used by the Office of Workers' Compensation Programs district office to determine the basis for not payment benefits in a case.

Agency: Employment Standards Administration.

Title: Certification of Funeral Expenses.

OMB Number: 1215-0027.

Agency Number: LS-265.

Frequency: On occasion.

Affected Public: Business or other for-profit.

Number of Respondents: 195.

Estimated Time Per Respondent: 15 minutes.

Total Burden Hours: 49.

Total Annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): \$68.

Description: Under the Longshore and Harbor Workers' Compensation Act, reasonable funeral expenses not to exceed \$3,000 are payable in all compensable death cases. The LS-265 is used to certify these expenses.

Theresa M. O'Malley,

Acting Departmental Clearance Officer.

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Employment Standards Administration

Wage and Hour Division; Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to

be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the Federal Register, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modification issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.