major Federal action having significant impact on the environment under the National Environmental Policy Act of 1969. The environmental assessment and finding of no significant impact may be reviewed in the Superintendent's office, Rock Creek Park.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under an existing contract which expired by limitation of time on December 31, 1992, and therefore pursuant to the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract as defined in 36 CFR, paragraph 51.5.

The Secretary will consider and evaluate all proposals received as a result of this notice. Any proposal, including that of the existing concessioner, must be postmarked or hand delivered on or before the sixtieth (60th) day following publication of this notice to be considered and evaluated.

Dated: July 3, 1996.

Robert Stanton,

Field Director, National Capital Area.

[FR Doc. 96–18049 Filed 7–15–96; 8:45 am]

BILLING CODE 4310–70–M

Office of Surface Mining Reclamation and Enforcement

Request for Determination of Valid Existing Rights Within the Wayne National Forest

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Notice of public hearing and reopening of comment period on request for determination.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) has received a request by the Buckeye Forest Council for a pubic hearing on the application by Buckingham Coal Co., Inc. (Buckingham) for a determination that the applicant has valid existing rights (VER) pursuant to section 522(e) of the Surface Mining Control and Reclamation Act of 1977 to mine coal by surface methods on 25.2 acres of Federal land within the Wayne National Forest in Perry County, Ohio. By this notice, OSM is announcing the scheduling of a public hearing and the reopening of the comment period. Interested persons are reinvited to participate in the proceeding and to submit relevant factual information on the matter.

DATES: OSM will hold the public hearing on August 8, 1996 from 7:00 PM until 11:00 PM. Requests to speak at the hearing must be received by 5:00 local time on August 1, 1996. OSM will accept written comments until 5:00 p.m. local time on August 16, 1996.

ADDRESSES: The public hearing will be held in the Ball Room of the Ohio University Inn, 331 Richland Avenue, Athens, Ohio. Written comments and requests to speak at the hearing must be mailed or hand delivered to the Office of Surface Mining Reclamation and Enforcement, Appalachian Regional Coordinating Center, Room 218, Three Parkway Center, Pittsburgh, PA 15220.

The Administrative Record is available for review at both the address above and OSM's Columbus Office, Eastland Professional Plaza, 4480 Refugee Road, Suite 201, Columbus, Ohio 43232 during normal business hours, Monday through Friday, excluding holidays.

FOR FURTHER INFORMATION CONTACT: Peter Michael, Office of Surface Mining Reclamation and Enforcement, Appalachian Regional Coordinating Center, Room 218, Three Parkway Center, Pittsburgh, PA 15220. Telephone: (412) 937–2867.

SUPPLEMENTARY INFORMATION: Background information on VER requirements for national forest lands and the Buckingham application for VER determination is available in the March 1, 1996 Federal Register (61 FR 8074).

Dated: July 2, 1996.

Mike Robinson,

Acting Regional Director, Appalachian Regional Coordinating Center.

[FR Doc. 96–17963 Filed 7–15–96; 8:45 am]

BILLING CODE 4310–05–M

INTERNATIONAL TRADE COMMISSION

[USITC SE–96–15]

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: July 26, 1996 at 11:00 a.m.

PLACE: Room 101, 500 E Street S.W., Washington, DC 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meeting.
2. Minutes.
3. Ratification List.
4. Inv. Nos. TA–201–65 and NAFTA–302–1 (Remedy) (Broom Corn Brooms)—briefing and vote.
5. Outstanding action jackets: none.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

Issued: July 11, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 96–18107 Filed 7–12–96; 11:13 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Application

Pursuant to § 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on May 28, 1996, Applied Science Labs, Division of Alltech Associates, Inc., 2701 Carolean Industrial Drive, P.O, Box 440, State College, Pennsylvania 16801, made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Methcathinone (1237)	I
N-Ethylamphetamine (1475)	I
N,N-Dimethylamphetamine (1480)	I
4-Methylaminorex (cis isomer) (1590)	I
Lysergic acid diethylamide (7315)	I
Mescaline (7381)	I
3,4-Methylenedioxyamphetamine (7400)	I
N-Hydroxy-3,4-methylenedioxyamphetamine (7402)	I
3,4-Methylenedioxy-N-ethylamphetamine (7404)	I
3,4-Methylenedioxymethamphetamine (7405)	I
N-Ethyl-1-phenylcyclohexylamine (7455)	I
1-(1-Phenylcyclohexyl)pyrrolidine (7458)	I
1-[1-(2-Thienyl)cyclohexyl]piperidine (7470)	I
Dihydromorphine (9145)	I
Normorphine (9313)	I
1-Phenylcyclohexylamine (7460)	II
Phencyclidine (7471)	II
Phenylacetone (8501)	II
1-Piperidinocyclohexanecarbonitrile (8603)	II
Cocaine (9041)	II
Codeine (9050)	II
Dihydrocodeine (9120)	II
Benzoylecgonine (9180)	II
Morphine (9300)	II
Oxymorphone (9652)	II

Drug	Schedule
Noroxymorphone (9668)	II

The firm plans to manufacture small quantities of the listed controlled substances for reference standards.

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than (60 days from publication).

Dated: July 3, 1996.

Gene R. Haislip,

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

[FR Doc. 96–18022 Filed 7–15–96; 8:45 am]

BILLING CODE 4410–01–M

Manufacturer of Controlled Substances; Notice of Registration

By notice dated September 5, 1995, and published in the Federal Register on September 13, 1995, (60 FR 47591), Mallinckrodt Chemical, Inc., Mallinckrodt & Second Streets, St. Louis, Missouri 63147, made application to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of methylphenidate (1724) a basic class of controlled substance listed in Schedule II. Also, by Notice dated March 27, 1996, and published in the Federal Register on April 4, 1996 (61 FR 15120), Mallinckrodt Chemical, Inc., Mallinckrodt & Second Streets, St. Louis, Missouri 63147, made application to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Tetrahydrocannabinols (7370)	I
Methylphenidate (1724)	II
Cocaine (9041)	II
Codeine (9050)	II
Diprenorphine (9058)	II
Etorphine Hydrocholoride (9059)	II
Dihydrocodeine (9120)	II
Oxycodone (9143)	II
Hydromorphone (9150)	II
Diphenoxylate (9170)	II
Hydrocodone (9193)	II
Levorphanol (9220)	II
Meperidine (9230)	II
Methadone (9250)	II
Methadone-intermediate (9254)	II
Dextropropoxyphene, bulk (non-dosage forms) (9273)	II
Morphine (9300)	II
Thebaine (9333)	II
Opium extracts (9610)	II
Opium fluid extract (9620)	II
Opium tincture (9630)	II
Opium powdered (9639)	II
Opium granulated (9640)	II
Levo-alphacetylmethadol (9648)	II
Oxymorphone (9652)	II
Noroxymorphone (9668)	II
Alfentanil (9737)	II
Sufentanil (9740)	II
Fentanyl (9801)	II

On July 20, 1995, and January 31, 1996, Mallinckrodt Chemicals, Inc. (Mallinckrodt) filed applications with the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of methylphenidate. DEA published notices of these applications in the Federal Register on September 13, 1995, and April 4, 1996, respectively. One registered manufacturer of bulk methylphenidate filed comments in response to these notices. The commentor argues that DEA failed to comply with the Administrative Procedure Act (APA) and further alleges that Mallinckrodt's registration would be contrary to the public interest pursuant to 21 U.S.C. 823(a). The commentor requested a hearing on the 1995 application and urged DEA to deny the 1996 application, or, at a minimum, issue an order to show cause proposing to deny the application.

With respect to the first notice, published September 13, 1995, the commentor alleges that it is entitled to a hearing on Mallinckrodt's application since the regulation terminating the third party hearing right (21 C.F.R. 1301.43(a)) did not take effect until the end of the day on July 20, 1995. The commentor argues that, since Mallinckrodt's application was filed during the day on July 20, 1995, the commentor is entitled to ask for and obtain a hearing. The commentor maintains that if DEA were to consider the application under the new regulation, it would be in violation of Section 553(d) of the Administrative Procedure Act (APA) which dictates that there must be thirty days between publication of a rule and its effective date.

DEA is not persuaded by the commentor's argument that the new regulation could not have become effective until the *end* of the day on July 20, 1995, i.e. after the filing of Mallinckrodt's application during the day of July 20, 1995. In any event, the commentor's contention regarding the effective date of the new regulation is, at this point, moot. Mallinckrodt did not manufacture any methylphenidate pursuant to its application published on July 20, 1995. The commentor thus was not prejudiced by the lack of a hearing. Convening a hearing regarding Mallinckrodt's July 1995 application would serve no purpose.

Furthermore, Mallinckrodt has since filed a new application, published in April 1996. There is no question that Mallinckrodt's 1996 application was filed after the effective date of the new regulation. As a result, the commentor enjoys no right to request or receive a hearing regarding Mallinckrodt's 1996 application.

The commentor next asserts that the 60 day comment period was an insufficient amount of time for the commentor to gather information regarding Mallinckrodt' application. However, in amending the regulation, DEA did not intend to encourage third parties to become, in essence, independent investigators. DEA's intent in amending 21 C.F.R. 1301.43(a) was to allow third parties to provide information already known to the third parties regarding an applicant. It is DEA's position, therefore, that 60 days are sufficient to permit third parties to share information of which they are aware regarding an applicant.

The commentor argues that the notices of Mallinckrodt's applications failed to provide third parties, including the commentor, with an opportunity for meaningful, informed comment. The commentor concludes that DEA has violated the rulemaking provisions of Section 553(b) of the APA. Contrary to the commentor's contention, for the reasons set forth below, DEA's registration of bulk manufacturers does not constitute a ''rulemaking'' proceeding. Nor did DEA voluntarily adopt notice and comment rulemaking procedures when it amended 21 C.F.R. 1301.43(a).

First, the commentor has ignored the definitions set forth in the APA and, in so doing, confuses notice and comment rulemaking with agency licensing proceedings. The commentor insists that DEA proceedings to grant or deny an application for registration as a bulk manufacturer are rulemakings. The APA, however, defines ''rule making'' to mean an ''agency process for formulating, amending, or repealing a rule.'' 5 U.S.C. 551(5). The APA defines a ''rule'' as: