

asked to do so. In so doing, [you] disregarded, not only the practical contraindications, but also the most basic tenets and ethics of our profession. [You have] convincingly demonstrated, by [your] professional conduct, and [your] conduct during the hearing, [your] unfitness for the practice of medicine.

As a result of the Board's decision, [he is] without authority to handle controlled substances in the State of Louisiana."

The Order to Show Cause also notified Dr. Ricketson that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived. The DEA received a signed receipt indicating that Dr. Ricketson received the order on December 27, 1996. No request for a hearing or any other reply was received by the DEA from Dr. Ricketson or anyone purporting to represent him in this matter.

Therefore, the Acting Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Ricketson is deemed to have waived his hearing right. After considering the relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters his final order without a hearing pursuant to 21 C.F.R. 1301.43(d) and (e) and 1301.46.

The Acting Deputy Administrator finds that on October 8, 1996, the Louisiana State Board of Medical Examiners issued a decision immediately revoking Dr. Ricketson's license to practice medicine in the State of Louisiana based upon his prescribing of controlled substances to an undercover law enforcement officer without justification. The Acting Deputy Administrator finds that since Dr. Ricketson is not currently authorized to practice medicine in the State of Louisiana, it is reasonable to infer that he is not authorized to handle controlled substances in that state.

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 *Romeo J. Perez, M.D.*, 62 FR 16,193 (1997); *Demetris A. Green, M.D.*, 61 FR 60,728 (1996); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993).

Here, it is clear that Dr. Ricketson is not currently authorized to handle controlled substances in the State of Louisiana, where he is registered with

DEA. Therefore, he is not entitled to maintain that registration. Because Dr. Ricketson is not entitled to a DEA registration in Louisiana due to his lack of state authorization to handle controlled substances, the Acting Deputy Administrator concludes that it is unnecessary to address whether Dr. Ricketson's continued registration would be inconsistent with the public interest, as alleged in the Order to Show Cause.

Accordingly, the Acting 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, BR4331067, be, and it hereby is, revoked. The Acting Deputy Administrator further orders that any pending applications for the renewal of such registration, be, and they hereby are, denied. This order is effective June 30, 1997.

Dated: May 21, 1997.

**James S. Milford,**

*Acting Deputy Administrator.*

[FR Doc. 97-14113 Filed 5-29-97; 8:45 am]

BILLING CODE 4410-09-M

## DEPARTMENT OF LABOR

### 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 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 issued 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 decisions, together with any modifications 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.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S-3014, Washington, D.C. 20210.

#### Modification to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document

entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

*Volume I*

New York

NY970002 (Feb. 14, 1997)  
 NY970004 (Feb. 14, 1997)  
 NY970005 (Feb. 14, 1997)  
 NY970006 (Feb. 14, 1997)  
 NY970007 (Feb. 14, 1997)  
 NY970009 (Feb. 14, 1997)  
 NY970010 (Feb. 14, 1997)  
 NY970011 (Feb. 14, 1997)  
 NY970014 (Feb. 14, 1997)  
 NY970016 (Feb. 14, 1997)  
 NY970017 (Feb. 14, 1997)  
 NY970022 (Feb. 14, 1997)  
 NY970031 (Feb. 14, 1997)  
 NY970032 (Feb. 14, 1997)  
 NY970033 (Feb. 14, 1997)  
 NY970034 (Feb. 14, 1997)  
 NY970037 (Feb. 14, 1997)  
 NY970038 (Feb. 14, 1997)  
 NY970039 (Feb. 14, 1997)  
 NY970040 (Feb. 14, 1997)  
 NY970041 (Feb. 14, 1997)  
 NY970044 (Feb. 14, 1997)  
 NY970045 (Feb. 14, 1997)  
 NY970046 (Feb. 14, 1997)  
 NY970047 (Feb. 14, 1997)  
 NY970048 (Feb. 14, 1997)  
 NY970050 (Feb. 14, 1997)  
 NY970072 (Feb. 14, 1997)  
 NY970074 (Feb. 14, 1997)  
 NY970075 (Feb. 14, 1997)  
 NY970076 (Feb. 14, 1997)  
 NY970077 (Feb. 14, 1997)

*Volume II*

West Virginia

WV970002 (Feb. 14, 1997)  
 WV970003 (Feb. 14, 1997)  
 WV970006 (Feb. 14, 1997)

*Volume III*

None

*Volume IV*

Indiana

IN970006 (Feb. 14, 1997)

Minnesota

MN970003 (Feb. 14, 1997)  
 MN970005 (Feb. 14, 1997)  
 MN970007 (Feb. 14, 1997)  
 MN970008 (Feb. 14, 1997)  
 MN970012 (Feb. 14, 1997)  
 MN970015 (Feb. 14, 1997)  
 MN970017 (Feb. 14, 1997)  
 MN970027 (Feb. 14, 1997)  
 MN970031 (Feb. 14, 1997)  
 MN970035 (Feb. 14, 1997)  
 MN970039 (Feb. 14, 1997)  
 MN970043 (Feb. 14, 1997)  
 MN970044 (Feb. 14, 1997)  
 MN970045 (Feb. 14, 1997)  
 MN970046 (Feb. 14, 1997)  
 MN970047 (Feb. 14, 1997)  
 MN970048 (Feb. 14, 1997)  
 MN970049 (Feb. 14, 1997)  
 MN970058 (Feb. 14, 1997)  
 MN970059 (Feb. 14, 1997)

MN970061 (Feb. 14, 1997)  
 Ohio  
 OH970001 (Feb. 14, 1997)  
 OH970002 (Feb. 14, 1997)  
 OH970003 (Feb. 14, 1997)  
 OH970014 (Feb. 14, 1997)  
 OH970018 (Feb. 14, 1997)  
 OH970029 (Feb. 14, 1997)  
 OH970035 (Feb. 14, 1997)

*Volume V*

Nebraska

NE970058 (Feb. 14, 1997)

New Mexico

MN970001 (Feb. 14, 1997)  
 MN970005 (Feb. 14, 1997)

*Volume VI*

None

*Volume VII*

California

CA970070 (Feb. 14, 1997)  
 CA970084 (Feb. 14, 1997)  
 CA970101 (Feb. 14, 1997)  
 CA970111 (Feb. 14, 1997)

**General Wage Determination Publication**

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at (703) 487-4630.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, DC this 23rd day of May 1997.

**Carl J. Poleskey,**

*Chief, Branch of Construction Wage Determinations.*

[FR Doc. 97-14060 Filed 5-29-97; 8:45 am]

BILLING CODE 4510-27-M

**DEPARTMENT OF LABOR**

**Mine Safety and Health Administration**

**Petitions for Modification**

The following parties have filed petitions to modify the application of mandatory safety standards under section 101© of the Federal Mine Safety and Health Act of 1977.

**1. G & P Contractors, Inc.**

[Docket No. M-97-40-C]

G & P Contractors, Inc., Bryants Store, has filed a petition to modify the application of 30 CFR 75.342 (methane monitors) to its Stoney Fork No. 2 Mine (I.D. No. 15-17909) located in Knox County, Kentucky. The petitioner proposes to use hand-held continuous-duty methane and oxygen indicators on permissible three-wheel tractors instead of machine-mounted methane monitors. The petitioner asserts that this petition is based on the safety of the miners involved.

**2. Pine Ridge Coal Company**

[Docket No. M-97-41-C]

Pine Ridge Coal Company, 810 Laidley Tower, P.O. Box 1233, Charleston, West Virginia 25324 has filed a petition to modify the application of 30 CFR 75.503 (permissible electric face equipment; maintenance) to its Robin Hood No. 9 Mine (I.D. No. 46-02143) located in Boone County, West Virginia. The petitioner proposes to replace a padlock on battery plug connectors on mobile battery-powered machines with a threaded ring and a spring loaded device to prevent the plug connector from accidentally disengaging while under load. The petitioner asserts that application of the standard would cause a diminution of safety to the workers. In addition, the petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

**3. Peabody Coal Company**

[Docket No. M-97-42-C]

Peabody Coal Company, 800 Laidley Tower, P.O. Box 1233, Charleston, West Virginia 25324 has filed a petition to modify the application of 30 CFR