

comments during the morning session, Saturday, February 17. Members of the public may submit written statements to the Commission at the address listed above, or at the meeting. If you wish to make a 5 minute oral presentation, please call the Commission office at (303) 236-6211 prior to February 9. Members of the public making oral presentations should submit a written copy of their remarks at the meeting. Seating and oral presentations at the meeting will be limited and therefore on a first come basis.

Dated: January 23, 1996.

David Cottingham,

Counselor to the Assistant Secretary for Water and Science, Designated Federal Official.

[FR Doc. 96-1445 Filed 1-26-96; 8:45 am]

BILLING CODE 4310-94-M

Bureau of Land Management

[NV-030-96-1990-02]

Availability for Talapoosa Mining Inc.'s Talapoosa Mine Project Draft Environmental Impact Statement and Notice of Comment Period and Public Meeting

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Notice of availability for the draft environmental impact statement (EIS), for Talapoosa Mining Inc.'s Talapoosa Mine Project, Lyon County, Nevada; and notice of comment period and public meetings.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act, 40 CFR 1500-1508, and 43 CFR 3809, notice is given that the Bureau of Land Management (BLM) has prepared, with the assistance of a third-party consultant, a Draft EIS on the proposed Talapoosa Mine Project, and has made copies available for public and agency review.

DATES: Written comments on the Draft EIS must be submitted or postmarked to the BLM no later than April 2, 1996. Oral and/or written comments may also be presented at a public open-house meeting, to be held:

February 13, 1996

4:00-7:00 p.m.

McAtee Building, 2495 Ft. Churchill Rd., Silver Springs, NV.

ADDRESSES: Written comments on the Draft EIS should be addressed to: Bureau of Land Management, Carson City District Office, 1535 Hot Springs Rd., Carson City, Nevada 89706, Attn.: Ron Moore, Talapoosa Mine EIS Project Manager. A limited number of copies of the Draft EIS may be obtained at the

same address. In addition, the Draft EIS and supporting documentation are available for review at the following locations: BLM, Carson City District Office, Carson City, Nevada; BLM, Nevada State Office, Reno, Nevada; University of Nevada, Library, Reno, Nevada and the Silver Springs Library, Silver Springs, Nevada.

FOR FURTHER INFORMATION CONTACT: Ron Moore, Talapoosa Mine EIS Project Manager, Bureau of Land Management, 1535 Hot Springs Rd., Carson City, Nevada 89706, (702) 885-6155.

SUPPLEMENTARY INFORMATION: Talapoosa Mining Inc. has submitted a Plan of Operations for the construction, operation, and reclamation of a gold/silver heap leach mining operation at the historic Talapoosa mine site, north of Silver Springs, Nevada. The operation would include a new open pit mine, leaching facilities, haul and access roads, and utility corridors. Operations are expected to last from seven to ten years. The operations would be primarily on public lands administered by the Bureau of Land Management, Carson City District Office, Lahontan Resource Area, with a portion on private lands controlled by Talapoosa Mining Inc. The project area would encompass 2,673 acres, with 2,340 acres of public land administered by the BLM, and 333 acres of private land. Approximately 596 acres of surface disturbance would result from the construction and operation of the proposed mine.

This Draft EIS analyzes the environmental impacts associated with the proposed mine and ancillary facilities, and the no action alternative. In addition, the Draft EIS focuses on the issues of water quality and quantity, social and economic values, noise and visual quality that were identified through public scoping.

A copy of the Draft EIS has been sent to all individuals, agencies, and groups who have expressed interest in the project or as mandated by regulation or policy. A limited number of copies are available upon request from the BLM at the address listed above.

Public participation has occurred during the EIS process. A Notice of Intent was filed in the Federal Register in March 1995, and an open scoping period was held for 30 days. Two public scoping meetings to solicit comments and ideas were held in April 1995. All comments presented to the BLM throughout the EIS process have been considered.

To assist the BLM in identifying and considering issues and concerns on the proposed action and alternatives, comments on the Draft EIS should be as

specific as possible. It is also helpful if comments refer to specific pages or chapters in the document. Comments may address the adequacy of the Draft EIS and/or the merits of the alternatives formulated and discussed in the document. Reviewers may wish to refer to the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points. After the comment period ends on the Draft EIS, comments will be analyzed and considered by the BLM in preparing the Final EIS.

Dated: January 23, 1996.

John O. Singlaub,

District Manager, Carson City District Office.

[FR Doc. 96-1514 Filed 1-26-96; 8:45 am]

BILLING CODE 4310-HC-P

Fish and Wildlife Service

Atlantic Coastal Fisheries Cooperative Management Act; Meeting

AGENCY: Department of the Interior, Fish and Wildlife Service.

ACTION: Notice of meeting.

SUMMARY: The U.S. Fish and Wildlife Service and the National Marine Fisheries Service (NMFS) will hold a joint meeting to discuss coordination of activities that support Atlantic States Marine Fisheries Commission coastal fisheries management plans under the Atlantic Coastal Fisheries Cooperative Management Act and the Atlantic Striped Bass Conservation Act.

DATES: The meeting will be held on February 14, 1996, at 10:00 a.m. to 3:00 p.m. and is open to the public.

ADDRESSES: The meeting will be held at NMFS Headquarters, Silver Spring Metro Center, Building III, Room 3404, 1315 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Brian Lubinski, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 840, Arlington, VA 22203, (703) 358-1718.

SUPPLEMENTARY INFORMATION: This meeting is being held pursuant to Public Law 103-206 and Public Law 102-103. Minutes of the meetings will be maintained by the U.S. Fish and Wildlife Service, Room 840, 4401 North Fairfax Drive, Arlington, Virginia 22203 and the National Marine Fisheries Service, F/CM, Metro Center, 1315 East-West Highway, Silver Spring, MD 20910, and will be available for public inspection during regular business

hours, Monday through Friday within 30 days following the meeting.

Dated: January 19, 1996.

Gary Edwards,

*Assistant Director—Fisheries; Co-Chair,
Atlantic Coastal Fisheries Cooperative
Management Act Coordination Committee.*

[FR Doc. 96-1126 Filed 1-26-96; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Earl A. Humphreys, M.D.; Revocation of Registration

On April 12, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Earl A. Humphreys, M.D., (Respondent) of Pittsburgh, Pennsylvania, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AH1675252, under 21 U.S.C. 824(a)(4), and deny any pending application under 21 U.S.C. 823(f), as being inconsistent with the public interest. Specifically, the Order to Show Cause alleged that "from the early 1980s to mid-1993, [the Respondent] prescribed controlled substances to at least four individuals without a legitimate medical need and with knowledge that these individuals were not the ultimate recipients of the controlled substances."

On May 1, 1995, the Respondent, through counsel, filed a reply to the show cause order (Reply), waiving his hearing right and providing a factual response to the allegations in the show cause order. Accordingly, the Deputy Administrator now enters his final order in this matter pursuant to 21 C.F.R. 1301.54(e), 1301.57, without a hearing and based on the investigative file and the written Reply submitted by the Respondent.

The Deputy Administrator finds that the Respondent is licensed to practice medicine and surgery in the Commonwealth of Pennsylvania, specializing in gastroenterology and internal medicine. He is registered as a practitioner with the DEA, AH1675252, to handle Schedules II through V controlled substances. In his Reply, the Respondent wrote that he had been in practice for thirty-five years, and "I have not had a mark against my record."

The Respondent was the personal physician and friend of Justice Rolf Larsen of the Pennsylvania Supreme Court. Justice Larsen was charged with 27 state felony counts for obtaining

controlled substances by fraud, deceit, and subterfuge. At a pre-trial hearing, the Respondent had testified that beginning in 1981 and continuing until 1993, he had issued prescriptions for Schedule IV controlled substances intended for Justice Larsen's use, but he had issued the prescriptions in the name of third-parties. Specifically, during this time he wrote approximately 34 prescriptions for Valium, diazepam, Ativan, and Serax in the names of two of Justice Larsen's secretaries and one law clerk. The Respondent had never met these individuals, and they were not his patients. The three named individuals testified at the pre-trial hearing that in each instance they had picked up the filled prescription at a local pharmacy, had delivered the medication to Justice Larsen, and in no case had they taken the prescribed medications themselves. The Respondent was not paid for issuing these prescriptions.

During this time, Justice Larsen was being treated by either a psychologist or a psychiatrist, but the Respondent was his family physician. The Respondent testified that he examined Justice Larsen about every six months, but not necessarily prior to issuing each of the prescriptions. Rather, Justice Larsen would telephone the Respondent and tell him what substances he wanted and in whose name to issue the prescription. The Respondent would then comply with his patient's request. The Respondent also testified that he was aware of Justice Larsen's diagnosed condition, to include clinical depression and anxiety, and that it was the Respondent's belief that every medication he prescribed for Justice Larsen was for a legitimate medical purpose. The Respondent testified that he had prescribed the substances in legitimate medical dosage amounts and at appropriate time intervals. He stated that he prescribed these controlled substances in this manner in order to preserve his patient's privacy, for "[t]he public doesn't have to know what medications he's taking. That's my job to provide privacy for him." However, the Respondent was not aware of any prescriptions issued to Justice Larsen by his treating psychiatrist or psychologist, and he had not coordinated his prescribing with any of his patient's other care providers.

In the Reply, the Respondent's attorney wrote that "[t]he facts developed during [Justice Larsen's] trial showed that for a period of many years a local newspaper * * * had carried stories relating not just to Justice Larsen's judicial conduct, but to his family and personal matters * * * So

that, it was not simply the normal need for privacy that all psychiatric patients have, but the enlarged need caused by the political nature of these facts. Testimony at trial showed that psychiatric patients suffer a stigma in society, and that public figures bear [an] even greater burden." The Respondent also wrote that during the trial, Justice Larsen's psychiatrist and neurologist had testified that "they probably would have done the same thing * * * [that] it is common practice, especially in psychiatric patients, to do this. There have been dire consequences where this privacy has been broken." However, the trial transcript from Justice Larsen's trial was not a part of the investigative record, and the Respondent did not attach a copy of the referenced sections to his Reply.

On September 14, 1995, the Pennsylvania Bureau of Professional and Occupational Affairs (Bureau) filed formal disciplinary charges and a show cause order against the Respondent. The Bureau's charges focused upon the Respondent's prescribing practices to Justice Larsen between March 1981 and March 1993, noting that he had prescribed controlled substances to four named individuals who were not his patients and had not received treatment from him. Further, the Bureau alleged that the Respondent had failed to conduct physical examinations and re-evaluations concurrent with the issuing of prescriptions to Justice Larsen, and that the records the Respondent maintained pertaining to Justice Larsen were incomplete and inaccurate. The order also asserts that the Respondent's actions were "unprofessional" and departed from or failed to conform to "an ethical or quality standard of the profession." The order also states that if found, these violations of Pennsylvania law and regulations would result in civil penalties to include fines and the revocation of his medical license. However, the results of this proposed State action are not reflected in the investigative file or in the Respondent's Reply.

Pursuant to 21 U.S.C. 823(f) and 824(a)(4), the Deputy Administrator may revoke the Respondent's DEA Certificate of Registration and deny any pending applications, if he determines that the continued registration would be inconsistent with the public interest. Section 823(f) requires that the following factors be considered.

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.