of the district be redrawn to exclude lands located within the Borough of Chambersburg, based upon a claimed loss of historic integrity of the area. Documentation relative to the historic integrity of this portion of the district was submitted to the National Register. Copies of this documentation are available from the National Register at the address below. In order to accommodate those who wish to provide new information concerning the boundary of the Eastern Greene Township Rural Historic District, the National Park Service is providing a 60 day comment period. A written statement on the determination of eligibility will be issued by the National Park Service within 30 days of the close of the comment period.

The determination of eligibility remains in effect pending review of responses submitted during the comment period. In order to revise the boundary the National Park Service must receive authoritative information, which evaluated in conjunction with documentation already on file, results in a finding that the determined eligible boundary does not accurately delineate the historic district in accordance with established National Register standards.

Comments should be addressed to the National Register of Historic Places, National Park Service, 1849 C St., N.W., Room NC400, Washington, D.C. 200240.

**Carol D. Shull,**

*Keeper of the National Register of Historic Places, National Register, History and Education.*

[FR Doc. 98–21015 Filed 8–5–98; 8:45 am]

**BILLING CODE 4310–70–P**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Importation of Controlled Substances; Notice of Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1301.34 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on May 1, 1998, applied Science Labs, Inc., A Division of Altech Associates, Inc., 2701 Carolean Industrial Drive, P.O. Box 440, State College, Pennsylvania 16801, made application to the Drug Enforcement Administration to be registered as an importer of the basic classes of controlled substances listed below:

| Drug | Schedule |
|---|---|
| Heroin (9200) | I |
| Morphine (9300) | II |

The firm plans to import these controlled substances for the manufacture of reference standards.

Any manufacturer holding, or applying for, registration as a bulk manufacturer of these basic classes of controlled substances may file written comments on or objections to the application described above and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.43 in such form as prescribed by 21 CFR 1316.47.

Any such comments, objections or requests for a hearing may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than (30 days from publication).

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1301.34(b), (c), (d), (e), and (f). As noted in a previous notice at 40 FR 43745–46 (September 23, 1975), all applicants for registration to import the basic classes of any controlled substances in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1301.34(a), (b), (c), (d), (e), and (f) are satisfied.

Dated: July 17, 1998.

**John H. King,**

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

[FR Doc. 98–20972 Filed 8–5–98; 8:45 am]

**BILLING CODE 4410–09–M**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Importer of Controlled Substances; Notice of Registration

By Notice dated April 17, 1998, and published in the **Federal Register** on April 30, 1998, (63 FR 23796), Johnson Matthey, Inc., Custom Pharmaceuticals Department, 2003 Nolte Drive, West Deptford, New Jersey 08066, made application to the Drug Enforcement Administration (DEA) to be registered as an importer of phenylacetone (8501), a basic class of controlled substance listed in Schedule II.

The phenylacetone will be imported for conversion to amphetamine base, isomers and salts thereof for sale in bulk form to customers.

No comments or objections have been received. DEA has considered the factors in Title 21, United States Code, Section 823(a) and determined that the registration of Johnson Matthey, Inc. to import phenylacetone is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971, at this time. Therefore, pursuant to Section 1008(a) of the Controlled Substances Import and Export Act and in accordance with Title 21, Code of Federal Regulations, Section 1311.42, the above firm is granted registration as an importer of the basic classes of controlled substances listed above.

Dated: July 17, 1998.

**John H. King,**

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

[FR Doc. 98–20973 Filed 8–5–98; 8:45 am]

**BILLING CODE 4410–09–M**

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Manufacturer of Controlled Substances; Notice of Registration

By Notice dated January 8, 1998, and published in the **Federal Register** on February 12, 1998 (63 FR 7182), Nycomed, Inc., 33 Riverside Avenue, Renssalaer, New York 12144 made application to the Drug Enforcement Administration (DEA) by letter to be registered as a bulk manufacturer of methylphenidate (1724).

A registered bulk manufacturer of methylphenidate filed written comments and an objection in response to the notice of application. Review of the APA's definitions of license and

licensing reveals that the granting or denial of a manufacturer's registration is a licensing action, not a rulemaking. Courts have frequently distinguished between agency licensing actions and rulemaking proceedings. *See, e.g. Gateway Transp. Co.* v. *United States*, 173 F. Supp. 822, 828 (D.C. Wis. 1959); *Underwater Exotics, Ltd.* v. *Secretary of the Interior*, 1994 U.S. Dist. LEXIS 2262 (1994). Courts have interpreted agency action relating to licensing as not falling within the APA's rulemaking provisions.

The objector argues that Nycomed cannot prove its registration as a bulk manufacturer of methylphenidate is in the public interest, that Nycomed's registration is not required to produce an adequate and uninterrupted supply of methylphenidate, that there is sufficient competition with the present bulk manufacturers and that by there would be a public interest impact on reported trends of over-prescribing, abuse and diversion of methylphenidate.

The arguments of the objector were considered, however, DEA has reviewed the firm's safeguards to prevent the theft and diversion of methylphenidate and found that the firm has met the regulatory requirements and public interest factors of the Controlled Substances Act.

Nycomed has been and is currently registered with DEA as a manufacturer of other Schedule II controlled substances. Nycomed's application is based on the firm's request to add methylphenidate to its existing registration as a bulk manufacturer. The firm has been investigated by DEA on a regular basis to determine if the firm maintains effective controls against diversion and if its continued registration is consistent with the public interest. These investigations have included, in part, inspection and testing of the firm's physical security, audits of the firm's records, verification of compliance with state and local law and a review of the firm's background and history. These investigations have found Nycomed to be in compliance with the Controlled Substances Act (C.S.A.) and its implementing regulations in recent years.

Under Title 21, Code of Federal Regulations, Section 1301.43(b), DEA is not required to limit the number of manufacturers solely because a smaller number is capable of producing an adequate supply provided effective controls against diversion are maintained. DEA has determined that effective controls against diversion will be maintained by Nycomed.

Additionally, Nycomed has applied for registration as a bulk manufacturer in order to perform a chemical isolation process on methylphenidate which had been manufactured by another manufacturer currently registered to bulk manufacture methylphenidate.

After reviewing all the evidence, DEA has determined, pursuant to 21 U.S.C., Section 823(a) that it is consistent with the public interest to grant Nycomed's application to manufacture methylphenidate at this time. Therefore, pursuant to 21 U.S.C. Section 823 and 28 CFR Section 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: July 29, 1998.

**John H. King,**

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

[FR Doc. 98–20977 Filed 8–5–98; 8:45 am]

BILLING CODE 4410–09–M

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Importer of Controlled Substances; Notice of Registration

By Notice dated May 7, 1998, and published in the **Federal Register** on May 19, 1998 (63 FR 27590), Roche Diagnostic Systems, Inc., 1080 U.S. Highway 202, Somerville, New Jersey 08876–3771), made application by renewal to the Drug Enforcement Administration (DEA) to be registered as an importer of tetrahydrocannabinols (7370), a basic class of controlled substance listed in Schedule I.

The tetrahydrocannabinols will be utilized exclusively for non-human consumption in drug of abuse detection kits.

No comments or objections have been received. DEA has considered the factors in Title 21, United States Code, Section 823(a) and determined that the registration of Roche Diagnostic Systems to import tetrahydrocannabinols is consistent with the public interest and with United Sates obligations under international treaties, conventions, or protocols in effect on May 1, 1971, at this time. Therefore, pursuant to Section 1008(a) of the Controlled Substances Import and Export Act and in accordance with Title 21, Code of Federal Regulations, Section 1301.34, the above firm is granted registration as an importer of the basic class of controlled substance listed above.

Dated: July 17, 1998.

**John H. King,**

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

[FR Doc. 98–20974 Filed 8–5–98; 8:45 am]

BILLING CODE 4410–09–M

## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Importer of Controlled Substances Notice of Registration

By Notice dated May 4, 1998, and published in the **Federal Register** on May 19, 1998, (63 FR 27591), Sigma Chemical Company, Subsidiary of Sigma-Aldrich Company, 3500 Dekalb Street, St. Louis, Missouri 63118, made application to the Drug Enforcement Administration (DEA) to be registered as an importer of the basic classes of controlled substances listed below:

| Drug | Schedule |
|---|---|
| Cathinone (1235) | I |
| Methcathinone (1237) | I |
| Methaqualone (2565) | I |
| Ibogaine (7260) | I |
| Lysergic acid diethylamide (7315) | I |
| Tetrahydrocannabinols (7370) | I |
| 4-Bromo-2,5-dimethoxyamphetamine (7391). | I |
| 3,4-Methylenedioxyamphetamine (7400). | I |
| 3,4-Methlenedioxy-N-ethylamphetamine (7404). | I |
| 3,4-Methlenedioxy- methamphetamine (7405). | I |
| 4-Methoxyamphetamine (7411) | I |
| Psilocyn (7438) | I |
| Normorphine (9313) | I |
| Amphetamine (1100) | II |
| Methamphetamine (1105) | II |
| Methylphenidate (1724) | II |
| Amobarbital (2125) | II |
| Pentobarbital (2270) | II |
| Secobarbital (2315) | II |
| Phencyclidine (7471) | II |
| Cocaine (9041) | II |
| Codeine (9050) | II |
| Oxycodone (9143) | II |
| Hydromorphone (9150) | II |
| Benzoylecgonine (9180) | II |
| Ethylmorphine (9190) | II |
| Hydrocodone (9193) | II |
| Levorphanol (9220) | II |
| Meperidine (9230) | II |
| Methadone (9250) | II |
| Dextropropoxyphene, bulk (non-dosage forms) (9273). | II |
| Morphine (9300) | II |
| Thebaine (9333) | II |
| Opium powdered (9639) | II |
| Oxymorphone (9652) | II |
| Fentanyl (9801) | II |