

revoked Dr. Steel's Physician and Surgeon's Certificate, effective as of May 3, 2004. The revocation was based on the Board's finding that Dr. Steel was mentally impaired to a degree that he was unable to safely practice medicine.

There is no evidence before the Deputy Administrator to rebut a finding that Dr. Steel's California medical license has been revoked. Therefore, the Deputy Administrator finds Dr. Steel is currently not authorized to practice medicine in the State of California. As a result, it is reasonable to infer that he is also without authorization to handle controlled substances in that State.

DEA does not have statutory authority under the Controlled Substance 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 business. *See* 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See* Richard J. Clement, M.D., 68 FR 12103 (2003); Dominick A. Ricci, M.D., 68 FR 51104 (1993); Bobby Watts, M.D., 53 FR 11919 (1988).

Here, it is clear that Dr. Steel's state medical license was revoked after being initially suspended and there is no information before the Deputy Administrator which points to that revocation having been lifted or stayed. As a result, Dr. Steel is not authorized to practice medicine or handle controlled substances in California, where he is registered with DEA. Therefore, he is not entitled to maintain that registration.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in her by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BS5024865, issued to Samuel Lee Steel, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for renewal or modification of the aforementioned registration be, and hereby are, denied. This order is effective April 8, 2005.

Dated: January 14, 2005.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. 05-4564 Filed 3-8-05; 8:45 am]

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DEPARTMENT OF LABOR

Employee Benefits Security Administration

Proposed Extension of Information Collection Request Submitted for Public Comment; Consent To Receive Employee Benefit Plan Disclosure Electronically

AGENCY: Employee Benefits Security Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employee Benefits Security Administration is soliciting comments on the proposed extension of an information collection request (ICR) incorporated in the Final Rules relating to the use of electronic communication and recordkeeping technologies by employee pension and welfare benefit plans (29 CFR 2520.104b-1).

A copy of the information collection request (ICR) can be obtained by contacting the individual shown in the ADDRESSES section of this notice.

DATES: Written comments must be submitted to the office shown in the ADDRESSES section on or before May 9, 2005.

ADDRESSES: Gerald B. Lindrew, Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue NW., Washington, DC 20210, (202) 693-8410, Fax (202) 693-4745 (these are not toll-free numbers).

SUPPLEMENTARY INFORMATION:

I. Background

The Department established a safe harbor pursuant to which all pension and welfare benefit plans covered by Title I of ERISA may use electronic media to satisfy disclosure obligations under Title I of ERISA (29 CFR 2520.104b-1). Employee benefit plan administrators will be deemed to satisfy their disclosure obligations when

furnishing documents electronically only if a participant who does not have access to the employer's electronic information system in the normal course of his duties, or a beneficiary or other person entitled to documents, has affirmatively consented to receive disclosure documents. Prior to consenting, the participant or beneficiary must also be provided with a clear and conspicuous statement indicating the types of documents to which the consent would apply, that consent may be withdrawn at any time, procedures for withdrawing consent and updating necessary information, the right to obtain a paper copy, and any hardware and software requirements. In the event of a hardware or software change that creates a material risk that the individual will be unable to access or retain documents that were the subject of the initial consent, the individual must be provided with information concerning the revised hardware or software, and an opportunity to withdraw a prior consent.

II. Review Focus

The Department of Labor (Department) is particularly interested in comments that:

- 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 submissions of responses.

III. Current Actions

The Office of Management and Budget's (OMB) approval of this ICR will expire on May 31, 2005. After considering comments received in response to this notice, the Department intends to submit the ICR to OMB for continuing approval. No change to the existing ICR is proposed or made at this time.

Comments submitted in response to this notice will be summarized and/or

included in the request for OMB approval of the information collection request; they will also become a matter of public record.

Agency: Employee Benefits Security Administration, Department of Labor.

Title: Consent to Receive Employee Benefit Plan Disclosure Electronically.

Type of Review: Extension of a currently approved collection of information.

OMB Number: 1210-0121.

Affected Public: Business or other for-profit; Not-for-profit institutions.

Respondents: 1000.

Responses: 1000.

Average Response time: 2 hours.

Estimated Total Burden Hours: 100.

Dated: March 3, 2005.

Gerald B. Lindrew,

Deputy Director, Office of Policy and Research, Employee Benefits Security Administration.

[FR Doc. 05-4566 Filed 3-8-05; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-56,030]

Arista Beaver Brook Circuits Bethel, CT; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at Arista Beaver Brook Circuits, Bethel, Connecticut. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-56,030; Arista Beaver Brook Circuits, Bethel, Connecticut (February 2, 2005)

Signed at Washington, DC this 16th day of February 2005.

Linda G. Poole,

Acting Director, Division of Trade Adjustment Assistance.

[FR Doc. E5-985 Filed 3-8-05; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,518]

BASF Corporation Freeport, TX; Notice of Revised Determination on Reconsideration

On January 12, 2005, the Department of Labor issued a Notice of Affirmative Determination Regarding Application for Reconsideration applicable to the subject firm. The Notice will soon be published in the **Federal Register**.

The initial investigation found that workers are separately identifiable by product line (polycaprolactum, oxo, diols, and acrylic monomers), that polycaprolactum, oxo and diol production increased during the relevant period, and that the subject company neither increased imports of acrylic monomers during the relevant period nor shifted acrylic monomer production abroad.

The petitioner asserted in the request for reconsideration that the worker separations at the subject firm were the result of a shift of production of acrylic monomers to China.

During the reconsideration investigation, it was found that workers are not separately identifiable by product line, subject facility production ceased in December 2003, production shifted to an affiliated facility located in Europe, and the subject firm increased their reliance on imports during the relevant period.

The investigation also revealed that the criteria for alternative trade adjustment assistance have been met. A significant number or proportion of the worker group are age fifty years or over and workers possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at BASF Corporation, Freeport, Texas contributed importantly to worker separations at the subject firm.

In accordance with the provisions of the Act, I make the following certification:

All workers of BASF Corporation, Freeport, Texas, who became totally or partially separated from employment on or after August 30, 2003, through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223

of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC this 21st day of January 2005.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5-990 Filed 3-8-05; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,754A, TA-W-55,754B, TA-W-55,754C, TA-W-55,754D]

Dan River, Inc., 1325 Avenue of the Americas, New York, NY; Dan River, Inc., Boonsville, MI; Dan River, Inc., High Point, NC; Dan River, Inc., Walnut Creek, CA; Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on November 5, 2004, applicable to Dan River, Inc., 1325 Avenue of the Americas, New York, New York. The notice was published in the **Federal Register** on December 9, 2004 (69 FR 71429).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. New information provided by the firm shows that some employees separated from employment with Dan River, Inc., 1325 Avenue of the Americas, New York, New York, were located in Boonsville, Mississippi, High Point, North Carolina and Walnut Creek, California. These workers provided sales and marketing support services for the production of home furnishing textiles produced by Dan River, Inc.

Based on these findings, the Department is amending this certification to include employees of the 1325 Avenue of the Americas, New York, New York location of Dan River, Inc., located in Boonsville, Mississippi, High Point, North Carolina, and Walnut Creek, California.

The intent of the Department's certification is to include all workers of Dan River, Inc. who were adversely affected by a shift in production to China and Mexico.