

The firm plans to bulk manufacture the phenylacetone for the manufacture of the amphetamine. The bulk 2,5-dimethoxyamphetamine will be used for conversion into non-controlled substances.

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 proposed registration. 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, DC 20537, Attention: Federal Register Representative, Office of Chief Counsel (CCD) and must be filed no later than December 29, 2003.

Dated: October 7, 2003.

Laura M. Nagel,

Deputy Assistant Administrator, Office of Diversion Control.

[FR Doc. 03-27241 Filed 10-28-03; 8:45 am]

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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 II and prior to issuing a registration 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 August 5, 2003, ISP Freetown Fine Chemicals, 238 Main South Street, Assonet, Massachusetts 02702, made application by renewal to the Drug Enforcement Administration to be registered as an importer of Phenylacetone (8501), a basic class of controlled substance listed in Schedule II.

The firm plans to import Phenylacetone to manufacture amphetamine.

Any manufacturer holding, or applying for, registration as a bulk manufacturer of this basic class of controlled substance 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: Federal Register Representative (CCD), and must be filed no later than November 28, 2003.

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 basic class of any controlled substance 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 1311.42(a), (b), (c), (d), (e), and (f) are satisfied.

Dated: October 7, 2003.

Laura M. Nagel,

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

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated June 20, 2003, and published in the **Federal Register** on July 8, 2003, (68 FR 40686), Lilly Del Caribe, Inc., Chemical Plant, Kilometer 146.7, State Road 2, Mayaguez, Puerto Rico 00680, made application by renewal to the Drug Enforcement Administration for registration as a bulk manufacturer of Dextropropoxyphene (9273), a basic class of controlled substance listed in Schedule II.

The firm plans to bulk manufacture product for distribution to its customers.

No comments or objections have been received. DEA has considered the factors in Title 21, United States Code, Section 832(a) and determined that the registration of Lilly Del Caribe, Inc. to manufacture the listed controlled substance is consistent with the public

interest at this time. DEA has investigated Lilly Del Caribe, Inc. to ensure that the company's registration is consistent with the public interest. This investigation has included inspection and testing of the company's physical security systems, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 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 is granted.

Laura M. Nagel,

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

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated June 20, 2003, and published in the **Federal Register** on July 8, 2003, (68 FR 40686), Pressure Chemical Company, 3419 Smallman Street, Pittsburgh, Pennsylvania 15201, made application by renewal to the Drug Enforcement Administration for registration as a bulk manufacturer of 2, 5-Dimethoxyamphetamine (7396), a basic class of controlled substance listed in Schedule I.

The firm plans to manufacture the substance for distribution to its 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 Pressure Chemical Company to manufacture the listed controlled substance is consistent with the public interest at this time. DEA has investigated Pressure Chemical Company to ensure that the company's registration is consistent with the public interest. This investigation has included inspection and testing of the company's physical security systems, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 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 is granted.

Dated: October 7, 2003.

Laura M. Nagel,

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

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

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

1. Black Beauty Coal Company

[Docket No. M-2003-068-C]

Black Beauty Coal Company, P.O. Box 312, Evansville, Indiana 47702-0312 has filed a petition to modify the application of 30 CFR 75.1700 (Oil and gas wells) to its Francisco Mine (MSHA I.D. No. 12-02295) located in Gibson County, Indiana. The petitioner proposes to mine through oil and gas wells in lieu of plugging the wells and to establish and maintain a barrier around various abandoned wells. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

2. Consolidation Coal Company

[Docket No. M-2003-069-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.302 (Main mine fan) to its Loveridge No. 22 Mine (MSHA I.D. No. 46-01433) located in Marion County, West Virginia. The petitioner proposes to use an auxiliary fan to provide warm air for the slope area. The petitioner states the fan will be enclosed in fireproof housing that has an automatic fire suppression system installed. The petitioner has listed specific compliance procedures in this petition that would be followed when using the auxiliary fan. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

3. Consolidation Coal Company

[Docket No. M-2003-070-C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241-1421 has filed a petition to modify the application of 30 CFR 75.364(b)(2) (Weekly examination) to its Robinsion Run Mine (MSHA I.D. No. 46-01318) located in Marion County, West Virginia. The petitioner requests a modification of the existing standard to allow airway check points to be established to monitor the area of the return air course from Main North 104 block to 3 West 12 block, due to deteriorating roof conditions. The petitioner proposes to establish check points 3W-1 and 3W-2 to measure air quality and quantity at the inlet to the affected air course, and check point 3W-3 would be established to measure air quality and quantity at the outlet from the affected air course. The petitioner asserts that the check points and all approaches to the check points will be maintained in a safe condition at all times; that tests for methane and the quantity of air will be determined on a weekly basis by a certified person at each check point, and that the persons making the examinations and tests will place his/her initials, date, and time in a record book kept on the surface for inspection by interested person(s). The petitioner asserts that to travel the affected area in its entirety to make weekly examinations would be hazardous to the person making such examinations. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

4. Bowie Resources, Ltd.

[Docket No. M-2003-071-C]

Bowie Resources, Ltd., P.O. Box 483, Paonia, Colorado 81428 has filed a petition to modify the application of 30 CFR 75.701 (Grounding metallic frames, casings, and other enclosures of electric equipment) to its Bowie #3 Mine (MSHA I.D. No. 05-04758) located in Delta County, Colorado. The petitioner requests a modification of the existing standard to allow an alternative method of compliance for the grounding of a diesel generator. The petitioner proposes to use the 460 KW diesel powered generator to move electrically powered mining equipment in, out and around the mine only, and to perform work in areas outby section loading points where equipment is not required to be maintained permissible. The petitioner asserts that the proposed alternative method would provide at

least the same measure of protection as the existing standard.

5. Bowie Resources, Ltd.

[Docket No. M-2003-072-C]

Bowie Resources, Ltd., P.O. Box 483, Paonia, Colorado 81428 has filed a petition to modify the application of 30 CFR 75.901 (Protection of low- and medium-voltage three-phase circuits used underground) to its Bowie #3 Mine (MSHA I.D. No. 054758) located in Delta County, Colorado. The petitioner requests a modification of the existing standard to allow an alternative method of compliance for the grounding of a diesel generator. The petitioner proposes to use a 460 KW diesel powered generator to move electrically powered mining equipment in, out, and around the mine only, and to perform work in areas outby section loading points where equipment is not required to be maintained permissible. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

6. Bowie Resources, Ltd.

[Docket No. M-2003-073-C]

Bowie Resources, Ltd., P.O. Box 483, Paonia, Colorado 81428 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (Nonpermissible diesel-powered equipment; design and performance requirements) to its Bowie #3 Mine (MSHA I.D. No. 05-04758) located in Delta County, Colorado. The petitioner requests a modification of the existing standard to allow the use of an alternative method for front wheel brakes on a six wheeled road grader. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

7. Newtown Energy, Inc.

[Docket No. M-2003-074-C]

Newtown Energy, Inc., P.O. Box 189, Comfort, West Virginia 25049 has filed a petition to modify the application of 30 CFR 75.1002 (Installation of electric equipment and conductors; permissibility) to its Coalburg #1 Mine (MSHA I.D. No. 46-08993) located in Boone County, West Virginia. The petitioner proposes to operate a 2,400 volt Joy 12CM27 continuous mining machine at the Coalburg #1 Mine. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.