

subject to the following standard terms and conditions:

(1) *Article 1.* The construction, operation, and maintenance of the exempted facility must comply with any rule or order the Commission may from time to time prescribe for the protection of life, health, or property.

(2) *Article 2.* The Commission reserves the right to conduct investigations under sections 4(g), 306, 307, and 311 of the Federal Power Act with respect to any acts, complaints, facts, conditions, practices, or other matters related to the construction, operation, or maintenance of an exempted facility. If any term or condition of the exemption for an exempted facility is violated, the Commission may revoke the exemption, issue a suitable order under section 4(g) of the Federal Power Act, or take appropriate action for enforcement, forfeiture, or penalties under Part III of the Federal Power Act.

(3) *Article 3.* The construction, operation, and maintenance of the exempted facility must comply with any terms and conditions that fish and wildlife agencies may determine are appropriate to prevent loss of, or damage to, fish or wildlife resources or otherwise to carry out the purposes of the Fish and Wildlife Coordination Act.

(g) The Commission may also prescribe additional terms or conditions in granting an exemption for a small conduit hydroelectric facility, in order to:

(1) Protect the quality or quantity of the related water supply for agricultural, municipal, or industrial consumption;

(2) Otherwise protect life, health, or property;

(3) Avoid or mitigate adverse environmental impact; or

(4) Conserve, develop, or utilize in the public interest the water power resources of the region.

(h) Notice of an application for exemption will be circulated to interested agencies at the time the applicant is notified that the application is accepted for filing. Fish and wildlife agencies will also receive copies of the application. If a particular agency does not comment within 45 days from the issuance of that notice, that agency will be presumed to have no objection to the exemption requested. A fish or wildlife agency that does not comment within that time will also be presumed to have no recommendations for terms or conditions of the exemption other than

those that may be included in Exhibit A of the application for exemption.

[Docket No. RM79-36]
[FR Doc. 79-12623 Filed 4-25-79; 8:45 am]
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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[21 CFR Part 1308]

Schedules of Controlled Substances; Determination of Schedule for Preparations Containing Narcotic Drugs

AGENCY: Drug Enforcement Administration, Justice

ACTION: Notice of proposed rulemaking.

SUMMARY: This is a notice of proposed rulemaking to specify the method to be used in calculating the amount of a narcotic drug present in a Schedule III, IV or V preparation.

DATE: Comments should be received on or before May 29, 1979.

ADDRESS: Send comments in quintuplicate to: Administrator, Drug Enforcement Administration, U.S. Department of Justice, 1405 I Street, N.W., Washington, D.C. 20537, Attention: Federal Register Representative.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Telephone 202-633-1366.

SUPPLEMENTARY INFORMATION: The Controlled Substances Act (Public Law 91-513) allows preparations containing certain Schedule I or II narcotic drugs to be placed in lower schedules if requirements specified in the Act are met. These requirements include a maximum permitted quantity of narcotic drug. Recent occurrences involving the scheduling of these types of preparations have demonstrated to DEA that confusion exists as to the correct method of calculating the quantity of narcotic drug present. The narcotic substance in a preparation may be in the form of the free anhydrous base or alkaloid or combined in the form of various salts, both anhydrous and hydrated. All calculations of the quantity of a narcotic substance contained in a preparation are to be made based on the amount of free anhydrous base or alkaloid present and not on the amount expressed as the salt form. It is proposed to specify this

procedure by modifying 21 CFR as follows:

§ 1308.13 Schedule III.

* * * * *

(e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or salts thereof (the quantity of narcotic drug shall be calculated as the free anhydrous base or alkaloid):

* * * * *

§ 1308.14 Schedule IV.

* * * * *

(b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof (the quantity of narcotic drug shall be calculated as the free anhydrous base or alkaloid):

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§ 1308.15 Schedule V.

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(b) Narcotic drugs containing non-narcotic active medicinal ingredients. Any compound, mixture, or preparation containing any of the following limited quantities of narcotic drugs or any salts thereof, which shall include one or more non-narcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture, or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone (the quantity of narcotic drug shall be calculated as the free anhydrous base or alkaloid):

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All interested persons are invited to submit their comments in writing regarding this proposal. The comments should state with particularity the issues concerning which the person desires to be heard.

Dated: April 18, 1979.

Peter B. Bonsinger,
Administrator, Drug Enforcement Administration.
[FR Doc. 79-12673 Filed 4-25-79; 8:45 am]
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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 171]

Leasing of Tribal Lands for Mining

AGENCY: Bureau of Indian Affairs.