Written comments will be available for public inspection at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C., during business hours.

Any person wishing to present testimony, views, data, or otherwise participate at a public hearing should notify the Commission in writing that they wish to make an oral presentation and therefore request a public hearing. Such request shall specify the amount of time requested at the hearing. Requests should be filed with the Secretary of the Commission no later than September 21, 1981.

(Natural Gas Policy Act of 1978, 15 U.S.C. 3301–3342)

Accordingly, the Commission proposes to amend the regulations in Part 271, Chapter I Title 18, Code of Federal Regulations, as set forth below, in the event Colorado's recommendation is adopted.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.

PART 271—CEILING PRICES

Section 271.703(d) is amended by adding new subparagraph (65) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.* The following formations are designated as tight formations. A more detailed description of the geographical extent and geological parameters of the designated tight formations is located in the Commission's official file for Docket No. RM79–76, subindexed as indicated, and is also located in the official files of the jurisdictional agency that submitted the recommendation.

* * * * *

(48) through (64) [Reserved]

(65) *Sussex Formation in Colorado.* RM79–76 (Colorado–16).

(i) Delineation of formation. The Sussex Formation is found in Weld County, Colorado, in Township 4 North, Range 66 West, 6th P.M., Sections, 2, 3, and 10, Section 11–N ½, Section 15–W½; Township 5 North, Range 66 West, 6th P.M., Sections 33, 34, and 35.

(ii) *Depth.* The average depth to the top of the Sussex Formation is between 4,400 and 4,500 feet.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Proposed Placement of N-ethylamphetamine into Schedule I

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice is a proposed rule issued by the Acting Administrator of the Drug Enforcement Administration (DEA) to place the chemical substance, N-ethylamphetamine, into Schedule I of the Controlled Substances Act (CSA). This proposal follows DEA's review of the abuse and clandestine trafficking of N-ethylamphetamine, which was found by the Assistant Secretary for Health, Department of Health and Human Services, to support DEA's position that the substance be placed in Schedule I of the CSA. The effect of this proposal would be to require that the manufacture, distribution, security, registration, recordkeeping, quotas, inventory, order forms, criminal liability, exportation, and importation of N-ethylamphetamine be subject to controls for Schedule I substances.

DATE: Comments must be received on or before November 9, 1981.

ADDRESS: Comments and objections should be submitted in quintuplicate to the Acting Administrator, Drug Enforcement Administration, 1405 I Street, NW, Washington, D.C. 20537, Attention: DEA Federal Register Representative.

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

SUPPLEMENTARY INFORMATION: On April 10, 1980, the Administrator of DEA sent information concerning the abuse and trafficking of N-ethyl-alpha-methylphenethylamine to the Assistant Secretary for Health, Department of Health, Education and Welfare (now Department of Health and Human Services). The Administrator requested of the Assistant Secretary a scientific and medical evaluation of the information concerning N-ethylamphetamine and a recommendation that it be controlled under the Controlled Substances Act. On August 6, 1981, the Assistant Secretary for Health replied:

August 6, 1981.

Mr. Francis M. Mullen, Jr.

Acting Administrator, Drug Enforcement Administration

1405 Eye Street, N.W.

Washington, D.C.

Dear Mr. Mullen: Pursuant to section 201(b) of the Controlled Substances Act (CSA), 21 U.S.C. 811(b), this letter is notification of the Department of Health and Human Services' recommendation for the control of N-ethylamphetamine in Schedule I of the CSA. N-ethylamphetamine is a central nervous system stimulant that has no recognized medical use in treatment in the United States.

The substance is clandestinely synthesized, illegally sold and abused. The Food and Drug Administration reviewed the document entitled *N-ethylamphetamine: Evaluation and Control Recommendation* which was prepared by your scientific staff. The FDA relied on that document in making the following findings pursuant to 21 U.S. C. 811(b)

1. *N-ethylamphetamine has a high potential for abuse.* This finding is based on the fact that the abuse potential of N-ethylamphetamine is of the same order as methamphetamine, a CSA Schedule II substance of high abuse potential.

2. *N-ethylamphetamine has no currently accepted medical use.* This finding is based on the substance has not been studied for any medical use in the United States and has not received approval for marketing.

3. *There is a lack of accepted safety for use under medical supervision of the substance N-ethylamphetamine.* This finding is based on the fact that the substance has never been studied for medical use in the United States. Therefore, its safety for use under medical supervision is unknown.

The FDA considered DEA's analysis and recommendation scientifically sound and concurred in the recommendation that N-ethylamphetamine be scheduled in CSA Schedule I without further delay. I concur with that recommendation.

Should you have any questions concerning this issue, the FDA Drug Abuse Staff is prepared to respond.

Sincerely yours,

Edward N. Brandt, Jr., M.D.,

Assistant Secretary for Health.

The Drug Enforcement Administration has conducted a review of N-ethylamphetamine which has included the following:

1. Published scientific and medical literature from the United States and other countries regarding this substance;

2. Materials on file with the Drug Enforcement Administration;

3. Drug reporting systems within DEA and various state and local establishments; and,

4. The legislative history of the Controlled Substances Act.

Based upon the investigations and review of the Drug Enforcement Administration and relying on the

scientific and medical evaluation and the recommendation of the Assistant Secretary for Health, Department of Health and Human Services, received pursuant to sections 201(a) and 201(b) of the Act [21 U.S.C. 811(a) and 811(b)], the Acting Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available, N-ethylamphetamine has a high potential for abuse;

2. N-ethylamphetamine has no currently accepted medical use in treatment in the United States; and,

3. There is a lack of accepted safety for use of N-ethylamphetamine under medical supervision.

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Therefore, under the authority vested in the Attorney General by section 201(a) of the Act [21 U.S.C. 811(a)], and delegated to the Acting Administrator of the Drug Enforcement Administration by regulations of the Department of Justice [28 CFR Part 0.100], the Acting Administrator hereby proposes that Part 1308, Title 21, Code of Federal Regulations (CFR), be amended by revising paragraph (f) of § 1308.11 of Title 21, Code of Federal Regulations (CFR), to include N-ethylamphetamine therein as item (2), to read as follows:

§ 1308.11 Schedule I.

* * * * *

(f) Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

(1) Fenethylline	1503
(2) N-Ethylamphetamine	1475

All interested persons are invited to submit their comments or objections in writing regarding this proposal. If a person believes that one or more issues raised by him warrant a hearing, he should so state and summarize the reasons for his belief. Comments and objections should be submitted in quintuplicate to the Acting Administrator, Drug Enforcement Administration, 1405 I Street, NW., Washington, D.C. 20537, Attention: DEA Federal Register Representative.

In the event that comments or objections to this proposal raise one or more issues which the Acting Administrator finds, in his sole discretion, warrant a hearing, the Acting Administrator will have published in the Federal Register an order for a public hearing which will summarize the issues to be heard and which will set the time for the hearing (which will not be less than 30 days after the date of the order).

Pursuant to Title 5, United States Code, section 605(b), the Acting Administrator certifies that control of N-ethylamphetamine, as proposed herein, will have no impact upon small businesses or other entities whose interests must be considered under the Regulatory Flexibility Act. The chemical substance described in this notice has no legitimate medical use in the United States.

In accordance with the provisions of section 201(a) of the Controlled Substances Act (21 U.S.C. 811(a)), this scheduling action is a formal rulemaking "on the record after opportunity for a hearing." Such formal proceedings are conducted pursuant to the provisions of 5 U.S.C. 556 and 557 and, as such, have been exempted from the consultation requirements of Executive Order 12291.

Dated: September 2, 1981.

Francis M. Mullen, Jr.,

Acting Administrator, Drug Enforcement Administration.

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BILLING CODE 4410-09-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-6-FRL 1920-1]

Approval and Promulgation of State Implementation Plans; Arkansas: Prevention of Significant Deterioration Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On August 7, 1980 (40 FR 52676), EPA promulgated revised regulations for Prevention of Significant Deterioration of Air Quality (PSD) and requirements for States to develop and submit revised regulations for PSD. The State of Arkansas has responded and on April 23, 1981, submitted to EPA a revision to the State Implementation Plan (SIP) to incorporate by reference these PSD Regulations.

Based on this Agency's review of the material submitted, EPA is proposing to approve this revision and invites public comment on this proposed action.

DATES: Interested persons are invited to submit comments on this proposed rulemaking on or before October 13, 1981.

ADDRESSES: Written comments should be submitted to the address below: Environmental Protection Agency, Region 6, Air and Hazardous Materials Division, Air Programs Branch, 1201 Elm Street, Dallas, Texas 75270.

Copies of the State submittal and comments received on this proposed rulemaking will be available for inspection during normal business hours at the above address and the following locations:

Environmental Protection Agency, Public Information Reference Unit, Room 2922, EPA Library, 401 "M" Street, SW., Washington, D.C. 20460;

Arkansas Department of Pollution Control and Ecology, 8001 National Drive, Little Rock, Arkansas 72209.

FOR FURTHER INFORMATION CONTACT: Bruce A. Furbush, Technical Support Section, Air Programs Branch, Air and Hazardous Materials Division, Environmental Protection Agency, Region 6, 1201 Elm Street, Dallas, Texas 75270, (214) 767-1594 or (FTS) 729-1594.

SUPPLEMENTARY INFORMATION: On August 7, 1980, (45 FR 52676), EPA promulgated the latest requirements to assist States in preparing State Implementation Plan (SIP) revisions meeting the new requirements for Prevention of Significant Deterioration (PSD). The State has complied with these requirements and has adopted and submitted a revised regulation, section 8.1, incorporating by reference 40 CFR 52.21 (b) through (r) as amended on August 7, 1980. EPA has reviewed the State's submittal and developed an evaluation report,[1] which discusses the technical aspects of the revisions in detail.

This evaluation report is available for inspection by interested parties during normal business hours at the EPA Region 6 office and the other addresses listed above.

Subparts that are not being incorporated by reference are (a) Plan Disapproval, (s) Environmental Impact Statement, (t) Disputed Permits or Redesignations, (u) Delegation of Authority, (v) Innovative Technology, and (w) Permit Rescission. These subparts are not required for the State to conduct and implement the PSD permit program and, therefore, need not be submitted as part of the SIP revision.

Additionally, the requirements of 40 CFR 52.21(o) Additional Impacts Analysis have been modified in the State's submittal to require additional reporting concerning industrial and economic development including an analysis of alternate siting for any major stationary source or major modification which would consume more than fifty

[1] EPA Review of Arkansas State Implementation Plan Revisions for Prevention of Significant Deterioration Regulations, July 1981.