Any person adversely affected by this regulation may, on or before February 24, 1978, file written objections with the Hearing Clerk, EPA, Rm. M-3706, 401 M Street SW., Washington, D.C. 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by the grounds legally sufficient to justify the relief sought.

Effective on January 25, 1978, 21 CFR 561.253 is amended as set forth below.

Dated: January 17, 1978.

(Sec. 409(c)(1), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 348(c)(1)).)

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

Section 561.253 *Glyphosate* is amended as follows:

§ 561.253 [Amended]

In § 561.253, the date at the end of the last line in paragraph (a)(2) is changed from "September 7, 1977" to "January 17, 1979."

[FR Doc. 78-2035 Filed 1-24-78; 8:45 am]

[4410-01]

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Placement of Phencyclidine in Schedule II

AGENCY: Drug Enforcement Administration.

ACTION: Final Rule.

SUMMARY: This rule is issued as a result of the Drug Enforcement Administration's request that the Assistant Secretary for Health, Department of Health, Education, and Welfare, provide DEA with a scientific and medical evaluation of phencyclidine regarding its transfer from Schedule III to Schedule II of the Act, the Assistant Secretary's transmittal of the requested evaluation and recommendation, DEA's review thereof, subsequent publication in the FEDERAL REGISTER (42 FR 63647, Dec. 19, 1977) of a Notice of Proposed Rulemaking to transfer phencyclidine to Schedule II, and receipt and review by DEA of comments submitted in response to the published Notice. This rule requires that the manufacture, distribution, dispensing, importation, exportation of phencyclidine be subject to controls for Schedule II controlled substances.

EFFECTIVE DATE OF SCHEDULE II CONTROL: February 24, 1978, except as otherwise provided in Supplementary Information section of this order.

FOR FURTHER INFORMATION CONTACT:

Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, telephone 202-633-1366.

SUPPLEMENTARY INFORMATION: A Notice was published in the FEDERAL REGISTER on Monday, December 19, 1977 (42 FR 63647-48) proposing that phencyclidine be transferred from Schedule III to Schedule II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 801-966), and that 21 Code of Federal Regulations, §§ 1308.12 and 1308.13 (Schedules II and III, respectively) be amended accordingly. All interested persons were given until January 18, 1978 to submit their comments or objections in writing regarding this proposal.

Two comments were received in response to the proposal from the State of Rhode Island Department of Health, Division of Drug Control and from the North Carolina State Drug Commission, which supported the proposed rescheduling of phencyclidine from Schedule III to Schedule II.

No further comments nor objections were received, nor were there any requests for a hearing, and in view thereof, and based upon the investigations and review of the Drug Enforcement Administration and upon the scientific and medical evaluation and recommendation of the Assistant Secretary for Health in behalf of the Secretary of Health, Education, and Welfare, received pursuant to section 201(a) and 201(b) of the Act (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Phencyclidine has a high potential for abuse;

2. Phencyclidine has a currently accepted medical use in veterinary treatment in the United States; and

3. Abuse of phencyclidine may lead to severe psychological dependence.

Therefore, under the authority vested in him by the Act and by regulations of the Department of Justice, the Administrator of the Drug Enforcement Administration hereby orders that §§ 1308.12(e) and 1308.13(c) of Title 21 of the Code of Federal Regulations (CFR) be amended to read as follows:

§ 1308.12 Schedule II.

* * * * *

(e) *Depressants.* 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 depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Amobarbital	2125
(2) Methaqualone	2565
(3) Pentobarbital	2270
(4) Phencyclidine	7471
(5) Secobarbital	2315

* * * * *

§ 1308.13 Schedule III.

* * * * *

(c) *Depressants.* 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 depressant effect on the central nervous system:

(1) Any compound, mixture or preparation containing:

(i) Amobarbital	2125
(ii) Secobarbital	2315
(iii) Pentobarbital	2270

or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.

(2) Any suppository dosage form containing:

(i) Amobarbital	2125
(ii) Secobarbital	2315
(iii) Pentobarbital	2270

or any salt of any of these drugs and approved by the Food and Drug Administration for marketing only as a suppository.

(3) Any substance which contains any quantity of a derivative of barbituric acid or any salt thereof	2100
(4) Chlorhexadol	2510
(5) Glutethimide	2550
(6) Lysergic acid	7300
(7) Lysergic acid amide	7310
(8) Methyprylon	2575
(9) Sulfondiethylmethane	2600
(10) Sulfonethylmethane	2605
(11) Sulfonmethane	2610

* * * * *

OTHER EFFECTIVE DATES

1. *Registration.* Any person who manufactures, distributes, dispenses, imports or exports phencyclidine or who proposes to engage in such activities, shall submit an application for registration to conduct such activities in accordance with Parts 1301 and 1311 of Title 21 of the Code of Federal Regulations on or before April 25, 1978.

2. *Security.* Phencyclidine must be manufactured, distributed, and stored in accordance with §§ 1301.71, 1301.72 (a), (c), and (d), 1301.73, 1301.74 (a)-(f), 1301.75(b)(c) and 1301.76 of Title 21 of the Code of Federal Regulations on or before July 24, 1978. From now

until the effective date of this provision, it is expected that manufacturers and distributors of phencyclidine will initiate whatever preparations as may be necessary, including undertaking handling and engineering studies and construction programs, in order to provide adequate security for phencyclidine in accordance with DEA regulations so that substantial compliance with this provision can be met by July 24, 1978. In the event that this imposes special hardships, the Drug Enforcement Administration will entertain any justified requests for extensions of time.

3. *Labeling and packaging.* All labels on commercial containers of, and all labeling of phencyclidine packaged after July 24, 1978, shall comply with the requirements of §§ 1302.03-1302.05 and 1302.08 of Title 21 of the Code of Federal Regulations. In the event this effective date imposes special hardships on any manufacturer, as defined in section 102(14) of the Controlled Substances Act (21 U.S.C. 802(14)), the Drug Enforcement Administration will entertain any justified requests for an extension of time.

4. *Inventory.* Every registrant required to keep records who possess any quantity of phencyclidine shall take an inventory pursuant to §§ 1304.11-1304.19 of Title 21 of the Code of Federal Regulations, of all stocks of such substance on hand on February 24, 1978.

5. *Records.* All registrants required to keep records pursuant to §§ 1304.21-1304.27 of Title 21 of the Code of Federal Regulations shall maintain such records on phencyclidine commencing on the date on which the inventory of such substance is taken.

6. *Order Forms.* The order form requirements of §§ 1305.01-1305.16 of Title 21 of the Code of Federal Regulations shall be in effect on the date which the initial inventory of this Schedule II controlled substance is taken, February 24, 1978.

7. *Prescriptions.* All prescriptions for products containing phencyclidine shall comply with §§ 1306.01-1306.06 and §§ 1306.11-1306.15 of Title 21 of the Code of Federal Regulations, beginning February 24, 1978. All prescriptions for products containing such substances issued before February 24, 1978, if authorized for refilling, shall not be refilled on or after February 24, 1978.

8. *Importation and exportation.* All importation and exportation of phencyclidine shall, on or after April 25, 1978, be required to be in compliance with Part 1312 of Title 21 of the Code of Federal Regulations.

9. *Criminal liability.* The Administrator, Drug Enforcement Administration, hereby orders that any activity with respect to phencyclidine as a Schedule II controlled substance not authorized by, or in violation of, the Controlled Substances Act or the Controlled Substances Import and Export Act, conducted after February 24, 1978, shall be unlawful, except that any person who is not now registered to handle phencyclidine as a Schedule II controlled substance but who is entitled to registration under such Acts may continue to conduct normal business or professional practice with phencyclidine between the date on which this order is published and the date on which he obtains or is denied registration: *Provided,* That application for such registration is submitted on or before April 25, 1978.

10. *Other.* In all other respects, this order is effective February 24, 1978.

Dated: January 23, 1978.

PETER B. BENSINGER,
Administrator,
Drug Enforcement Administration.

[FR Doc. 78-2239 Filed 1-24-78; 8:45 am]

[4310-70]

Title 36—Parks, Forests, and Public Properties

CHAPTER I—NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

PART 17—CONVEYANCE OF FREEHOLD AND LEASEHOLD INTERESTS ON LANDS OF THE NATIONAL PARK SYSTEM

Criteria

AGENCY: National Park Service, Interior.

ACTION: Amendment to final rule.

SUMMARY: This document amends the regulations governing the criteria for conveyance to private parties of freehold or leasehold interests in land within units of the National Park System. The amendment provides the Advisory Council on Historic Preservation with opportunity to comment on conveyances affecting properties listed or eligible for listing on the National Register of Historic Places. The amendment is necessary to comply with the National Historic Preservation Act.

EFFECTIVE DATE: December 15, 1977.

FOR FURTHER INFORMATION, CONTACT:

C. Allen Harpine, 202-523-5252.

SUPPLEMENTARY INFORMATION: On September 15, 1977, there was published in the FEDERAL REGISTER (42 FR 46303-46305) a notice of final rulemaking. This final rule did not provide the Advisory Council on Historical Preservation with an opportunity for comment mandated by the National Historic Preservation Act. Therefore, this rule is amended by adding the following sentences at the end of § 17.3.

§ 17.3 Land subject to disposition.

* * * Any conveyances affecting properties listed or eligible for listing on the National Register of Historic Places must be reviewed by the Advisory Council on Historic Preservation. Procedures for obtaining the Council's comments appear at 36 CFR Part 800, "Procedures for the Protection of Historic and Cultural Resources."

WILLIAM J. WHALEN,
Director, National Park Service.

JANUARY 16, 1978.

[FR Doc. 78-2113 Filed 1-24-78; 8:45 am]

[6560-01]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 846-7]

NEW SOURCE REVIEW

Delegation of Authority to the Commonwealth of Kentucky

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The amendments below institute certain address changes for reports and applications required from operators of new sources. EPA has delegated to the Commonwealth of Kentucky authority to review new and modified sources. The delegated authority includes the reviews under 40 CFR Part 52 for the prevention of significant deterioration. It also includes the review under 40 CFR Part 60 for the standards of performance for new stationary sources and reviewed under 40 CFR Part 61 for national emission standards for hazardous air pollutants. A notice announcing the delegation of authority was published in the Notices section of a previous issue of the FEDERAL REGISTER. These amendments provide that all reports, requests, applications, submittals, and communications previously required for the delegated reviews will now be sent to the Division of Air Pollution Control, Department for Natural Resources and Environmental Protection, West Frankfort Office Complex, U.S. 127, Frankfort, Ky. 40601, instead of EPA's Region IV.

EFFECTIVE DATE: January 25, 1978.

FOR FURTHER INFORMATION, CONTACT:

John Eagles, Air Programs Branch, Environmental Protection Agency, Region IV, 345 Courtland Street NE., Atlanta, Ga. 30308, phone 404-881-2864.

SUPPLEMENTARY INFORMATION: The Regional Administrator finds