

**DEPARTMENT OF JUSTICE****Drug Enforcement Administration****21 CFR Part 1308****Schedules of Controlled Substances; Extension of Temporary Placement of Methcathinone into Schedule I**

**AGENCY:** Drug Enforcement Administration, Justice.

**ACTION:** Final rule.

**SUMMARY:** This final rule is issued by the Administrator of the Drug Enforcement Administration (DEA) to extend the temporary scheduling of methcathinone in Schedule I of the Controlled Substances Act (CSA) (21 U.S.C. 801 *et seq.*). The temporary scheduling of methcathinone is due to expire on May 1, 1993. This notice will extend the temporary scheduling of methcathinone for six months or until rulemaking proceedings pursuant to 21 U.S.C. 811(a) are completed, whichever occurs first.

**EFFECTIVE DATE:** April 29, 1993.

**FOR FURTHER INFORMATION CONTACT:** Howard McClain, Jr., Chief, Drug and Chemical Evaluation Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307-7183.

**SUPPLEMENTARY INFORMATION:** On May 1, 1992, the Administrator of the DEA published a final rule in the *Federal Register* (57 FR 18824) amending § 1308.11(g) of title 21 of the Code of Federal Regulations to temporarily place methcathinone into Schedule I of the CSA pursuant to the temporary scheduling provisions of 21 U.S.C. 811(h). This final rule, which became effective on the date of publication, was based on findings by the Administrator that the temporary scheduling of methcathinone was necessary to avoid an imminent hazard to the public safety. Section 201(h)(2) of the CSA (21 U.S.C. 811(h)(2)) requires that the temporary scheduling of a substance expires at the end of one year from the effective date of the order. However, during the pendency of proceedings under 21 U.S.C. 811(a)(1) with respect to the substance, temporary scheduling of that substance may be extended for up to six months. Proceedings for the scheduling of a substance under 21 U.S.C. 811(a) may be initiated by the Attorney General (delegated to the Administrator of the DEA pursuant to 28 CFR 0.100) on his own motion, at the request of the Secretary of Health and Human Services, or on the petition of any interested party. Such proceedings

regarding methcathinone have been initiated by the Administrator.

Therefore, the temporary scheduling of methcathinone, which is due to expire on May 1, 1993, may be extended until November 1, 1993, or until proceedings initiated in accordance with 21 U.S.C. 811(a) are completed, whichever occurs first.

Pursuant to 21 U.S.C. 811(h)(2) the Administrator hereby orders that the temporary scheduling of methcathinone be extended until November 1, 1993, or until the conclusion of scheduling proceedings initiated in accordance with 21 U.S.C. 811(a), whichever occurs first. The Administrator of the DEA hereby certifies that extension of the temporary placement of methcathinone into Schedule I of the CSA will have no significant impact upon entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* This action involves the extension of temporary control of a substance with no currently approved medical use or manufacture in the United States.

This final rule is not a major rule for the purposes of Executive Order 12291 (46 FR 13193) of February 17, 1981. It has been determined that drug scheduling matters are not subject to review by the Office of Management and Budget (OMB) pursuant to the provisions of Executive Order 12291. Accordingly, this extension of temporary scheduling is not subject to the provisions of Executive Order 12778 which are contingent upon review by OMB.

This action has been analyzed in accordance with the principles and criteria in Executive Order 12612, and it has been determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**List of Subjects in 21 CFR Part 1308**

Administrative practice and procedure, Drug traffic control, Narcotics, Prescription drugs.

Dated: April 22, 1993.

**Robert C. Bonner,**  
*Administrator of Drug Enforcement.*  
[FR Doc. 93-9994 Filed 4-28-93; 8:45 am]  
BILLING CODE 4410-09-M

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****23 CFR Part 625**

[FHWA Docket No. 89-16, Notice No. 3]

RIN 2125-AC34

**Design Standards for Highways; Interstate System**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This document amends the design standards which apply to Interstate highway projects. A revised publication of the American Association of State Highway and Transportation Officials (AASHTO) entitled "A Policy on Design Standards—Interstate System" is being adopted by the FHWA and will constitute the FHWA's policy on geometric design for all projects on the Interstate highway system.

Prior to the completion of this rulemaking process, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 was passed. That act retains without changes the existing statutory provisions for geometric and construction standards for the Interstate system. In addition, it provides that, similar to the previous statutory provision, the Secretary of Transportation, in cooperation with the States, shall establish design and construction standards for projects on the National Highway System (NHS). As defined in the 1991 ISTEA, the interim NHS consists of the Interstate system and other principal arterials.

The FHWA has reviewed this rulemaking in view of the new provisions and has concluded that, because the changes in the Federal-aid highway system definitions do not effect the Interstate system and the existing statutory authority for standards is not changed, there is no effect on this rulemaking.

**EFFECTIVE DATE:** The final rule is effective June 1, 1993.

**FOR FURTHER INFORMATION CONTACT:** Mr. Seppo I. Sillan, Geometric and Roadside Design Branch, Federal-aid and Design Division, Office of Engineering (202) 366-1327 or Vivian Philbin, Office of Chief Counsel (202) 366-0780, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m., e.t., Monday through Friday, except legal Federal holidays.

**SUPPLEMENTARY INFORMATION:** The standards, policies and standard specifications that have been approved