which would reduce the FAA's proposed cost impact upon the public.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12862, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39
Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39-AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new AD to read as follows:

Schempp-Hirth: Docket No. 94-CE-17-AD.
Applicability: Cirrus and Cirrus VTC.
Sailplanes, certified in any category.
Compliance: Required upon the accumulation of 500 hours time-in-service (TIS) or within the next 20 hours TIS after the effective date of this AD, whichever occurs later, unless already accomplished.
To prevent airbrake system failure caused by broken coupling balls on the airbrake actuating lever, which, if not detected and corrected, could result in sailplane controllability problems, accomplish the following:
(a) Modify the airbrake actuating lever and replace the airbrake system coupling balls (located on the actuating lever) in accordance with Schempp-Hirth Technical Note No. 265-10, dated November 5, 1992.
(b) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.
(c) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.
(d) All persons affected by this directive may obtain copies of the document referred to herein upon request to Schempp-Hirth Flugzeugbau GmbH, Krebsstr. 25, D-7312 Kirchheim/Teck, Germany, or may examine this document at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on December 14, 1994.

Barry D. Clements,
Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 94-31194 Filed 12-19-94; 8:45 am] BILLING CODE 4910-15-U

DEPARTMENT OF JUSTICE

Drug Enforcement Administration
[DEA—126P]

21 CFR Part 1308

Schedules of Controlled Substances; Proposed Placement of 4-Bromo-2,5-dimethoxyphenethylamine Into Schedule I

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice of proposed rulemaking is issued by the Deputy Administrator of the Drug Enforcement Administration (DEA) to place 4-bromo-2,5-dimethoxyphenethylamine (4-bromo-2,5-DMPEA) into Schedule I of the Controlled Substances Act (CSA). This proposed action by the DEA Deputy Administrator is based on data gathered and reviewed by the DEA. If finalized, this proposed action would impose the regulatory control mechanisms and criminal sanctions of Schedule I on the manufacture, distribution, and possession of 4-bromo-2,5-DMPEA.

DATES: Comments must be submitted on or before January 19, 1995.

ADDRESSES: Comments and objections should be submitted to the Deputy Administrator, Drug Enforcement Administration, Washington, D.C. 20537 Attention: DEA Federal Register Representative.


SUPPLEMENTAL INFORMATION: On January 6, 1994, the Acting Administrator of the DEA published a final rule in the Federal Register (59 FR 671) amending § 1308.11(g) of Title 21 of the Code of Federal Regulations to temporarily place 4-bromo-2,5-DMPEA into Schedule I of the CSA pursuant to the temporary scheduling provisions of 21 U.S.C. 811(b). This final rule, which became effective on the date of publication, was based on findings by the Acting Administrator that the temporary scheduling of 4-bromo-2,5-DMPEA 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, if proceedings to schedule a substance pursuant to 21 U.S.C. 811(a)(1) have been initiated and are pending, the temporary scheduling of a substance may be extended for up to six months. Under this provision, the temporary scheduling of 4-bromo-2,5-DMPEA which would expire on January 6, 1995, may be extended to July 6, 1995. This extension is being ordered by the DEA Deputy Administrator in a separate action. The DEA has gathered and reviewed the available information regarding the trafficking, actual abuse and the relative potential for abuse for 4-bromo-2,5-DMPEA. The Deputy Administrator has submitted this data to the Assistant Secretary for Health, Department of Health and Human Services. In accordance with 21 U.S.C. 811(b), the Deputy Administrator also requested a scientific and medical evaluation and a scheduling recommendation for 4-bromo-2,5-DMPEA from the Assistant Secretary for Health.

The Food and Drug Administration (FDA) has notified the DEA that there are no exemptions or approvals in effect
under Section 505 of the Federal Food, Drug, and Cosmetic Act for 4-bromo-2,5-
DMPEA. A search of the scientific and 
medical literature revealed no 
imcations of current medical use of 4-
bromo-2,5-DMPEA in the United States. 4-
bromo-2,5-DMPEA is structurally 
similar to the Schedule I 
phenylisopropylamine hallucinogens, 4-
bromo-2,5-dimethoxyphenethamine 
(DOB). Like DOM and DOB, 4-bromo-
2,5-DMPEA displays high affinity for 
central serotonin receptors and is 
capable of substituting for DOM or DOB 
for drug discrimination studies 
conducted in rats. These data suggest 
that 4-bromo-2,5-DMPEA is a 
psychoactive substance capable of 
producing effects similar, though not 
identical, to DOM and DOB. Data from 
human studies indicate that 4-bromo-
2,5-DMPEA is orally active at 0.1–0.2 
mg/kg producing an intoxication with 
considerable euphoria and sensory 
enhancement which lasts for 6 to 8 
hours. Higher doses have been reported 
to produce intense and frightening 
hallucinations.

The DEA first encountered 4-bromo- 
2,5-DMPEA in 1979. Since that time, 
several exhibits of 4-bromo-2,5-DMPEA 
have been analyzed by Federal and state 
forensic laboratories in Arizona, 
California, Colorado, Georgia, Illinois, 
Iowa, Kentucky, Oregon, Pennsylvania, 
and Texas. Clandestine laboratories 
producing 4-bromo-2,5-DMPEA were 
seized in California in 1986 and 1994 
and in Arizona in 1992. It has been 
represented as 3,4-methylenedioxymethamphetamine (MDMA) and has 
been sold as sugar cubes as LSD. 4-
bromo-2,5-DMPEA has been 
marketed as an aphrodisiac and 
distributed under the product name of 
Nexus. DEA has seized several thousand 
dosage units of this product.

The Deputy Administrator, based on 
the information gathered and reviewed 
by his staff and after consideration of 
the factors in 21 U.S.C. 811(c), believes 
that sufficient data exist to propose and 
support that 4-bromo-2,5-DMPEA be 
placed in Schedule I of the CSA 
pursuant to 21 U.S.C. 811(a). The 
specific findings required pursuant to 
21 U.S.C. 811 and 812 for a substance 
to be placed into Schedule I are as 
follows:

(1) The drug or other substance has a 
high potential for abuse.

(2) The drug or other substance has no 
currently accepted medical use in 
treatment in the United States.

(3) There is a lack of accepted safety 
for use of the drug or other substance 
under medical supervision.

Before issuing a final rule in this 
matter, the DEA Deputy Administrator 
will take into consideration the 
scientific and medical evaluation and 
scheduling recommendation of the 
Secretary of the Department of Health 
and Human Services in accordance with 
21 U.S.C. 811(b). The Deputy 
Administrator will also consider 
relevant comments from other 
concerned parties.

Interested persons are invited to 
submit their comments, objections, or 
requests for a hearing in writing with 
regard to this proposal. Requests for a 
hearing should state with particularity 
the issues concerning which the person 
desires to be heard. All correspondence 
regarding this matter should be 
submitted to the Deputy Administrator, 
Drug Enforcement Administration, 
Washington, D.C. 20537, Attention: DEA 
Federal Register Representative. In the 
event that comments, objections, or 
requests for a hearing raise one or more 
issues which the Deputy Administrator 
finds warrants a hearing, the Deputy 
Administrator shall order a public 
hearing by notice in the 
Federal Register, summarizing the issues to 
be heard and setting the time for the 
hearing.

The Deputy Administrator of the DEA 
hereby certifies that proposed 
placement of 4-bromo-2,5-DMPEA 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 control 
of a substance with no currently 
accepted medical use in the United 
States.

This proposed rulemaking is not a 
significant regulatory action for the 
purposes of Executive Order (E.O.) 
12866 of September 30, 1993. Drug 
scheduling matters are not subject to 
review by the Office of Management and 
Budget (OMB) pursuant to provisions of 
E.O. 12866, Section 3(d)(1).

This action has been analyzed in 
accordance with the principles and 
criteria in E.O. 12612, and it has been 
determined that this proposed 
rulemaking does not have sufficient 
regulatory impacts 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.

Under the authority vested in the 
Attorney General by Section 201(a) of 
the CSA (21 U.S.C. 811(a)), and 
delegated to the Administrator of the 
DEA by the Department of Justice 
regulations (28 CFR 0.100) and 
redelegated to the Deputy Administrator 
pursuant to 28 CFR 0.104, the Deputy 
Administrator hereby proposes that 21 
CFR Part 1308 be amended as follows:

PART 1308—SCHEDULES OF 
CONTROLLED SUBSTANCES

1. The authority citation for 21 CFR 
part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871b, unless 
otherwise noted.

2. Section 1308.11 is amended by 
redesignating the existing paragraphs 
(d)(3) through (d)(30) as (d)(4) through 
(d)(31) and adding a new paragraph 
(d)(3) to read as follows:

§ 1308.11 Schedule I.

(d) 4-Bromo-2,5-
dimethoxyphenethylamine—7392

Some trade or other names: 2-(4-
bromo-2,5-dimethoxyphenyl)-1-
aminobenzene; alpha-desmethyl DOB; 
2C-B, Nexus.

3. Section 1308.11 is further amended 
by removing paragraph (g)(3).


Stephen H. Greene, 
Deputy Administrator.

[FR Doc. 94-31162 Filed 12-19-94; 8:45 am]
BILLING CODE 4410-09-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 151

46 CFR Part 4

[CGD 91-216]

RIN 2115-AD98

Reporting Marine Casualties

AGENCY: Coast Guard, DOT

ACTION: Notice of meeting; request for 
comments.

SUMMARY: The Coast Guard announces 
an open meeting to hear the public's 
options on how best to implement 
amendments contained in the Oil 
Pollution Act of 1990 (OPA 90) that 
relate to the statutory obligation of 
certain U.S. and foreign flag vessels to 
report to the Coast Guard specific 
"marine casualties." Following the 
public meeting, the Coast Guard will 
decide whether to propose changes to 
existing regulations, to propose new 
regulations, or to implement the 
statutory changes through non-
regulatory means.

DATES: The meeting will be held January 
20, 1995, from 9 a.m. to 12 a.m. Written