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.


(See 409(c)(1), Federal Food, Drug, and Cosmetic Act (21 U.S.C. 349(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. 78-2038 Filed 1-24-78; 8:45 am]

§ 1308.13 Schedule III.

(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. Amylobarbital 2125
2. Methaqualone 2555
3. Pentobarbital 2270
4. Phencyclidine 7471
5. Secobarbital 2315

§ 1308.12 Schedule II.

| (a) Amobarbital | 2125 |
| (b) Secobarbital | 2315 |
| (c) Pentobarbital | 2270 |
| (d) Phencyclidine | 7471 |
| (e) Deprassants. 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: |

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, Res 21(FED REG, 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.

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.
until the effective date of this provision, it is expected that manufacturers and distributors of phenylcaine may initiate whatever preparations as may be necessary, including undertaking handling and engineering studies and construction programs, in order to provide for the security of phenylcaine 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 phenylcaine packaged after July 24, 1978, shall comply with the requirements of §§ 1302.03-1302.05 and 1302.06 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 phenylcaine 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 phenylcaine 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 is one hundred days after the effective date of this Schedule II controlled substance is taken, February 24, 1978.

7. Prescriptions. All prescriptions for products containing phenylcaine shall comply with §§ 1306.01-1306.08 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 phenylcaine 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 makes any activity with respect to phenylcaine 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 phenylcaine as a Schedule II controlled substance but who is entitled to registration under such Act may continue to conduct normal business or professional practice with phenylcaine 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.


PETER B. BENINGSER, Administrator, Drug Enforcement Administration.

FEDERAL REGISTER VOL. 43, NO. 17—WEDNESDAY, JANUARY 25, 1978

§ 173. Land subject to disposition.

* * * * *

Any conveyance 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, submitted in accordance with Part 800, "Procedures for the Protection of Historic and Cultural Resources."

WILLIAM J. WHALEN, Director, National Park Service.


[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 Notice section of a previous issue of the Federal Register. These amendments provide that all reports, requests, applications, submissions, 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.


FOR FURTHER INFORMATION, CONTACT:

John Eagles, Air Programs Branch, Environmental Protection Agency, Region IV, 345 Courtland Street NE, Atlanta, Ga. 30303, phone 404-861-2864.

SUPPLEMENTARY INFORMATION: The Regional Administrator finds