Canyon National Park, Arizona; Extension of Time.

The National Park Service announced the availability for public review of the Draft General Management Plan/ Environmental Impact Statement for Grand Canyon National Park on March 13, 1995 (60 Federal Register 13450). At that time a public review period was announced and scheduled to end no later than April 24, 1995. This notice extends the comment period to May 11, 1995.

ADDRESSES: Comments should be sent to Planning Team Leader, Grand Canyon General Management Plan, National Park Service, Denver Service Center-TWE, P.O. Box 25287, Denver, CO 80225–0287.

FOR FURTHER INFORMATION CONTACT: Larry Norris at the above address or telephone (303) 969–2210.

Dated: April 26, 1995.

Denis P. Galvin,

Associate Director, Planning and Development.

[FR Doc. 95–10932 Filed 5–3–95; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF JUSTICE

Correction to Notice of Lodging a Final Judgment by Consent Pursuant to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA)

Notice of the lodging of a proposed consent decree in *United States* versus *Edward Azrael, et al.*, Civ. A. No. WN–89–2898, was published at 60 Fed. Reg. 19772 on April 20, 1995. The decree was lodged on April 10, 1995, with the United States District Court for the District of Maryland. The complaint in the action seeks recovery of costs and injunctive relief under Sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (''CERCLA''), as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99–499, 42 U.S.C. 9606, 9607(a).

The *Azrael* case involves the Kane and Lombard Superfund Site located in Baltimore, Maryland. Under the proposed consent decree, Edward Azrael, Harriet Azrael and the Estate of Cele Landay (the ''Settlors'') will pay $325,000.00 to the United States and $175,000.00 to the State of Maryland toward reimbursement of past and future costs incurred by the United States and the State of Maryland in performing certain response actions at the Kane and Lombard Superfund Site. The notice of lodging published April 20, 1995, had mistakenly stated that the Settlors were to pay $375,000.00 to the United States.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty days from April 20, 1995, the date of Notice of Lodging was originally published. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States* versus *Edward Azrael, et al.*, DOJ Reference No. 90–11–2–299.

The proposed consent decree may be examined at the Office of the United States Attorney for the District of Maryland, U.S. Courthouse, Eighth Floor, 101 W. Lombard Street, Baltimore, Md. 21201; Region III Office of the Environmental Protection Agency, 841 Chestnut Street, Philadelphia, Pennsylvania; and at the Consent Decree Library, 1120 ''G'' Street NW., 4th Floor, Washington, D.C. 20005, (202) 624–0892. A copy of the proposed decree may be obtained in person or by mail from the Consent Decree Library at the address listed above. In requesting a copy, please refer to the referenced case and number, and enclose a check in the amount of $6.75 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel M. Gross,

Acting Section Chief, Environmental Enforcement Section, Environmental and Natural Resources Division.

[FR Doc. 95–11003 Filed 5–3–95; 8:45 am]

BILLING CODE 4410–01–M

Notice of Lodging of Amendment Consent Decree Pursuant to the Safe Drinking Water Act

In accordance with Departmental policy and 28 C.F.R. 50.7, notice is hereby given that on April 24, 1995, a proposed Amendment To Consent Decree For Injunction Relief in *United States* v. *Silver Bow Water Inc., et al.*, Civil Action No. 94CV026, was lodged with the United States District Court for the District of Montana.

The proposed amendment modified a consent decree entered on May 15, 1992 which resolved claims by the United States and State of Montana against Silver Bow Water, Inc. and the City-County of Butte-Silver Bow under Sections 1414 and 1431 of the Safe Drinking Water Act, 42 U.S.C. 300g–3 and 300i. The consent decree required *inter alia*, the construction of two drinking water filtration plants. The scheduled date for completion, startup and compliance of the two plants with the Safe Drinking Water Act was December 31, 1994 under the decree. The proposed amendment modifies the compliance schedule for the Moulton water treatment plant to allow for construction of custom filtration technology with a final compliance date on June 1, 1995. The compliance schedule for the Big Hole water treatment plant is unaffected by the proposed amendment.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed amendment to consent decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, D.C. 20044, and should refer to *United States* v. *Silver Bow Water, Inc. et al.*, DOJ Ref. #90–5–1–1–3751A.

The proposed consent decree amendment may be examined at the Office of the United States Environmental Protection Agency, Region VIII, Montana Office, 301 S. Park, Helena, Montana 59626 and at the Consent Decree Library, 1120 ''G'' Street, N.W., 4th Floor, Washington, D.C. 20005, (202) 624–0892. A copy of the proposed decree amendment may be obtained in person or by mail from the Consent Decree Library, 1120 G Street, N.W., 4th Floor, Washington, D.C. 20005. In requesting a copy, please refer to the referenced case and number, and enclose a check in the amount of $2.50 (25 cents per page reproduction costs), payable to the Consent Decree Library.

Joel Gross,

Acting Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 95–11004 Filed 5–3–95; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

[Docket No. 93–62]

Leonard Merkow, M.D.; Denial of Application

On June 10, 1993, the Deputy Assistant Administrator (then Director), Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Leonard Merkow, M.D. (Respondent). The Order to Show Cause sought to deny Respondent's application for a

DEA Certificate of Registration. The Order to Show cause alleged that Respondent's registration would be inconsistent with the public interest as that term is used in 21 U.S.C. 823(f).

The Order to Show Cause was received by Respondent. Respondent, through counsel, timely filed a request for a hearing on the issues raised in the Order to Show Cause and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. Judge Bittner ordered the parties to file prehearing statements. After the Government filed its prehearing statement, Respondent requested and obtained an extension of time to file his prehearing statement on or before February 10, 1994. On February 28, 1994, Judge Bittner issued an order terminating the proceedings based upon the fact that Respondent had not filed a prehearing statement nor any other pleading. The order also found that Respondent waived his right to a hearing pursuant to 21 CFR 1301.54(a) and 1301.54(d). Accordingly, the Deputy Administrator now enters his final order in this matter without a hearing and based on the investigative file. 21 CFR 1301.57.

In 1986, Respondent prescribed various narcotic and benzodiazepine controlled substances to an individual whom Respondent knew was drug addicted. Respondent also prescribed Tylenol with codeine, a Schedule III controlled substance, and Doriden, then a Schedule III controlled substance and now a Schedule II substance, to this individual. This combination, known by its street name of ''fours and dors'', is commonly abused by many drug addicts and Respondent was aware of such fact at the time he prescribed these substances to this individual.

In October 1987, this individual acting in an undercover capacity made thirteen undercover visits to Respondent's office. The transcripts of these undercover visits revealed that Respondent was well aware that the combination of Tylenol with codeine and Doriden was used by drug abusers and that he was not prescribing these substances to this individual for any legitimate reason. In addition, from October 1987 to December 1987, Respondent's receptionist gave this individual over 300 dosage units of Valium, a Schedule IV controlled substance, and 144 dosage units of Doriden for no legitimate medical purpose. Although Respondent claimed he was unaware of this activity, he was responsible for this employee's actions and ultimately accountable for the controlled substances that were dispensed from his office.

Respondent ordered about 200,000 dosage units of controlled substances in a nine month period in 1987. These controlled substances were stored at his residence, and then transferred to Respondent's two offices; one of these offices was never a registered location and Respondent let the other office's registration lapse in January 1987.

In February of 1986, Respondent was convicted in the Commonwealth of Pennsylvania of 47 counts of submitting false or fraudulent Medicaid claims. Respondent was sentenced to three years probation and to pay a fine and restitution. The Pennsylvania Bureau of Occupational and Professional Affairs suspended Respondent's medical license in March 1988, but reinstated the license about a month later.

On March 23, 1988, Respondent was notified that his prior DEA registration was immediately suspended and that he should notify DEA of any controlled substance deliveries that he might receive subsequent to that date. In fact Respondent did order over 19,000 dosage units of controlled substances on March 23, 1988, and he received this shipment on March 28, 1988. He never notified DEA of this receipt of controlled substances. The controlled substances were discovered in the garage at the residence of Respondent's attorney pursuant to a search warrant which was served on April 13, 1988. Based upon these events, Respondent's prior DEA registration, AM5075305, was revoked on March 27, 1989. 54 FR 13254 (1989).

In evaluating whether Respondent's registration by the Drug Enforcement Administration would be inconsistent with the public interest, the Deputy Administrator considers the factors enumerated in 21 U.S.C. 823(f). They are as follows:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health and safety.

In determining whether a registration would be inconsistent with the public interest, the Deputy Administrator is not required to make findings with respect to each of the factors listed above. Instead, he has the discretion to give each factor the weight he deems appropriate, depending upon the facts and circumstances of each case. *See David E. Trawick, D.D.S.*, Docket No. 88–69, 53 FR 5326 (1988).

Regarding factor two, Respondent's experience in dispensing controlled substances is poor based upon his prescribing the combination of Tylenol with codeine and Doriden to an individual, especially when Respondent was aware that this combination was subject to abuse. This factor is also supported by the fact that Respondent's employee dispensed numerous controlled substances to this individual in addition to the controlled substances that he received from Respondent's illegitimate prescriptions.

With respect to factor four, Respondent failed to comply with applicable Federal law by dispensing controlled substances from an unregistered location. 21 U.S.C. 822(e). Respondent also did not maintain records of the controlled substances dispensed from his office by his employee. 21 U.S.C. 827(a). Finally, Respondent received controlled substances after he was notified that his DEA registration was suspended. 21 U.S.C. 843(a)(2). This violation is particularly egregious because Respondent ignored instructions to inform DEA of any controlled substance shipments received after the suspension of his DEA registration. Factor five is applicable based upon Respondent's Medicaid fraud convictions.

No evidence of explanation or mitigating circumstances has been offered by Respondent. Therefore, the Deputy Administrator concludes that Respondent's application for a DEA Certificate of Registration must be denied.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that the application for a DEA Certificate of Registration, submitted by Leonard Merkow, M.D., be, and it is hereby denied. This order is effective May 4, 1995.

Dated: April 28, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 95–10928 Filed 5–3–95; 8:45 am]

BILLING CODE 4410–09–M

[Docket No. 93–56]

Michael G. Sargent, M.D.; Revocation of Registration

On June 2, 1993, the Deputy Assistant Administrator (then Director), Office of